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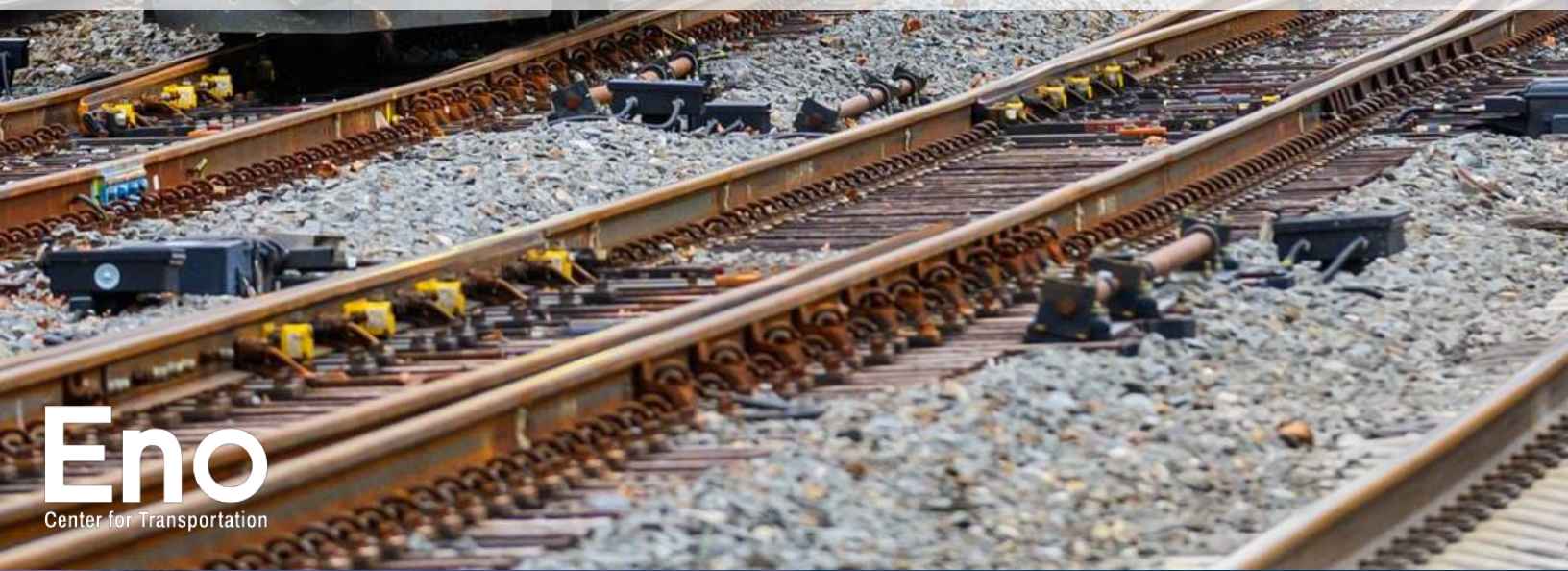
Looking Down the Tracks:

A Case for More Predictable Intercity Passenger Rail Funding



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Executive Summary

Intercity passenger rail in the United States has depended on public funding for its entire modern history, yet federal support has been marked by political ambivalence and episodic investment. Unlike highways, transit, and aviation, intercity passenger rail lacks a dedicated federal revenue source and remains subject to annual discretionary appropriations. Funding for intercity passenger rail is characterized by long periods of underfunding interspersed with significant but short-term infusions of capital. The uncertainty inherent in this approach creates inefficiency by undermining long-term planning, inflating costs, delaying major projects, and limiting the system's ability to modernize or expand passenger service to meet growing demand.

The Infrastructure Investment and Jobs Act (IIJA) temporarily disrupted this cycle by providing five years of advanced appropriations in the amount of $66 billion total. This medium-term certainty enabled Amtrak and their state and regional partners to expand staff capacity, advance long-delayed major projects, replace aging rolling stock, and begin addressing a substantial state-of-good-repair backlog and planning for corridor expansions. As a result, several major capital projects are now fully funded for the first time, and Amtrak has achieved record ridership and revenue.

However, the IIJA did not resolve the underlying structural challenge facing intercity passenger rail. The advance appropriations expire in September 2026 at which point federal funding is at risk of reverting to the prior model. That unstable annual funding framework has always constrained efficiency and performance, but returning to such a model at this moment will be uniquely damaging because it will waste the opportunity created by agencies' investments in project development and staffing capacity.

This paper argues that future federal policy should acknowledge the permanence and necessity of rail funding and commit to a long-term funding framework to improve efficiency in budgets and timelines. Different categories of rail investment may require different funding mechanisms based on the planning and development timeline for each category, but all types of projects require a greater degree of certainty. Routine capital renewal would benefit from short-term advance appropriations to improve planning certainty. Major modernization and backlog projects require phased, fully funded grant agreements that match the scale and complexity of megaprojects. Service expansion depends on a reformed development process paired with predictable capital funding.

Congress has repeatedly demonstrated that it will not abandon intercity passenger rail. A more thoughtful approach to funding that provides long-term certainty would enable

agencies to conduct planning and development in a way that prioritizes both efficiency and outcomes. IIJA has provided a new foundation of readiness and capacity for a new phase of intercity passenger rail service. The question now facing policymakers is whether to commit to a stable and outcome-oriented approach to rail capital funding that improves efficiency and performance, or to allow that opportunity to be wasted.

Background: Intercity Passenger Rail Investments

Around the world, passenger rail service depends on public funding. This is true for various types of passenger rail—urban transit, commuter rail, and intercity passenger rail—and the funding can be significant. Yet nation after nation provide public funding despite the fact that system revenues rarely cover operating expenses, and large reoccurring capital investments are necessary to maintain such systems. China opened its first high-speed rail (HSR) line in 2008, and 17 years later has built the largest passenger rail network in the world at a cost estimate of well over a trillion dollars. In the U.S., in addition to funding for Amtrak and commuter rail systems, the private rail company Brightline has also received significant public funding both through state and federal grants as well as through tax-exempt bonds.

The public investments that countries make in rail infrastructure are not based on the potential for profit. In China, the state-owned rail operation has a debt burden equivalent to five percent of the country's gross domestic product (GDP). In Europe, in addition to the equivalent of nearly $60 billion USD in public capital spending on maintenance, renewals, and new rail infrastructure in 2022, government spending also provides a 30 percent public subsidy to cover operation costs not fully paid for through fare revenues.

Instead support for public investment in passenger rail is based on the significant social and economic benefits resulting from connecting populations centers, benefits that have been demonstrated in numerous studies. In Europe, Oxford Economics found that the European freight and passenger railway sector combined contributed a total of €247 billion to the EU economy (1.4 percent of total GDP) in 2023.[1] In China, a 2019 World Bank study of the country's high-speed passenger rail program found that the investment had generated an eight percent return on investment, driven by travel time savings, reduced road congestion, and the economic development spurred by the infrastructure.[2] The Mineta Institute reviewed the literature on economic impacts of high-speed rail in 2022 and documented numerous studies demonstrating a positive impact of high-speed rail on productivity, tourism revenue, economic development, accessibility, time savings, and reductions in roadway- and aviation-related congestion and pollution.[3]

The Challenges of Uncertainty

In the U.S., the development of intercity passenger rail has been hamstrung by practical challenges, including an alignment of historical tracks poorly suited to high-speed travel, the lack of dedicated tracks for passenger travel, and funding levels that have too often been inadequate to maintain a system in a state of good repair. But most importantly, Amtrak and intercity passenger rail are beleaguered by a deep national

ambivalence about the system. Conflicting and often opposing views on the goals for intercity passenger rails and how to fund and manage the system have been present since the creation of Amtrak more than five decades ago and too often dominate the discourse on funding for, and management of, intercity passenger rail. These fundamental disagreements on national goals for intercity passenger rail service result in a Congressional approach to funding that has alternated between life-support level funding and historic infusions of capital into newly created rail programs, leading to inefficiency, inability to plan and staff agencies appropriately, and constant future uncertainty.

The literature on uncertainty demonstrates that agencies and firms respond to uncertain future budgets by delaying or reducing investment and hiring. In agencies, this can take the form of a hiring freeze, often leaving positions open without regard to their priority to the agency. Firms typically postpone the investments of large capital spending in particular.[4] Contracts and procurements are also highly sensitive to uncertainty in future budgets, with agencies often engaging in shorter or smaller contracts with less competitive prices and increased costs compared to what might happen if funding were guaranteed for a longer period.[5]

A “feast or famine” approach to funding creates major challenges for any infrastructure agency, both for their operations and capital planning. However, the complicated nature of railroad service in the U.S., with multiple tenant and host railroads or agencies across a given corridor, makes this approach to funding particularly problematic for intercity passenger rail, especially with regard to long-term capital budgeting.

Uncertain future funding makes it difficult to develop specific capital plans, maintain appropriate staffing levels, and schedule construction work, particularly for projects that must be scheduled in advance to minimize service disruptions. In years without funding for large capital programs, it is hard to justify hiring or retaining staff needed to manage large capital projects or investing time in planning for projects that lack certainty of funding. To the extent that funding allows, permitting and review work may proceed and move projects toward readiness, but even that carries risk in unpredictable funding environments because completing permits too far in advance can result in the need to supplement or re-do reviews that have become “stale.” Beyond the agency capacity, the broader ecosystem of manufacturers, contractors, engineering firms and other professional services do not maintain surplus capacity for intercity passenger rail projects and procurements in the absence of stable funding for such projects.

On the flip side, when a stimulus level of capital is made available, an agency unaccustomed to that high funding level typically has no “shovel-ready” projects and must first hire and train staff, rush to complete environmental reviews, and create

construction plans before proceeding to construction. Agencies also face shortages in the broader industry amidst an influx of funding; the lack of contractors, skilled labor, and engineering and environmental services with intercity passenger rail expertise slows procurement and project delivery schedules and increases costs. All of this creates bottlenecks and inefficiencies that delay implementation and result in the appearance of an inefficient system unable to get large projects built.

Rail is Here to Stay

For many years of Amtrak history, amid the diverging views on intercity passenger rail service held by elected officials, there was a strain of real interest in zeroing out federal support for intercity passenger rail. For instance, during the Reagan Administration, multiple annual budgets proposed elimination of Amtrak. In 1997, Congress passed a legal ultimatum that Amtrak wean itself off all federal operating assistance by 2002. The George W. Bush administration proposed eliminating intercity passenger rail funding. In 2002, the New York Times magazine ran a nine-page editorial entitled "Amtrak Must Die."[6] As recently as 2010, U.S. Representative Michele Bachmann (R-MN) and 128 other Republicans in the House of Representatives supported an amendment to an appropriations bill that would have eliminated both capital and operating funds for Amtrak.[7]

None of the efforts to eliminate Amtrak have succeeded

Ultimately none of these efforts to eliminate Amtrak were successful. The federal government rescued Amtrak with an emergency loan in 2002, and Congress has rejected budget proposals and appropriations amendments to eliminate Amtrak funding with bipartisan majorities. Since 2006, intercity passenger rail has maintained a more solid level of support, bolstered by recognition that cessation of Amtrak would result in severe service disruptions for commuter rail on and off the Northeast Corridor (NEC), as well as traffic and mobility impacts throughout the country.[8] Amtrak's standing has further improved due to reforms to its governing statutes and expanded authorities in passenger rail funding at the Departments of Transportation and Treasury. In addition to rejecting efforts to defund Amtrak, Congress, on a bipartisan basis, has also opposed efforts to abandon routes or remove services over the last two decades.

In other words, much of the Congressional debate about whether the U.S. needs an intercity passenger rail system in the 21st Century appears to have resolved into a consensus that intercity passenger rail service is an important part of the nation's transportation system. Meanwhile, Amtrak's ridership and network have grown and financial performance has improved, owing primarily to expanded partnerships with

states who directly fund Amtrak service on short-distance corridors and the introduction of Amtrak's Acela service on the NEC. Fiscal year 2025 reached an all-time high ridership of 34.5 million customers.

A Better Approach to Budgeting

While clear that there is too much support for intercity passenger rail—across party lines—to eliminate the system, nonetheless Congressional support has not been sufficient to commit to a long-term vision for Amtrak or provide future funding certainty. Congress also has yet to overcome its inherited ambivalence about where intercity passenger rail funding fits within federal transportation policy and funding. Emblematic of this, only since 2015 has rail even been considered as a part of the large surface reauthorization laws that set direction for and fund the rest of the nation's surface transportation modes.

To this day, there is no source of dedicated federal revenue to support Amtrak or the intercity passenger rail programs, unlike funding for highways, transit, and aviation, leaving Amtrak as one of the largest federal discretionary transportation programs that must be funded each year. This uncertainty hamstrings planning and programming by Amtrak, the states, suppliers, and others who must wonder what level of investment will exist in the coming year and when such funds might be available, given the increasingly varying timing of Congress's annual appropriations process. Committing to the future of intercity passenger rail service requires that Congress develop a funding mechanism that ensures ongoing operating support, as well as long-term funding mechanisms to address asset maintenance, modernization, and expansion needs required to meet future demand.

It is time to consider ways to improve the efficiency of capital budgeting rather than continuing the inefficient framework of major episodic investments followed by years of underfunding

As the nation looks to the future of this asset, it is time to consider ways to improve the efficiency of capital budgeting for intercity passenger rail rather than continuing the inefficient framework of major episodic investments followed by years of underfunding as the pendulum of power in Congress swings between proponents and detractors. The passage of the Infrastructure Investment and Jobs Act (IIJA) was one such historic public investment in rail infrastructure, but through the use of a five-year advance appropriation structure, it provided intercity passenger rail with a longer than typical

period of funding certainty for capital programs. This new approach provides a model that may be adapted to improve long-term budgeting certainty.

The timing for developing this new approach for long-term funding is critical. Amtrak and state partners have now brought on the staff capacity needed to manage a capital program equal to their investment needs, but much of that capacity and readiness will be lost if the funding pendulum once again swings away. As the September 2026 expiration of IIJA's five-year advance appropriations approaches, Congress must identify a new sustainable framework to improve efficiency and certainty in intercity passenger rail funding.

The Federal Role in Intercity Passenger Rail Service

Interstate Commerce Act

Congress and the federal government have played a defining role in the provision of intercity passenger rail (IPR) service since as early as 1887, when passage of the Interstate Commerce Act made railroads the first U.S. major industry to be regulated. In these early years, IPR service was generally a loss leader for railroads in the U.S. outside of brief moments of profitability during the first and second world wars. Nonetheless, Congress articulated a common carrier obligation for railroads to carry people and goods at reasonable and equitable fares, and state railroad commissions generally also had authority over passenger service within their states, including authority over minimum service levels.

After World War II, increased competition from air and auto travel, made possible by large public investments in infrastructure and technology, significantly increased IPR losses.[9] In the 1950s and 60s numerous railroads sought to discontinue much or all of their passenger service. In 1958, Congress expanded the federal role in IPR by giving the Interstate Commerce Committee (ICC) the authority to decide on requests to discontinue passenger service, rather than leaving such determinations to states.

Rail Passenger Act of 1970

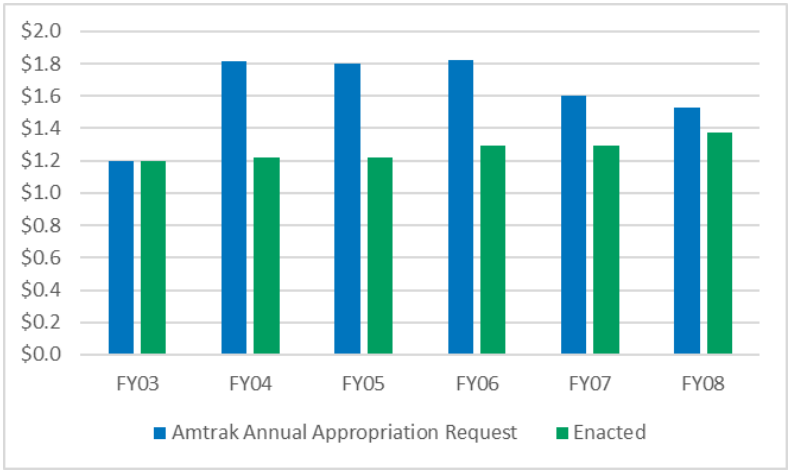
Amid the financial distress of several major passenger rail providers and the bankruptcy in June 1970 of Penn Central—the largest U.S. railroad and passenger rail provider—federal government involvement in IPR expanded significantly again. Congress's creation of Amtrak in October 1970 relieved private railroads of the financial burden of operating IPR services and preserved some basic level of service throughout the nation while establishing a goal of service improvement and expansion.

The ambivalence and contradictory intent of Congress regarding Amtrak and IPR was written into the Rail Passenger Act of 1970, some elements of which have dogged the development and provision of IPR service ever since. On the one hand, Congress found that "intercity railroad passenger service is a necessary part of a balanced transportation system" and therefore worth preserving and improving even though providing the service was bankrupting the private sector companies previously providing it. Paradoxically though, Congress stated that Amtrak would be a for-profit company (an expectation it later eliminated), keeping costs and employees "off-book" for purposes of the federal budget, and providing just $40 million in federal grants and $100 million in loads to fund operations and capital investments.[10] Yet the law also constrained governance of the "company," creating a board comprised primarily of presidentially-appointed directors, minimizing Amtrak's discretion over the "basic system" of service, and prohibiting the discontinuation of any train route without approval of the ICC.

1997-2011: Amtrak Reform, PRIIA, and ARRA

Few periods demonstrate the vacillating approach to IPR—and challenges that creates—better than the 14 years from 1997 to 2011. In 1997, Amtrak was $1.7 billion in debt, yet the Amtrak Reform and Accountability Act stipulated that by 2002 federal operating assistance to Amtrak would end. In 2002, Congress carried through on this intent, appropriating funding only for Amtrak capital expenses. Yet not only had Amtrak failed to reach zero operating loss, their debt had nearly tripled to $4.8 billion and the company faced the potential of an imminent shutdown.[11] To stave off disaster, the federal government provided Amtrak both a Railroad Rehabilitation and Improvement Financing (RRIF) loan and a supplemental appropriation "to ensure the continuation of rail passenger operations."[12] Amtrak came through these crises intact, and annual appropriations continued. However, the funding levels made available were well below the amounts requested by Amtrak and inadequate to prevent additional deferred maintenance, much less to address the existing backlog.

Figure 1: Amtrak Funding Requests vs. Appropriations



Source: Amtrak budget requests and annual appropriations laws

Against this context, for a brief period starting in 2008, the pendulum swung strongly toward IPR. The Passenger Rail Investment and Improvement Act of 2008 (PRIIA) reaffirmed support for Amtrak and created a new vision for the roles of the federal and state governments in IPR. PRIIA addressed Amtrak's financial management, requiring Amtrak submit annual budgets and capital spending plans to the U.S. Department of Transportation (USDOT) for approval. It also expanded the concept of State-Supported routes and required a structured approach to cost-sharing on such routes.

PRIIA also significantly expanded the Federal Railroad Administration (FRA) authorities to support development of passenger rail service. Though FRA was not set up to be a grant-making entity, PRIIA created three discretionary federal grant programs to be administered by FRA, collectively authorized at $1.9 billion over five years, starting with just $100 million for 2009.[13] Then just four months post-enactment of PRIIA, and before any annual appropriations had funded the programs, the American Reinvestment and Recovery Act (ARRA) was passed to stimulate public spending and forestall economic collapse, appropriating $8 billion to these brand-new FRA programs, along with an additional $1.3 billion for Amtrak capital spending. FRA was directed to produce a strategic plan for implementation within 60 days. Congress further expanded funding for the programs later in 2009, appropriating an additional $2.5 billion in the FY2010 appropriations law.[14]

FRA was directed to produce a strategic plan for implementing an $8 billion new program within 60 days.

The FRA awarded 108 High-Speed Intercity Passenger Rail (HSIPR) grants in the first round, 11 months post-enactment of ARRA, and another 50 grants in the second (and final) round nine months after that.[15]

While the agency and recipients met the significant challenge in standing up the programs and turning grant applications into awards on tight statutory timelines, it was a struggle to turn those awards into successful projects. According to the USDOT's Office of Inspector General (OIG), by early 2011 "FRA had obligated $5.4 billion of the $8 billion of ARRA funds awarded under HSIPR [but] less than 1 percent of that amount ha[d] been expended by grantees."[16] Prior to PRIIA and the ARRA appropriation of funding, no federal funding had been available to states to expand or improve IPR service. As a result, most states had no passenger rail investment plans or programs, little to no rail expertise, and limited relationships with the freight railroads

that owned the rail tracks, and therefore there were very few planned or "shovel-ready" rail projects.[17]

The pendulum of support swung quickly away from Amtrak again following the 2010 election. Immediately following the election, three newly elected governors in Florida, Wisconsin, and Ohio chose to make high-profile rejections of previously awarded grants to their states in the amounts of $2.4 billion, $810 million, and $400 million respectively. These announcements were informed by a political swing against federal spending and enabled the states to avoid the ongoing obligation to fund the rail services that the grants would have helped develop. Even states that embraced the funding faced implementation challenges. California—the only awardee for a project that involved building an entirely new line and a truly "high-speed" line—had completed their environmental review five years prior to the award in anticipation of potential future funding, but the lapsed time required the state to revisit the review and face new opposition. Then in April of 2011, Congress rescinded $400 million from prior year unobligated funding for high-speed and intercity passenger rail projects.

ARRA funding supported improvements on numerous corridors nationwide including on the NEC, where Amtrak used ARRA funds to replace the hundred-year-old Niantic River Bridge in Connecticut. However, the high-profile rescissions, funding turn-backs, and the challenges faced in delivering CA HSR overshadowed many of these successes.[18] On the other hand, PRIIA made fundamental policy changes to FRA's role in planning and Amtrak oversight, Amtrak's practices for planning, budgeting and governance, and the role of states in intercity passenger rail programs. These policy reforms all had critical impact on the future effectiveness of IIJA.

Implementation of PRIIA and the FAST Act

As noted above, PRIIA envisioned a new role for states in IPR, supporting the costs of existing short-distance routes and identifying new passenger rail corridors. The law created a new structure for Amtrak's three service lines: the NEC, the State-Supported Routes, and the Long Distance service lines. Prior to PRIIA, the allocation of costs to support routes outside the designated "basic system" Amtrak was required to operate was not always transparent or consistent: some states provided funding for most or all of the short corridor routes that served them, while other routes received no state funding. PRIIA required Amtrak and the states to create a single nation-wide standardized cost methodology to allocate a portion of its operating and capital costs for the short-distance corridors to state agencies.

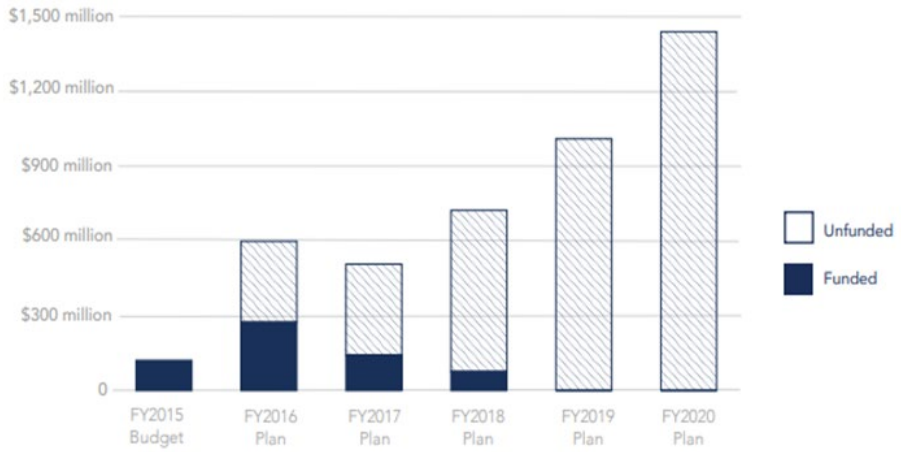
The resulting cost allocation policy was adopted in 2012 and required most operating shortfalls on all short corridors outside of the NEC to be covered by state funds; these corridors have benefitted from approximately $3.5 billion of state funding since 2012.

However, the framework had minimal impacts on IPR expansion, and Amtrak and others have argued that it has created risk for states to sponsor new intercity passenger rail service. More importantly, minimal federal funding was made available for the capital investments that would have been needed for service expansion after 2010. By 2016 Amtrak had formalized 21 agreements for 29 routes, and from there, the number of State-Supported routes and associated revenues remained essentially static in this period.

For the NEC, PRIIA created significant new long-term planning, budgeting, and fiscal accounting requirements. PRIIA authorized establishment of the Northeast Corridor Commission (NECC), directing the commission to create a cost allocation methodology for NEC infrastructure used by commuter and intercity rail services, and to facilitate corridor-wide planning and collaboration. The law further required Amtrak to prepare a capital spending plan of projects to bring the NEC into a state of good repair, in consultation with the commission and subject to approval by the USDOT Secretary.

In 2015, Congress passed the Fixing America's Surface Transportation (FAST) Act, which maintained the structures established by PRIIA and further expanded reporting and transparency requirements for Amtrak. Starting in 2019, Amtrak was required to provide Asset Line Plans for the NEC Main Line and Branch Lines as well as the National Network. As capacity for planning, budgeting, and asset management grew, Amtrak and other NEC stakeholders developed a better understanding of the extent of the State of Good Repair (SOGR) backlog on the NEC and developed more precise plans for how to address the investment needs. However, as Figure 2 makes clear, the unfunded needs dramatically exceeded the available funds, and therefore the plans remained largely hypothetical because the funding to implement them remained uncertain and insufficient.

Figure 2: NEC Commission Table of Proposed Major Backlog Investments



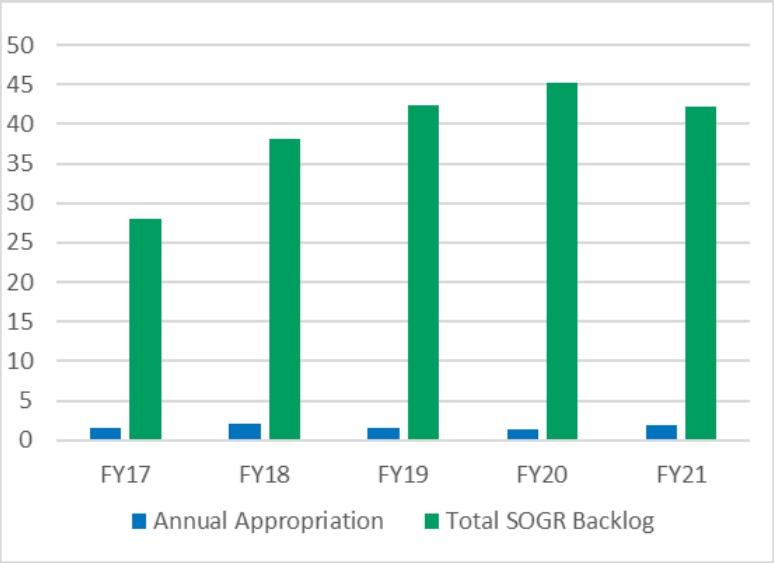
Source: NEC Commission FY2016-FY2020 Capital Plan, published 2015

The NECC's Capital Planning documents from this era focus primarily on the work that *could be done*, contingent on funding being made available. Without a source of reliable and sufficient future funding, even the planning work and the funding just for the preliminary engineering and final design were not necessarily good investments. For instance, the 2016-2020 Capital plan indicates that $25 million of funding was available to work on the Frederick Douglass Tunnel Program (formerly the B&P Tunnel) and that "**with $310M of additional funding, Amtrak and Maryland DOT *could* complete** final design and initiate construction within the FY16-20 period." Similarly for the Connecticut River Bridge replacement, for which no money was identified in the FY2016-2020 plan, the commission noted that "**with $661M of additional funding in FY16-20, Amtrak *could* complete** the design and preliminary engineering and begin initial construction." Even the Gateway Portal North Bridge, a project for which design and preliminary engineering was complete, no funding was allocated at all and the plan noted that the project "**needs $1.02 billion** over the five-year period to fund and complete construction."

This reinforces what Amtrak noted in its FY2021 Five Year Plan: "the greatest continual challenge Amtrak has faced throughout its 50-year history is the lack of adequate and predictable federal funding." Beyond this, the level of funding provided was not adequate to significantly reduce the SOGR backlog. On the NEC, the SOGR backlog exceeded annual capital spending by a rate of 20 or 30 to 1. Uncertain future funding levels paired with inadequate funding relative to the needs makes long-term capital budgeting difficult and highly inefficient. As a result, despite the clear congressional

direction in PRIIA and FAST, very little progress was made in this period to significantly reduce the SOGR backlog.

Figure 3: Congressional Spending vs. SOGR Backlog Estimates (Billions)



Source: NECC Capital Plans, Annual Appropriation laws

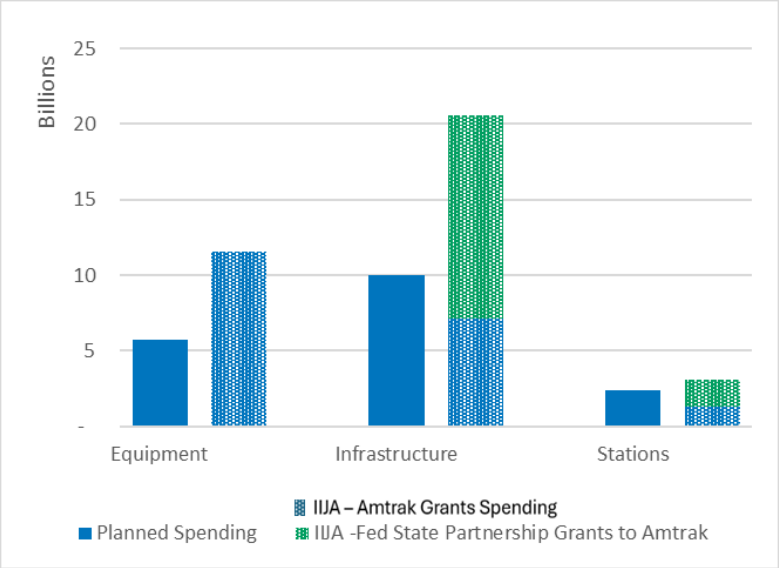
Intercity Passenger Rail Under IIJA

After years of uncertain funding levels and funding below the requested amounts, in 2021, the Infrastructure Investment and Jobs Act (IIJA) provided a massive infusion of funding for intercity passenger rail. Further, by making the funding available as a five-year advance appropriation, the funding gave rail providers a new level of certainty. Of the total $66 billion in rail funding to be provided over five years from 2022-2026, $22 billion was appropriated directly to Amtrak and $44 billion went to FRA to fund a combination of new and existing grant programs. The largest portion of FRA's appropriation ($36 billion) funded an expanded Federal-State Partnership for Intercity Passenger Rail grants (FSP) program. FRA could also set aside 5 percent of FSP funding for a new program for Corridor Identification and Development (Corridor ID).

Amtrak Implementation

Each IPR program under the IIJA carried specific constraints, including caps on the amount of funding that could go to the NEC versus the National Network, as well as rules for the eligible uses of funding. Congress directed Amtrak to focus their supplemental funding on new passenger rolling stock, ADA station compliance, and addressing the deferred capital work backlog. For FRA's FSP program, grant eligibility included equipment for new routes and service expansion. As a result, Amtrak's implementation began with careful analysis of which programs and funding sources would most efficiently meet which investment needs. Based on this analysis Amtrak prioritized their direct IIJA appropriations for fleet equipment and station accessibility improvements across their network, as well as for non-major projects infrastructure, and they sought Fed-State Partnership grants to address major capital backlog projects.

Figure 4: Amtrak Planned Spending Pre- and Post-IIJA Enactment



Source: Amtrak 2021 5-year Service Line Plan; Amtrak BIL Spend Plan

As part of Amtrak's five-year Service Line Plan released in 2021 prior to passage of IIJA, Amtrak had budgeted how to distribute funding—should it be made available—between their equipment, infrastructure, and stations investment needs. After enactment of IIJA, this planning effort enabled Amtrak to quickly create an overall spend plan that largely tracked that previously planned distribution, but reflected the IIJA total spending levels, which were approximately twice as high as anticipated, while also mapping on funding sources including the anticipated grants that Amtrak would seek from the FRA's Federal State Partnership Program.

Equipment:

Amtrak directed $11.567 billion of their $22 billion direct appropriation toward fleet replacement. This enabled purchase of new Airo intercity trainsets, and new long-

distance locomotives, as well as the Long-Distance Fleet Replacement (LDFR) program, including the upgrades and new facilities necessary for the equipment. That work has begun demonstrating an impact, although timelines vary by equipment:

- new locomotives are already being delivered;
- the first *Amtrak Airo* train is scheduled to debut in 2026;
- Amtrak released an RFP for the LDFR program in December 2023 and orders are anticipated to be complete in another 10-12 years.

Infrastructure:

Of the approximately $7 billion of Amtrak's direct appropriation that the company is directing toward infrastructure, approximately $5 billion is for facilities, including the maintenance facilities to support operations of the new fleet. Of the remainder, the majority is being used as matching funds for the grants that Amtrak receives under the Federal-State Partnership program, to advance projects such as the Connecticut River Bridge Replacement Project between Old Saybrook and Old Lyme, Connecticut.

Stations:

Amtrak has responsibility to achieve Americans with Disabilities Act (ADA) compliance for all or part of 382 of the more than 500 stations it services throughout the U.S. This mandate dates back to ADA enactment in 1990 but Amtrak made minimal progress in early years. An OIG report in 2010 found that only 10 percent of served stations required to be compliant were reported as compliant. By 2016 Amtrak's annual report indicated they were still "developing a supplemental plan that evaluates the current condition of the Amtrak system with respect to ADA access." Congress mandated that Amtrak spend $50 million per year on station improvements for ADA compliance, which increased to $75 million under IIJA.

In 2021, at the time of IIJA enactment, 84 stations were ADA compliant and another 71 were partially compliant (except for the passenger platforms).[19] With the addition of funding from IIJA, Amtrak investment in ADA compliance has exceeded the minimum required spending and progress in addressing ADA compliance has accelerated. Four years later Amtrak's ADA responsibility has been fully addressed at 147 of the 382 stations and partially addressed at an additional 52 locations, which are now compliant except for the platform.[20]

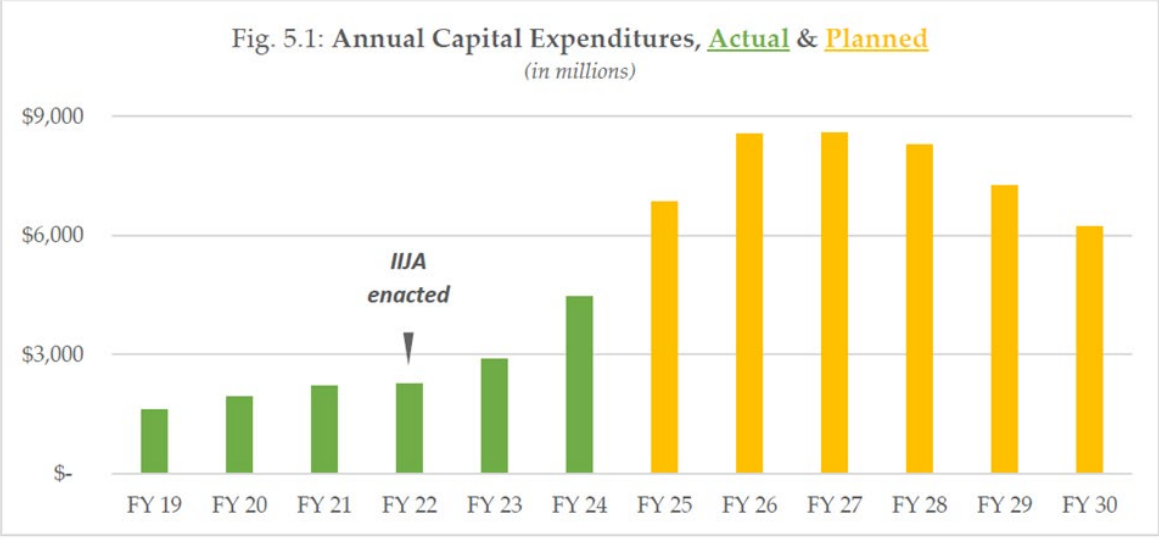
Implementation Constraints:

The massive funding increase required Amtrak to hire quickly to expand staff capacity, including staff with capital delivery expertise, and to bring projects to a final state of readiness to proceed. In FY22, Amtrak hired 3,700 new employees, and subsequently in FY23 hired more than 4,800 new employees "to strengthen workforce, reflecting

increasing demand for passenger rail service and Infrastructure Investment and Jobs Act (IIJA) project delivery needs."[21] (This hiring was necessary for IIJA implementation but also to backfill job losses and retirements that occurred during the pandemic.) Infrastructure construction projects on the NEC also must be scheduled in a way that minimizes impacts to operations on one of the busiest rail corridors in the world, so capital plans for new spending had to account for these complexities and logistical challenges. The equipment and related facilities also included complex design requirements and multiple car types. (In fact, the LDFR program was described by Amtrak's OIG as "the single largest equipment acquisition by cost and volume in the company's history and [one that] will define the nature of its long-distance service for decades to come.")

As a result, Amtrak's obligation of IIJA dollars ramped up gradually over the first several years of the authorization law as the projects and procurements moved into readiness, and capital expenditures only began to accelerate in Fy24. Many capital projects are not anticipated to be complete for several years to come. Figure 5, from Amtrak's Fiscal Year 2026 Grant Request, indicates that the company anticipates that capital expenditure will continue to increase and will remain more than double the pre-IIJA levels for the duration of the next five years. Outside the Amtrak-directed IIJA funding, significant grant funding from FRA is also not yet awarded, obligated, or spent, which will also contribute to a long tail of expenditures on rail in the years to come.

Figure 5: Amtrak Capital Expenditures

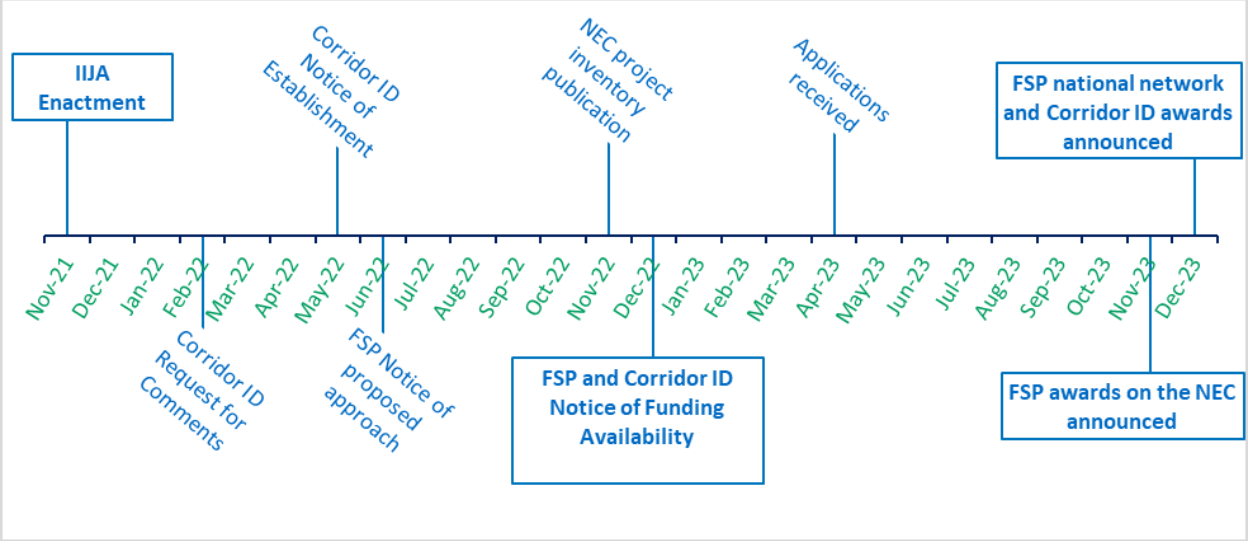


Source: Amtrak's General and Legislative Annual Report and Fiscal Year 2026 Grant Request

FRA Implementation

FRA began implementation of IIJA with extensive outreach and focused first on implementation of the Corridor ID program, which would create the pipeline of FSP projects. After multiple listening sessions and requests for comments on their proposed approaches throughout early 2022, the agency published their first Notice of Funding availability for the IIJA funds in December of that year for both FSP grants and Corridor ID routes. The deadline for applications, originally due in early March 2023, was extended to April 2023 due to an additional appropriation. Ultimately, FRA made the first FSP grant awards in November 2023 for the NEC and December 2023 for the National Network, two years after enactment of IIJA.

Figure 6: FRA Implementation Timeline



The second round of FSP grants was opened in May 2024 for NEC projects and September for National Network projects. The Biden Administration announced NEC project awards in November 2024 but didn't make selections for the second round of National Network grants. In September 2025, the Trump Administration canceled that previous notice of funding and released a new notice for FY2024 and 2025 grants, with applications due in January 2026.

As a result of this long implementation timeline, less than two-thirds of the $24 billion in FSP funding that was available for the NEC under IIJA has been awarded to date, and three-quarters of the $12 billion for the National Network grants.

Corridor ID:

Amtrak has long recognized the major gap posed by their lack of frequent, reliable, trip-time competitive service between major metropolitan areas in much of the fastest-growing regions of the country. In many locations, including the south and mountain west, the primary Amtrak service has been long-distance trains that operate once a day or less on schedules that are determined by the overall long-distance route rather than travel demand between city pairs. Amtrak's FY18 Annual report expresses concern that this "failure to restructure the service we provide along our long distance routes, and add new corridor routes serving growing metropolitan areas and megaregions, in order to become relevant to present and future travelers in these underserved or not served regions and corridors that account for the vast majority of the nation's population growth could negatively impact future revenue growth."[22]

After decades without substantial expansion of new passenger rail service, IIJA aimed to expand service and create new markets for intercity passenger rail through the establishment of the Corridor ID program at FRA. Though at the point that IIJA was enacted, service on numerous routes had been temporarily reduced or canceled during the COVID pandemic. Amtrak appeared poised to be able to support states in developing new routes due to the planning and market research that culminated in their Amtrak Connects US vision, which laid out a vision with an accompanying map of potential new routes and expanded service.[23] However the structure of the IIJA rail programs gave the authority to designate new corridors not to Amtrak jointly with the states, but rather required FRA to set up a new program, solicit and review applications from states and Amtrak, and then award successful applicants.

Unlike the approach to the ARRA High Speed Rail money, in which there were very few procedural requirements, FRA approached the Corridor ID with significant caution both in the agency implementation process and in the structure proposed for grantees. FRA first requested comments on Corridor ID in February 2022, and then issued a Federal Register notice to formally establish the program in May 2022, before finally soliciting initial proposals for Corridors in December 2022 and awarding funding for the first phase of corridor development in December 2023. At that point, the approximately 70 awarded corridors began implementing the three steps for the program identified by FRA, each of which requires a separate grant agreement. In the first step, projects develop cost and schedule estimates for a service development plan. The second step requires applicants to prepare the service development plan, and finally in step 3, they complete environmental reviews and preliminary engineering for their proposal. By June of 2024, the majority of those projects had obligated the $500,000 provided for that first step, but to date, only 7 corridors have moved into step two of developing the Service Development Plan. Not a single agency has completed the third step of NEPA and preliminary engineering for the new corridors.[24]

Thus far, the Corridor ID program has not directly resulted in increasing the number of state-supported routes. Nonetheless, between the expansion of funding for Amtrak's National Network, as well as funding to state partners through a variety of other infrastructure programs, the number of State-Supported routes has grown for the first time in several decades. Amtrak has added the Berkshire Flyer, a seasonal train being piloted by Massachusetts DOT (planned prior to COVID and delayed as a result of the pandemic); the Borealis service, operated daily by Amtrak under contracts with the Minnesota, Wisconsin, and Illinois state DOTs since May 2024; and in August 2025 Amtrak re-launched the Gulf Coast service between New Orleans and Mobile, renamed the Mardi Gras Service. Additionally, new frequencies have been added to several services including the Amtrak Cascades and Piedmont routes.

Major Projects:

The Federal State Partnership program was the largest appropriation for rail in IIJA. It was intended to meet a range of intercity passenger rail project needs and was the sole source of funding eligible to address the backlog of major NEC projects. State and local governments and Amtrak are eligible to apply for the public funding from FSP. Notably, while private companies that provide IPR service are not eligible to apply, FSP has also been used to support Brightline through several awards including a $3 billion grant to Nevada DOT for Brightline West.

On the NEC, as a result of the extensive planning required by law at the point of enactment of IIJA, Amtrak and their partners, led by the NECC, were better prepared for the additional funding than they'd have been at any prior point. Yet even so, the challenge of quickly gearing up, getting projects out of the planning and design phase and into construction posed a massive challenge. Just as importantly, the IIJA made the FSP grants the sole source of funding for major NEC projects, which means the projects could not move forward until the federal grants had been noticed, awarded, and agreements signed.

An added complexity for the NEC—an integrated railroad with multiple rail users and one of the busiest corridors in the world—is that major projects must be phased in order to minimize track outages that disrupt existing service. This means that not only is each project's construction timeline contingent on completion of its own earlier phases of development, but also projects are often also contingent on completion of other projects on the corridor.

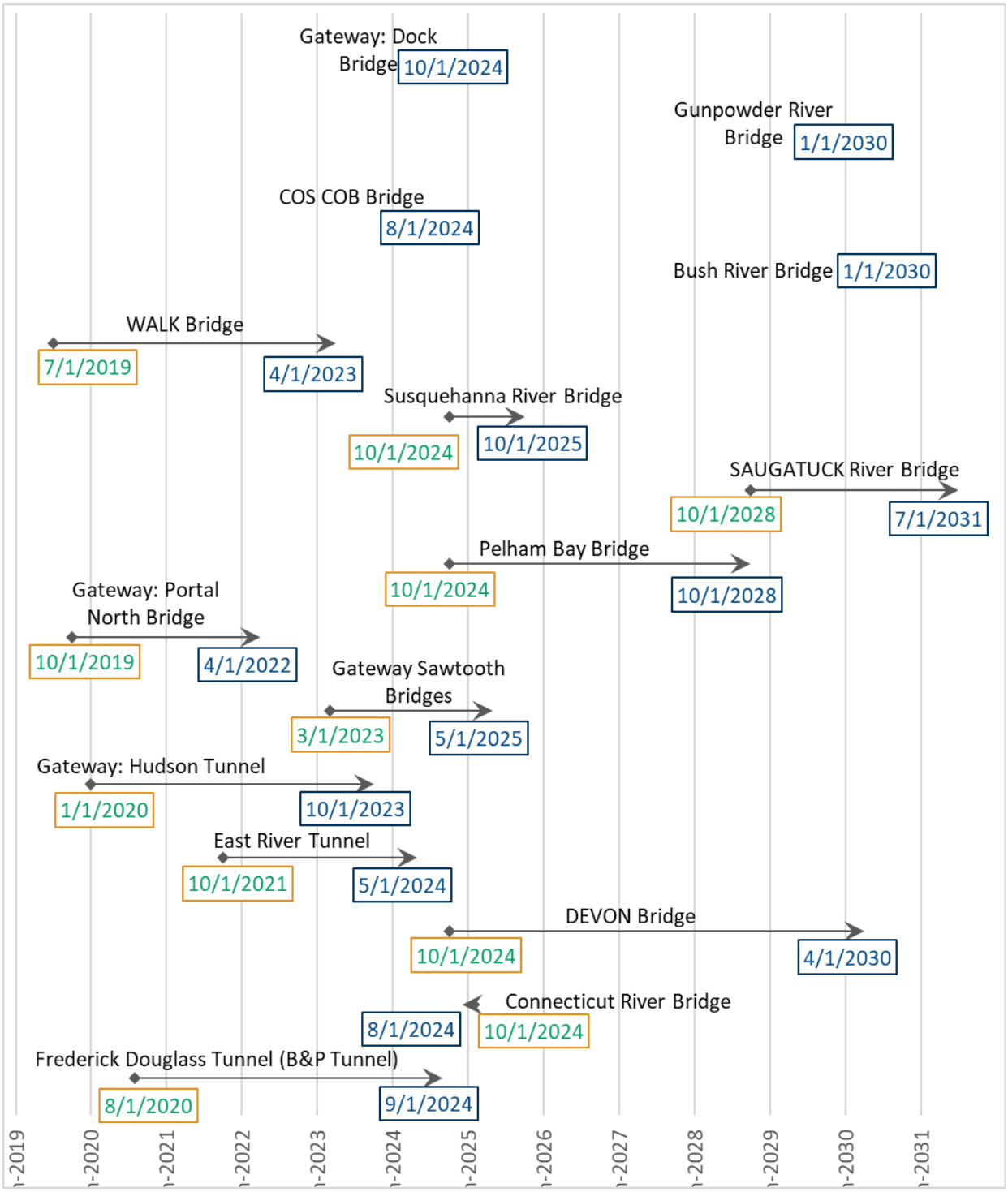
In 2019, the NECC's annual report estimated construction start dates for 11 of the 15 major backlog projects on the NEC, assuming adequate funds were provided to start such projects in that fiscal year. Figure 6 shows how those projected dates changed

between 2019 and 2025. When funding was not available, the 2019 projected timelines by and large became obsolete and shifted outward.

Enactment of IIJA ostensibly made funding available, but the program had to be implemented at the federal level, the planning and design work competed by the project sponsor to bring the projects to a state of readiness, the federal grants received and agreements signed, and finally the construction itself phased on the NEC. In other words, even once IIJA was signed, many steps were still required to enable major projects to move into construction.

While timelines shifted out for many projects, they also became more real. IIJA funding enabled Amtrak and their NEC partners to commit funding such that many of the major backlog projects became fully funded for the first time. Construction dates that were previously not estimated now have dates associated with them. In 2021, only two of the major backlog projects were fully funded; the remainder had no certain prospect to address the major funding needs gaps. By 2025, seven out of these fifteen major projects have been fully funded. The FSP grants to both Amtrak and other rail providers were the primary source of this funding for the NEC major projects.

Figure 7: Projected Construction Start Dates 2019 vs 2025



Source: The NEC Commission annual reports 2019, 2025

Conclusion: What Next for Rail Capital Funding

Despite its tumultuous history, intercity passenger rail service has become an important fixture of mobility in many regions across the U.S. Amtrak closed out 2025 with record ridership across the system, record ticket and operating revenue, and a record level of capital investment in major projects and initiatives. With this level of performance, the company has indicated it is on track to achieve operational profitability by FY28.

When the advanced appropriations for rail expire in September 2026, Congress will have to determine what will come next for IPR programs and federal funding levels. Their decision will dictate whether IIJA was an inflection point, with future capital funding sustained at levels adequate to maintain assets, expand reliable service, and plan efficiently, or whether it was a one-time surge followed by a return to an uncertain tug-of-war on annual appropriations for the national service.

Important progress will have been made, regardless of what comes next. The IIJA's infusion of funding into the state of good repair backlog on the Northeast Corridor fully funded roughly half of the major projects and put them on track to be completed in the years to come. This will increase reliability and safety on the continent's busiest rail line. However, the level of supplemental funding in IIJA was not sufficient to eliminate this backlog, and reducing funding back to levels inadequate for maintenance and ongoing capital renewal will inevitably result in a return to the pre-IIJA status quo: a growing backlog of required state of good repair projects taxing the system's reliability and effectiveness.

With regard to service expansion, the number of Corridor ID program applicants alone indicates the strong level of interest in new rail service nationwide, but a lack of funds to implement these service development plans will undermine program success and chill future interest. The Corridor ID awardees are currently progressing toward service development plans with the hope of having their new routes ready to come into service in the years to come. Success among these corridors will not only increase interest among other communities, but it will also increase pressure on Congress to continue funding the program and create additional demand for Amtrak fleets and other equipment.

While the surge of funding provided in IIJA has funded some of the most critical IPR infrastructure and equipment needs, it has not averted the need to find a long-term structure for providing stable, adequate IPR funding

In other words, while the surge of funding provided in IIJA has funded some of the most critical IPR infrastructure and equipment needs, it has not averted the need to find a long-term structure for providing stable, adequate IPR funding. Reverting to prior funding frameworks would have a devastating impact on the progress that was made possible by the IIJA funding. Just as importantly, it would be a wasted opportunity to capitalize on the staff and project development capacity in which Amtrak and state partners have now invested.

One clear option is to continue the use of five-year advanced appropriations for intercity passenger rail programs. While the solution would not provide the permanence of a trust fund, the five years of certainty significantly improves on the annual cycle, particularly for megaproject planning.

Policymakers should carefully consider the funding needs and tailor program structures and funding solutions based on the distinct nature of different capital requirements, with sensitivity to the timeline, cost, and planning demands for each category of investment. Those categories of funding needs, excluding operations and maintenance funding, include:

- Ongoing Capital Renewal: Repairing or replacing worn out assets to maintain existing service levels, including fleet refurbishment and modernization, station improvement, and track repairs
- Modernization: System improvements on existing networks to improve safety, service quality, frequency and/or speeds, and major projects to replace outdated assets that often represent a critical chokepoint for service improvement
- System Expansion: Infrastructure construction projects to establish service on new corridors or extend existing service, and equipment acquisitions including trainsets, coaches, locomotives and related facilities, and technology upgrades to enable service on new corridors

Improve Planning for Ongoing Capital Renewal: Two Year Advance Appropriation

With regard to funding for the normal repair and renewal of aging assets, it is critical to provide sufficient funding to avoid assets sinking into a state of poor reliability that impacts service and suppresses travel demand or leads to irreparable disrepair, requiring more costly and disruptive investments. For this category of activity, many projects may be planned on a relatively short-term basis and do not necessarily require significant ramp up of workforce, contracts, and materials to implement. Nonetheless, greater visibility into the future years of funding would improve Amtrak's ability to manage their capital program and workforce, and the shared responsibility for

investments on the Northeast Corridor means that more certainty would also benefit their state and local partners' management of their own capital investments.

A multi-year appropriation would enhance certainty and facilitate better planning for capital renewal programs. This structure is currently used in appropriations for certain housing programs and was used for the Corporation for Public Broadcasting prior to its defunding in 2025. A multi-year appropriation sets the funding levels for a program a year in advance in order to increase visibility and enable project sponsors to plan and conduct efficient coordination. In other words, as part of the FY2026 appropriations bill, Congress would set the level for Amtrak's FY2027 funding, while their FY26 funding would have already been established in the FY2025 bill.

Fully Fund Major Projects and Modernization Needs: Advanced Appropriation or Phased Funding Grant Agreements

Major investments include projects to repair or replace century-old bridges, tunnels, and stations, or systems such as tracks, signals, and electric traction systems. Such work requires lengthy environmental reviews, which must be timed to be completed concurrent to the construction start. In addition to significant lead-time to plan the project, they may require staffing ramp up of a capital delivery team to execute the project. Work in the right-of-way must be scheduled and sequenced to avoid creating unsustainable service outages. Major project delivery is all the more challenging in highly complicated corridors such as the Northeast Corridor, which hosts eight commuter operators and Amtrak, plus multiple freight rail operators and is controlled by four separate owners across its length.

The total costs involved in major projects also poses a challenge for planning, and the lumpy nature of the expenditures makes budgeting difficult. It is not a coincidence that prior to the historic increase in funding through the IIJA, Amtrak delivered few such major projects. Continuing the advanced appropriation structure for capital funding for megaprojects at a minimum would ensure that the projects are fully funded and therefore able to move forward.

Alternatively, for these major projects to help address aging assets and critical needs, Congress could create a Phased Funding Agreement structure within a streamlined and strengthened version of FRA Federal State Partnership for Intercity passenger Rail Program, using the NEC Project Inventory to guide NEC investment. In this way, the revised program would be partly modeled on the Federal Transit Administration's Capital Investment Grants and the mechanisms FHWA used to advance the Interstate System. The phased agreement would provide clear commitments to fully fund each project in the program, which would be a dedicated capital grant program for the NEC

and other National Network assets. The Phased Funding Agreement mechanisms would enable Amtrak and other partners to advance a pipeline of projects (already developed through the NEC Commission) and expand the inventory to other National Network assets of similar import, and would also help to indicate to Congress that projects are ready to be funded and delivered.

System Expansion: Corridor ID Program Flexibility Paired with Funding Certainty

The Corridor Identification and Development Program has been implemented as a multistep pipeline development process and has deployed slowly, minimizing the effect of the program. Reducing steps and requirements comes with risks but also enables new investments to be more quickly initiated. Certain reforms could enhance the functioning and impact of the program.

- **Eligibility**: Currently limited to state and regional entities, eligibility could be expanded to include partnerships of two or more cities to take the lead in developing rail service between their markets.
- **Funding**: Currently the program requires corridors to have a plan for dedicated funding developed prior to moving into the Corridor ID final step. The intent of the program was that new corridor projects be prioritized for FSP grants, but the long timeline for corridor development has meant that the FSP dollars will all be awarded prior to any new corridors completing the development process. As a result, there is still a major unanswered question about the source of funds for the equipment and other construction needs for new corridors, and that uncertainty will make it difficult for projects to have a clear plan for dedicated funding.
    - Projects should be allowed to move forward into a funding pipeline for federal grants without having confirmed all details of their dedicated funding plan and be allowed to demonstrate the availability of state funding commitments as part of the grant agreement for the federal grant.
    - A reformed FSP program that allows for phased funding agreements should include a specific eligibility for new corridor projects.
- **Identification and Prioritization of Corridors**: Congress and DOT have a long history of designating projects or corridors for transportation development and providing direct funding for those projects. Designation (and funding) from Congress, would simplify implementation significantly. FRA and Amtrak could facilitate such designations by providing proposals for network expansion projects for which Congress could provide funding to complete. Alternatively, even just providing clear guidance to FRA about project priorities would narrow

the number of corridors seeking to proceed and would help FRA, Amtrak, and states advance projects more quickly.

Regardless of the funding mechanism agreed upon, minimizing long-term funding for IPR capital projects at this moment would waste significant investment and stall progress that has been made in the past several years. That includes investment in staffing capacity and planning done to date by Amtrak and state and local partners, as well as federal investments through FSP grants made for project planning and design work on the Northeast Corridor and through Corridor ID program grants for Service Development Work throughout the country.

Stable, adequate funding would not just be good for Amtrak and the state agencies that plan and deliver rail projects; funding predictability would also help build a more robust domestic supply chain for IPR, encourage more market entrants and investment of private capital into the industry, and amplify the economic benefit of the investments in rail that we are *already making*.

All infrastructure agencies prioritize long-term certainty of funding to enable quality, efficient planning and project execution. For rail, the complicated ownership and uses of rail tracks and stations by multiple host and tenant railroads, be they freight rail companies, commuter rail, or transit agencies, states, or Amtrak, make the need for certainty *more important* to enable the necessary coordination into investments and service improvements.

It is clear at this point that Congress will not abandon intercity passenger rail, so it is time that Congress commit to a long-term vision—recognize the system as an integrated part of the nation's overall transportation network, define the outcomes that will constitute "success" for the program and its participants, and invest in the improvements needed to achieve that vision.

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