

117TH CONGRESS
1ST SESSION

H. R. 2769

To establish the Intercity Passenger Rail Trust Fund to ensure a safe, sustainable, convenient transportation option for the people of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2021

Mr. DANNY K. DAVIS of Illinois (for himself, Ms. SCHAKOWSKY, and Mr. RUSH) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Intercity Passenger Rail Trust Fund to ensure a safe, sustainable, convenient transportation option for the people of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Intercity Passenger
5 Rail Trust Fund Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) An effective transportation system for the
4 Nation requires dedicated, predictable Federal fund-
5 ing for various capital and operating expenses, as
6 demonstrated by the Highway Trust Fund, which
7 supports all Federal highway programs, most public
8 transit programs, and many Federal transportation
9 safety programs.

10 (2) Intercity passenger rail is the only surface
11 transportation mode in the United States that—

12 (A) does not receive any Federal funding
13 through a trust fund for capital investment;
14 and

15 (B) is completely dependent on annual dis-
16 cretionary appropriations for both its capital ex-
17 penses and its operating costs.

18 (3) In fiscal year 2019, Amtrak experienced
19 record ridership, a historic low operating loss, and a
20 record capital spend rate.

21 (4) In markets with sufficient infrastructure
22 and train frequency, Amtrak has proven to be an ef-
23 fective mode of transportation compared to commer-
24 cial air and bus service and private automobile use.

25 (5) Intercity passenger rail offers substantial
26 safety, energy, and environmental advantages com-

1 pared to most other transportation modes, but dec-
2 ades of insufficient capital funding has drastically
3 limited the role that intercity passenger rail can play
4 in the Nation’s overall transportation network.

5 (6) There are critical capital needs for the
6 Northeast Corridor and the National Network, in-
7 cluding infrastructure, fleet, stations, and facilities.

8 (7) Adding to the urgency of these capital in-
9 vestment needs, due to changing demographics, pop-
10 ulation growth, urbanization, and changing travel
11 trends, intercity passenger rail will be needed to help
12 move our Nation into the future.

13 (8) For these reasons, an Intercity Passenger
14 Rail Trust Fund is needed now, more than ever, to
15 ensure a safe, sustainable, convenient transportation
16 option for the people of the United States.

17 **SEC. 3. INTERCITY PASSENGER RAIL TRUST FUND.**

18 (a) IN GENERAL.—Subchapter A of chapter 98 of the
19 Internal Revenue Code of 1986 is amended by adding at
20 the end the following:

21 **“SEC. 9512. INTERCITY PASSENGER RAIL TRUST FUND.**

22 “(a) ESTABLISHMENT.—There is established in the
23 Treasury of the United States a trust fund, which shall
24 be known as the ‘Intercity Passenger Rail Trust Fund’,
25 consisting of such amounts as may be appropriated or

1 credited to the Intercity Passenger Railroad Trust Fund
2 as provided in this section and section 9602(b).

3 “(b) TRANSFER TO INTERCITY PASSENGER RAIL
4 TRUST FUND.—

5 “(1) IN GENERAL.—There is hereby appro-
6 priated to the Intercity Passenger Rail Trust Fund
7 for fiscal year 2022, and for each fiscal year there-
8 after, an amount equal to 50 percent of the average
9 annual amounts appropriated to the Highway Trust
10 Fund under section 9503 for fiscal years 2008
11 through 2020.

12 “(2) AUTHORIZATION OF APPROPRIATION OF
13 ADDITIONAL SUMS.—There are hereby authorized to
14 be appropriated to the Intercity Passenger Rail
15 Trust Fund such additional sums as may be re-
16 quired to make the expenditures referred to in sub-
17 section (c).

18 “(c) EXPENDITURES FROM THE INTERCITY PAS-
19 Senger Rail Trust Fund.—Amounts in the Intercity
20 Passenger Rail Trust Fund shall be available for obliga-
21 tion without further appropriations action for making ex-
22 penditures to carry out section 24314 of title 49.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 for subchapter A of chapter 98 of such Code is amended
25 by adding at the end the following new item:

“Sec. 9512. Intercity Passenger Rail Trust Fund.”.

1 **SEC. 4. INTERCITY PASSENGER RAIL TRUST FUND EXPEND-**
2 **ITURES.**

3 (a) IN GENERAL.—Chapter 243 of title 49, United
4 States Code, is amended by inserting after section 24313
5 the following:

6 **“§ 24314. Intercity Passenger Rail Trust Fund ex-**
7 **penditures**

8 “(a) EXPENDITURES FROM THE INTERCITY PAS-
9 Senger Rail Trust Fund.—Amounts deposited into the
10 Intercity Passenger Rail Trust Fund each fiscal year pur-
11 suant to section 9512(b) of the Internal Revenue Code of
12 1986 shall be available for obligation, without further ap-
13 propriation, in accordance with the ratios set forth in sub-
14 section (b). Amounts made available under this section
15 shall remain available until expended.

16 “(b) INTERCITY PASSENGER RAIL TRUST FUND EX-
17 PENDITURE RATIOS.—The Secretary may use amounts
18 deposited into the Intercity Passenger Rail Trust Fund
19 each fiscal year to award grants to Amtrak, in accordance
20 with the process described in section 24319. Of the grant
21 funds awarded pursuant to this subsection—

22 “(1) 40 percent shall be used for activities asso-
23 ciated with the Northeast Corridor; and

24 “(2) 60 percent shall be used for activities asso-
25 ciated with the National Network.

1 “(c) SAVINGS PROVISION.—Nothing in this section
2 may be construed as prohibiting discretionary funding
3 from being provided to Amtrak.”.

4 (b) CONFORMING AMENDMENT.—The analysis for
5 chapter 243 of title 49, United States Code, is amended
6 by inserting after the item relating to section 24313 the
7 following:

“24314. Intercity Passenger Rail Trust Fund expenditures.”.

