



Testimony

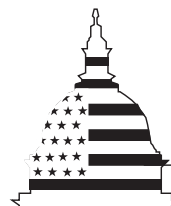
Before the Subcommittee on Ground Transportation,
Committee on Transportation and Infrastructure, House of
Representatives

For Release
on Delivery
Expected at
10 a.m. EDT
Thursday
October 28, 1999

INTERCITY PASSENGER RAIL

Amtrak Faces Challenges in Improving Its Financial Condition

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Mr. Chairman and Members of the Subcommittee:

We appreciate the opportunity to testify today on Amtrak's overall financial condition; its progress in becoming free of operating subsidies; its use of Taxpayer Relief Act of 1997 (TRA) funds; and its need for capital investment to improve quality of service. Our statement is based on our July 1999 report on Amtrak's financial condition and our ongoing work for this Committee.¹ In summary:

- Amtrak's overall financial condition improved in fiscal year 1999. Its net loss—revenues less expenses—was \$907 million in fiscal year 1999.² This loss is \$23 million less than Amtrak's net loss of \$930 million in fiscal year 1998. Amtrak estimates that its net loss for fiscal year 2000 will decrease to \$828 million.
- The administration and the Congress have directed Amtrak to be free of federal operating subsidies by the end of 2002. Amtrak reduced its "budget gap"—the gap that it needs to close to be free of federal operating subsidies—by \$18 million in fiscal year 1999. However, it must reduce the gap by an additional \$291 million in the next 3 years. This needed reduction is nearly four times greater than the reduction Amtrak has been able to achieve in the previous 5 years. Finally, Amtrak faces many challenges in meeting its business plan goals to achieve operational self-sufficiency.
- The Taxpayer Relief Act of 1997 provided Amtrak with about \$2.2 billion to acquire capital improvements and maintain existing equipment in intercity passenger rail service, among other things. Amtrak reports spending over \$1.2 billion of these funds, as of May 31, 1999. Amtrak has spent over half of this money—or \$756 million—on capital improvements such as track signals and improvements to bridges and electric catenary systems.³ Amtrak has also applied \$427 million, or about one-third of its Taxpayer Relief Act expenditures, to a pool of expenses for maintenance of equipment through May 1999. However, because of the way that Amtrak applies Taxpayer Relief Act funds to maintenance of equipment expenses, it has not identified specific expenses that the Taxpayer Relief Act funds were used to cover.

¹Intercity Passenger Rail: Amtrak's Progress in Improving Its Financial Condition Has Been Mixed (GAO/RCED-99-181, July 9, 1999). We expect to report to this Committee on Amtrak's use of Taxpayer Relief Act funds and its major costs and capital needs in 2000.

²Amtrak's fiscal year 1999 financial results are unaudited. Net loss amounts exclude federal financial assistance from revenue.

³Catenary is the structure used to conduct electricity to operate electric trains.

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- Capital investments are critical to supporting Amtrak's business plans and maintaining its viability. Such investments are needed to help Amtrak improve its quality of service and attract revenues. However, Amtrak does not have a current comprehensive 5-year plan. Further, it has significant unmet capital needs over the next 20 years. As a result, it is unclear at this time what Amtrak's total capital needs are and how Amtrak plans to fund these needs.

Background

The Rail Passenger Service Act of 1970 created Amtrak as the nation's intercity passenger railroad. The act, as amended, gave Amtrak a number of goals, including providing modern, efficient intercity passenger rail service; giving Americans an alternative to automobiles and airplanes to meet their transportation needs; and minimizing federal operating subsidies. Today, Amtrak provides intercity passenger service along 42 routes in 45 states.

Like all major national intercity rail services in the world, Amtrak receives substantial government support. From 1971 through October 1999, the federal government has provided Amtrak with over \$23 billion in financial assistance. This includes (1) about \$2.2 billion in fiscal years 1998 and 1999 through the TRA for capital improvements and the maintenance of existing equipment in intercity passenger rail service, among other things, and (2) a \$571 million fiscal year 2000 capital appropriation.⁴

In December 1994, at the direction of the administration, Amtrak established the goal of eliminating its need for federal operating subsidies by 2002. In addition, the Amtrak Reform and Accountability Act of 1997 (Amtrak reform act) prohibited Amtrak from using federal funds for operating expenses, except for an amount equal to excess Railroad Retirement Tax Act payments, after 2002.⁵ This statutory provision is the test for "operational self-sufficiency" that Amtrak must meet. Finally, the act requires that the Amtrak Reform Council (an independent oversight body created by the act) submit an action plan to the Congress for a restructured national intercity passenger rail system if, at any time more than 2 years after the enactment of the act and the implementation of a financial plan for operating within authorized funding levels, it finds that Amtrak is not meeting its financial goals or that it will require federal operating funds after December 2002. In addition, if the above events

⁴Of this amount, only \$228.4 million is available for obligation prior to September 30, 2000.

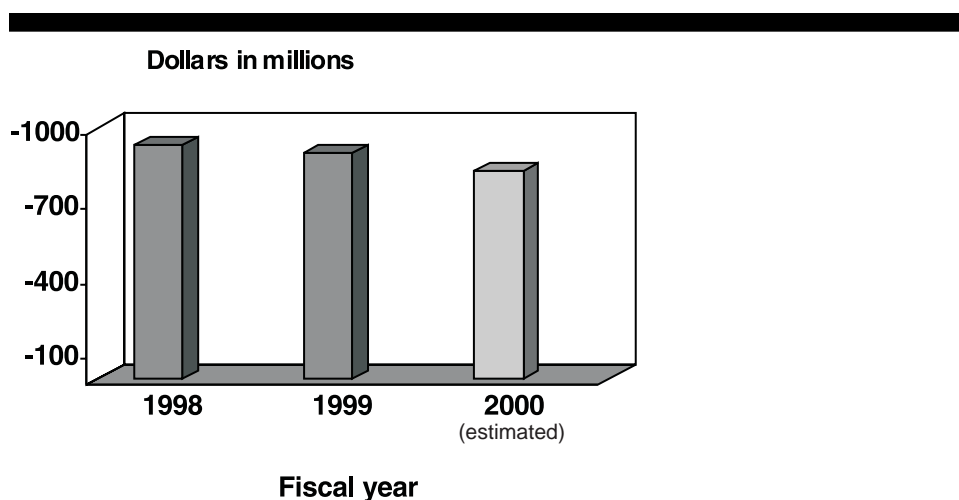
⁵Amtrak participates in the railroad retirement system, under which each participating railroad pays a portion of the costs for all retirements and benefits in the industry.

occur, Amtrak is required to develop and submit an action plan for its liquidation.

Amtrak's Overall Losses Decreased in Fiscal Year 1999

Amtrak made some progress in improving its overall financial condition: it reduced its net loss from about \$930 million in fiscal year 1998 to about \$907 million in fiscal year 1999. (See fig. 1.) In calculating net loss amounts for fiscal years 1998 and 1999, we excluded federal financial assistance from Amtrak's revenues.⁶ This exclusion provides a clearer portrayal of Amtrak's ability to meet its expenses from revenues generated by its own activities. This improvement in overall financial condition exceeded Amtrak's expectation by \$23 million. Amtrak estimates that its net loss for fiscal year 2000 will fall to \$828 million.

Figure 1: Amtrak's Net Loss, Fiscal Years 1998 Through 2000



Note: Net loss amounts do not include federal financial assistance.

Source: GAO's analysis of Amtrak's data.

⁶The Amtrak Reform and Accountability Act of 1997 eliminated the requirement that Amtrak issue preferred stock to the Department of Transportation in the value of federal appropriations received. As a result, beginning with its fiscal year-end 1998 financial statements, Amtrak, following guidance from its external auditors, recorded a significant amount of federal financial assistance as revenues instead of preferred shareholder equity. In addition, a portion of the federal funds made available by the Taxpayer Relief Act was also recorded as revenues.

Amtrak Faces Challenges in Meeting Its Business Plan Goals to Achieve Operational Self-Sufficiency

Using Amtrak's approach for measuring its budget gap, the railroad made some progress in moving toward operational self-sufficiency by the end of 2002. However, even this progress has been modest in comparison to the total improvement needed. To meet the goal of operational self-sufficiency, Amtrak has developed a series of strategic business plans. Amtrak's latest strategic business plan, approved by its Board of Directors in October 1998, anticipates that the corporation will not use any federal subsidies for operating expenses (other than for excess railroad retirement expenses) in fiscal year 2002—1 year earlier than requested by the administration and specified in the Amtrak reform act.⁷ However, it will not be easy for Amtrak to achieve its targets for revenues and expenses for several of the business plan's key actions.

Amtrak Cites a Narrowing Budget Gap

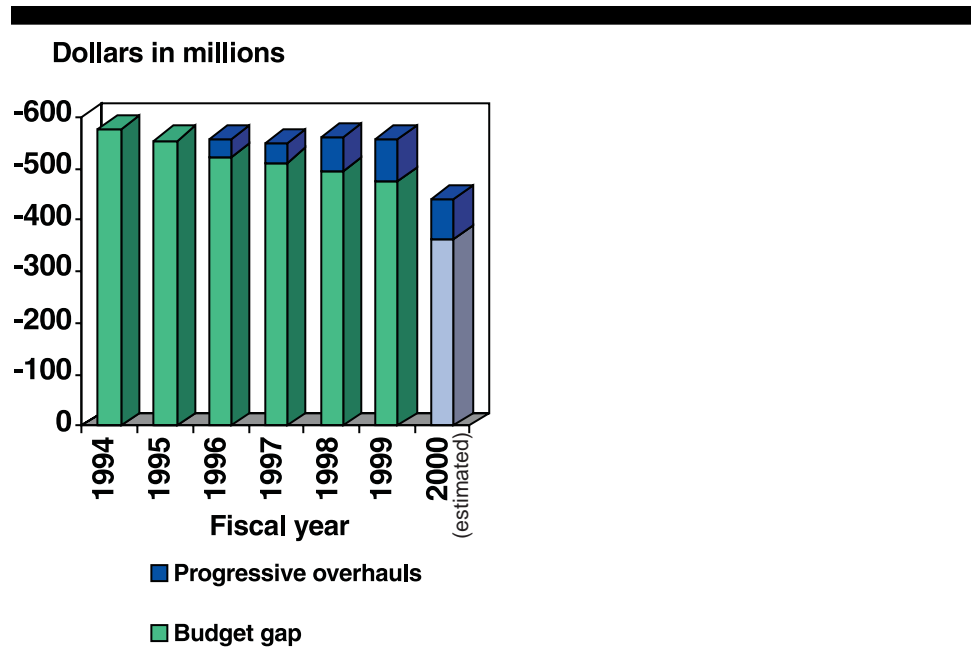
Amtrak's efforts are pointed toward achieving operating self-sufficiency by fiscal year 2002. To achieve this goal, Amtrak's strategic business plan focuses on reducing what it calls its "budget gap." Amtrak defines its budget gap as the corporation's net loss less capital-related expenses, including depreciation of its physical plant, other noncash expenses, and expenses from its program to progressively overhaul railcars (i.e., to conduct a limited overhaul of cars each year rather than a single comprehensive overhaul every several years). In essence, the budget gap represents expenses not funded by Amtrak's revenues or its capital program. In Amtrak's view, if it reduces its budget gap to an amount equal to excess Railroad Retirement Tax Act payments, it will have met the statutory requirement for operational self-sufficiency.

According to Amtrak, its budget gap fell by \$18 million in fiscal year 1999—from \$494 million in fiscal year 1998 (after an adjustment for the cost of retroactive labor payments was made⁸) to \$476 million in fiscal year 1999. (See fig. 2.) Amtrak estimates that the budget gap will be reduced by another \$114 million in fiscal year 2000 to \$362 million.

⁷Amtrak expects to release its next business plan in December 1999.

⁸Although Amtrak's audited financial statements allocated the full \$106 million amount of the retroactive payments for recently negotiated labor agreements to expenses for fiscal year 1998, Amtrak officials, in calculating the budget gap, allocated the amounts over the years for which those payments actually accrued (\$35 million each in fiscal years 1996 and 1997 and \$36 million in fiscal year 1998). The result of this allocation improved Amtrak's fiscal year 1998 budget gap by \$70 million.

Figure 2: Amtrak’s Budget Gap and Progressive Overhaul Expenses, Fiscal Years 1994 Through 2000



Note: Amtrak’s progressive overhaul program started in fiscal year 1995 and affected its expenses starting in fiscal year 1996.

Source: GAO’s analysis of Amtrak’s data.

However, Amtrak’s budget gap would be larger if expenses for progressive overhauls were included. Amtrak does not include these expenses in its calculation of the budget gap even though they are considered to be operating expenses under generally accepted accounting principles. According to Amtrak officials, while generally accepted accounting principles require the recording of such spending as operating expenses, Amtrak funds progressive overhauls through its capital program and therefore believes that the costs for them should be counted as capital costs.⁹ If progressive overhauls are included in the calculation of the budget gap, the gap would have decreased by \$3 million in fiscal year 1999 (rather than by \$18 million)—from \$561 million in fiscal year 1998 to \$558 million in fiscal year 1999. In fiscal year 2000, the estimated gap would be \$442 million if the costs of progressive overhauls are included,

⁹According to Amtrak, if it is unable to fund its progressive overhaul program from federal funds after 2002, it may be forced to move solely to a heavy overhaul program. Amtrak officials believe that the progressive approach keeps its equipment in a higher average state of good repair and is less expensive.

rather than \$362 million. This issue will be important when the Amtrak Reform Council assesses Amtrak's need for federal funds for operating self-sufficiency.

However, even if Amtrak's definition of its budget gap is used, the railroad must still reduce its losses substantially if it is to become operationally self-sufficient by the end of fiscal year 2002. In the next 3 fiscal years, Amtrak must reduce its budget gap by \$291 million—from \$476 million in fiscal year 1999 to an estimated \$185 million in fiscal year 2002—an amount equivalent to excess railroad retirement payments.¹⁰ This needed reduction is nearly four times the \$78 million improvement that Amtrak was able to achieve in the previous 5 fiscal years—1995 through 1999.

Achieving Amtrak's Strategic Business Plan Goals Will Be Difficult

Under its October 1998 strategic business plan, Amtrak plans to reach operational self-sufficiency by emphasizing business growth through a number of initiatives focusing on increasing revenues. However, it will be difficult for Amtrak to successfully carry out its plan, raising the question about whether Amtrak will be able to achieve operational self-sufficiency by the end of fiscal year 2002.

As shown in table 1, Amtrak estimates that its business plan initiatives will result in net cash improvements of \$1.6 billion for fiscal years 1999 through 2002. Table 1 also shows that the expected cash impact from six key initiatives will account for nearly 60 percent of the expected financial improvement—\$917 million. The remaining benefits come from hundreds of individual actions outlined in Amtrak's business plan. Overall, Amtrak projects that if it achieves the financial benefits associated with these initiatives, it will gradually reduce its reliance on federal operating assistance, and reach operating self-sufficiency by 2002.

¹⁰According to an Amtrak official, the excess railroad retirement figure may be higher in the future, reducing the budget gap that Amtrak must close. However, Amtrak has not finalized these estimates as of late October 1999.

Table 1: Estimated Financial Results of Amtrak's Initiatives From Fiscal Year 1999 Through Fiscal Year 2002

Dollars in millions

Initiative	Change in revenues	Change in expenses	Net cash improvement	Basis for estimate
Begin high-speed service in late 1999	\$822	\$414 ^a	\$408	Ridership forecast
Expand express service	248	188 ^a	60	Analyses of market potential
Align intercity route network to meet customer demand	60	(45)	105	Officials' professional judgment
Implement service standards	85	(20)	105	Officials' professional judgment
Purchase electricity at wholesale rates	(5)	(34)	29	Negotiations with a utility company
Implement cost-saving initiatives	56	(154)	210	Placeholders to balance annual budgets
Subtotal	\$1,266	\$349	\$917	
Implement hundreds of other initiatives ^b	840	148	692	Strategic business units' forecasts
Total	\$2,106	\$497	\$1,609	

^aThe expenses for high-speed rail service and express service exclude \$179 million and \$8 million for depreciation, respectively.

^bWe did not review the bases for these estimates.

Source: GAO's analysis of Amtrak's October 1998 strategic business plan.

Amtrak expects its largest revenue increases to come from implementing new high-speed rail service between Boston and Washington, D.C., (known as Acela service) and expanding its express package service (the delivery of higher-value time sensitive goods). Amtrak also plans to increase its revenues and control costs by developing a market-based intercity route network that aligns its passenger service more closely with customer demand (adding trains to certain routes or starting new service where appropriate, for instance). In addition, by implementing service standards (such as improving service to passengers), Amtrak expects to increase ridership (and revenues) through higher-quality and more consistent service. Amtrak plans to contain costs by reducing the costs of electric power in the Northeast Corridor and implementing cost-saving initiatives, such as enhancing productivity in a number of ways throughout its system.

Among the challenges that Amtrak must surmount are achieving dollar savings specified in its plan for which it had not identified any specific action. In this regard, Amtrak's plan contains broad categories of cost-saving initiatives referred to as "undefined initiatives" and "planned management actions to be developed." These categories represent

\$210 million in net financial improvements for which Amtrak had not identified specific initiatives or developed any plan of action when the plan was approved. The amounts were placeholders to balance the yearly budgets. Amtrak intends to achieve these net financial improvements primarily through cost savings that it will identify on an ongoing basis. As of June 1999, Amtrak officials had identified actions to be taken representing a net financial improvement of about \$49 million, reducing the dollar amount of actions yet to be defined to about \$161 million. An Amtrak official told us that since June 1999, Amtrak has not updated its identification of these actions.

As mentioned earlier, Amtrak plans to align its service to better meet customer demand, referred to as implementing a market-based network. Although Amtrak had not completed its network analysis when it adopted its latest strategic business plan, the corporation estimated that its realigned network will generate \$105 million in net financial improvements over the period by such actions as serving currently unserved markets that have good demand potential.¹¹ According to Amtrak officials, for the most part, this estimate was based on senior officials' judgment of changes in revenues and expenses resulting from an analysis of the potential for partnerships with states and local governments in certain transportation corridors. Amtrak did not supply us with information on how it derived the estimated financial improvement.

As we reported last year, the business decisions that Amtrak makes regarding the structure of its route system will play a crucial role in determining its long-term viability.¹² We reported that, during fiscal year 1997, a number of Amtrak's routes lost large sums of money: 13 routes each lost more than \$30 million. Further, for 14 of its routes, Amtrak lost more than \$100 per passenger. Finally, in fiscal year 1997, fewer than 100 passengers, on average, boarded Amtrak intercity trains and connecting buses per day in 13 states.

Other major initiatives portrayed in table 1 face similar uncertainties and are discussed in our July 1999 report.¹³ In addition, in September 1999, Amtrak announced the delay of the start of its Acela Express high-speed

¹¹As of October 1999, Amtrak was still completing its network analysis and had not made final decisions regarding network changes, according to an Amtrak official.

¹²See *Intercity Passenger Rail: Financial Performance of Amtrak's Routes* (GAO/RCED-98-151, May 14, 1998); and *Intercity Passenger Rail: Prospects for Amtrak's Financial Viability* (GAO/RCED-98-211R, June 5, 1998).

¹³See GAO/RCED-99-181.

rail service. According to Amtrak, it is working on a combination of cost avoidance and revenue enhancements that will offset the expected loss in Acela Express passenger revenue in fiscal year 2000.

Finally, our ongoing work for this committee suggests that Amtrak may continue to have difficulty in controlling certain costs, including labor costs. In fiscal year 1999, labor costs represented about 52 percent of Amtrak's operating expenses. In fiscal year 1999, Amtrak exceeded its budget for wage and overtime expenses for labor agreement-covered employees, and over \$24 million more was spent on wages than was planned. It will be important for Amtrak to implement productivity improvements to help offset cost increases. Amtrak is currently finishing the last round of collective bargaining with its unions and estimates that the total amount of wages and benefits paid will have increased by \$248 million over the 5-year period ending in fiscal year 2000. Amtrak has been and plans to continue partially offsetting these wage and benefit increases through such productivity improvements as increasing from 4 hours to 6 hours the threshold for a second engineer in locomotives. Starting in fiscal year 2000, Amtrak must begin renegotiating contracts with the 13 labor unions and 2 councils that represent about 90 percent of its workforce. Amtrak has a goal to achieve a 0.2-percent decrease in labor costs from fiscal year 2000 through fiscal year 2002.¹⁴ We plan to report more fully on this and other information to this Committee in spring 2000.

Amtrak Has Used Taxpayer Relief Act Funds to Finance a Variety of Activities

The Taxpayer Relief Act of 1997 provided Amtrak with about \$2.2 billion to acquire capital improvements, upgrade maintenance facilities, and maintain existing equipment in intercity passenger rail service; and pay interest and principal on obligations incurred for these uses. Amtrak had reported spending over \$1.2 billion of these funds for these uses through May 31, 1999.¹⁵

Amtrak reports spending over half of the \$1.2 billion—or \$756 million—of TRA funds for capital improvement projects related to intercity passenger rail through May 1999. This includes \$527 million in infrastructure-related improvements, such as track signals and improvements to bridges and electric catenary toward completion of Amtrak's Acela high-speed rail service between Washington, D.C. and Boston. The \$756 million also includes about \$201 million for capital projects related to the acquisition of and improvement to rolling stock used in intercity passenger service.

¹⁴In constant 1998 dollars.

¹⁵As required by law, Amtrak has also paid \$139 million to states without Amtrak service.

Amtrak has also reported spending \$427 million—about one-third of all TRA expenditures—for maintenance of equipment expenses through May 1999.¹⁶

Even though maintenance of equipment is an allowable expense under TRA, Amtrak plans to ultimately use most TRA funds for high-rate-of-return capital improvement projects. Amtrak therefore intends to “repay itself” for the TRA funds that have been used to pay for maintenance of equipment expenses.¹⁷ According to Amtrak’s October 1998 strategic business plan, these repayments will begin this fiscal year, and, according to Amtrak, \$100 million was repaid on October 1, 1999.

Amtrak does not identify the specific equipment maintenance expenses that TRA funds were used for. TRA funds are not used to pay for equipment maintenance expenses at the time they are incurred. Rather, Amtrak has used TRA funds to reimburse itself for equipment maintenance expenses after these expenses have already been paid from other sources. Amtrak applies TRA funds to a pool of allowable equipment maintenance expenses as a whole, rather than individual invoices. According to Amtrak, there is always a sizable pool of allowable equipment maintenance expenses and it has used TRA funds for an amount smaller than the allowable pool. Therefore, Amtrak believes that it has used TRA funds only for purposes that are allowable under the act.

Finally, Amtrak has used nearly \$48 million in TRA funding to make principal payments on its long-term debt. According to Amtrak’s data, the debt that TRA has serviced has been used to acquire rolling stock (locomotives, passenger cars, etc.) and to rebuild facilities.

Amtrak Will Continue to Have Significant Unmet Capital Investment Needs

Capital investments are critical to supporting Amtrak’s business plans and maintaining its viability. Such investments are needed to help Amtrak improve its quality of service and attract revenues. However, Amtrak continues to have significant unmet capital needs. In addition, Amtrak currently does not have a comprehensive 5-year capital plan to identify all its needs and how they will be financed.¹⁸

¹⁶This includes \$15 million in expenses for maintenance of equipment that Amtrak does not plan to repay.

¹⁷Amtrak has historically funded progressive overhauls through its capital program even though it records them as operating expenses consistent with generally accepted accounting principles. Because Amtrak views progressive overhaul expenses as capital expenses, not operating expenses, it does not plan to repay about \$104 million of these expenses as it does for most of the other maintenance of equipment expenses.

¹⁸Amtrak expects to adopt a 5-year capital plan covering fiscal years 2000 to 2004 in December 1999.

To date, from discussions with Amtrak, we have identified about \$1.5 billion in short-term (up to 5 years) capital needs. These include: \$800 million to complete the Acela high-speed rail program in the Northeast; \$425 million for capital debt payments; \$194 million for life safety investments in the Northeast Corridor; and \$94 million for maintenance facility improvements. In addition, Amtrak will require capital funding to conduct mandated environmental remediation projects; expand high speed rail service to other corridors; make track improvements in the Northeast Corridor; and buy new equipment for its planned mail and express service expansion and other possible refueling actions. For example, Amtrak estimates that it will need an additional 1,500 pieces of equipment to meet current and expected mail and express service projections. Federal funding expected to be available from 2001 through 2003 could meet some of these short-term capital investment needs. As a result, Amtrak may be required to rely heavily on state, local, and private financing.

Amtrak will also face significant capital funding needs over the long term (5- to 20-years). In discussions with Amtrak and the Federal Railroad Administration, we have identified some of these needs. These long-term needs consist mainly of bringing the Northeast Corridor up to a state of good repair. In May 1996, the Federal Railroad Administration and Amtrak estimated that up to \$6.7 billion might be needed to recapitalize the corridor and make improvements targeted to respond to high-priority growth opportunities over the next 20 years. (As of fiscal year 1999, there has been no significant recapitalization of the south end of the Northeast Corridor.) If the identified state of good repair needs are not adequately addressed, Amtrak's trip times, including those for high-speed rail, and operational reliability could be adversely affected. Amtrak is currently finalizing a study of the costs associated with state of good repair needs on the south end of the Northeast Corridor (New York City to Washington, D.C.). Significant capital investment will also be required for other projects. These include (1) life safety work in the New York City area (such as improving the ability of passengers to leave a rail tunnel in an emergency), (2) capacity improvements and replacement of the electric catenary system on the south end of the Northeast Corridor, and (3) continued high-speed rail improvements on the Northeast Corridor. Amtrak has not yet identified sources of funds for its long-term needs.

Although Amtrak has significant capital investment needs, it does not have a 5-year capital plan, making it unclear at this time what Amtrak's total current capital needs are and how it plans to fund these needs. In addition,

because Amtrak does not have a comprehensive capital plan, it has not made decisions about the relative priority of capital improvements should anticipated funding sources—such as federal appropriations, assistance from states, and private financing—be insufficient to meet the railroad’s capital investment needs.

Observations

The Congress gave Amtrak until the end of fiscal year 2002 to reach operational self-sufficiency. Amtrak has focused its ambitious strategic business plan to meet this goal 1 year earlier than required by the Congress. Yet, Amtrak has made relatively little progress over the past 5 years toward achieving this goal: In the next 3 years, Amtrak must achieve nearly four times as much in financial improvements as it was able to achieve through its business plans over the previous 5 years. In addition, Amtrak has substantial capital needs that, if met, could help it improve service, attract and retain passengers, and improve its financial condition. However, Amtrak does not have a comprehensive capital plan; nor has it identified funding sources to cover all its capital needs. The stakes are high: if Amtrak does not become operationally self-sufficient by the end of 2002, the Amtrak Reform Council must submit to the Congress plans for restructuring the railroad and Amtrak must prepare a plan for its own liquidation.

Mr. Chairman, this concludes our testimony.¹⁹ We would be pleased to answer to any questions that you or Members of the Subcommittee may have.

Contact and Acknowledgments

For information regarding this testimony, please contact Phyllis F. Scheinberg at (202) 512-3650. Individuals making key contributions to this testimony were Angela Clowers, Catherine Colwell, Richard Jorgenson, Debra Prescott, and James Ratzenberger.

¹⁹The information contained in this testimony is based on our July 1999 report on Amtrak’s financial condition (GAO/RCED-99-181); updated information on Amtrak’s financial results; and our ongoing work for this Committee on Taxpayer Relief Act expenditures and Amtrak’s major costs and capital needs. We performed our work in October 1999 in accordance with generally accepted government auditing standards.

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