



March 20, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Roger Wicker
Chairman
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, D.C. 20510

Dear Leader McConnell and Chairman Wicker:

We write to request that you include enhanced consumer and labor protections for any funding to Amtrak in the emergency assistance legislation currently under consideration. Yesterday, reports indicated that the Trump Administration is asking Congress to include \$500 million in financial assistance to Amtrak due to the economic impact of COVID-19.¹ While we agree that Amtrak is in desperate need of economic aid as the company is experiencing major drops in ridership and loss of revenue, we strongly believe that this legislation must include conditions that will protect both consumers and workers who depend upon the passenger rail industry.

Recent reports indicate that Amtrak is suffering an almost 300 percent increase in cancellations and that future bookings are down almost 50 percent year-over-year amid the coronavirus.² The company has already scaled back operations and service as ridership continues to decline. In light of this, we must ensure that our nation's railroad receives adequate assistance, and we fear that the \$500 million proposed by the Administration may not be enough to help Amtrak through this difficult time.

Yesterday, Senate Republicans introduced the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Alarming, this legislation fails to include specific funding that would go to Amtrak. Moreover, as introduced, this legislation fails to include language to ensure consumers and workers are the priority for all government funds. Any funding provided to

¹ Mintz, Sam. "Aid Plan for Airlines Shifts Away from Industry Ask." Politico, March 19, 2020. <https://www.politico.com/newsletters/morning-transportation/2020/03/19/aid-plan-for-airlines-shifts-away-from-industry-ask-786212>.

² Lazo, Luz. "Amtrak Ridership Is down, Cancellations up 300 Percent amid Coronavirus Crisis." The Washington Post. WP Company, March 11, 2020. <https://www.washingtonpost.com/nation/2020/03/11/amtrak-ridership-is-down-cancellations-up-300-percent-amid-coronavirus-crisis/>.

Amtrak must expressly guarantee maintenance of the system and live up to obligations under existing collectively bargained agreements.

Our focus needs to be on keeping railroad workers employed during this pandemic and, where that is not possible, to provide parity in unemployment benefits for these workers -who are not eligible for state unemployment insurance, but rely solely on the federally administered Railroad Unemployment Insurance program. Additionally, when Amtrak services return to normal, any furloughed employees must have the ability to return to their jobs – not replaced by non-union contractors.

We also strongly urge you to consider reversing Amtrak’s mandatory arbitration and anti-class action policy for the benefit of consumers, as well as limiting Amtrak’s ability to impose new fees on ticket changes and cancellations. As our national railroad, Amtrak has a responsibility to ensure the traveling public – including victims of crashes – have their day in court. Amtrak’s decision to disallow class action claims is equally problematic. The current policy discourages consumers from making formal complaints about small violations, and by not allowing consumers to band together to file suit, they are less likely to file at all. Finally, Amtrak should be prevented from further replicating the aviation industry’s add-on fee model for ticket changes and cancellations.

We appreciate your attention to this important matter.

Sincerely,

RICHARD BLUMENTHAL
United States Senate

EDWARD J. MARKEY
United States Senate

CC: The Honorable Charles Schumer, Minority Leader, United States Senate
The Honorable Maria Cantwell, Ranking Member, Committee on Commerce, Science,
and Transportation