

105TH CONGRESS
1ST SESSION

H. R. 1666

To amend title 49, United States Code, to eliminate provisions of Federal law that provide special support for, or burdens on, the operation of Amtrak as a passenger rail carrier, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1997

Mr. HEFLEY introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to eliminate provisions of Federal law that provide special support for, or burdens on, the operation of Amtrak as a passenger rail carrier, 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. DEFINITIONS.**

4 Section 24102 of title 49, United States Code, is
5 amended—

6 (1) by striking paragraphs (1), (2), (3), (6),
7 (7), (10), and (11); and

1 (2) by redesignating paragraphs (4), (5), (8),
2 and (9) as paragraphs (1), (2), (3), and (4), respec-
3 tively.

4 **SEC. 2. ENFORCEMENT.**

5 Section 24103 of such title is amended—

6 (1) by repealing subsection (b); and

7 (2) by redesignating subsection (c) as sub-
8 section (b).

9 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 24104 of such title is amended to read as
11 follows:

12 **“§ 24104. Authorization of appropriations**

13 “There are authorized to be appropriated to the Sec-
14 retary of Transportation for the benefit of Amtrak—

15 “(1) \$700,000,000 for fiscal year 1998;

16 “(2) \$600,000,000 for fiscal year 1999;

17 “(3) \$400,000,000 for fiscal year 2000; and

18 “(4) \$200,000,000 for fiscal year 2001.

19 No funds are authorized to be appropriated to the Sec-
20 retary for the benefit of Amtrak for any fiscal year after
21 fiscal year 2001.”.

22 **SEC. 4. CHAPTER 243 AMENDMENTS.**

23 Chapter 243 of such title is amended—

24 (1) in the table of sections—

1 (A) by striking the items relating to sec-
 2 tions 24302 through 24315; and

3 (B) by inserting after the item relating to
 4 section 24301 the following new item:

“24302. Relinquishment of rights to stock, notes, and mortgages.”;

5 (2) in section 24301—

6 (A) by repealing subsections (b), (c), (d),
 7 (e), (f), (g), (h), (i), (j), (k), (l), and (n); and

8 (B) by redesignating subsection (m) as
 9 subsection (b);

10 (3) by repealing sections 24302 through 25315;

11 and

12 (4) by adding at the end the following new sec-
 13 tion:

14 **“§ 24302. Relinquishment of rights to stock, notes,**
 15 **and mortgages**

16 “The United States relinquishes any rights held by
 17 virtue of any stock, note of indebtedness, or mortgage is-
 18 sued by or entered into with Amtrak.”.

19 **SEC. 5. CHAPTER 245 AMENDMENTS.**

20 (a) SECTION 24501(g) AMENDMENT.—Section
 21 24501(g) of such title is amended by striking “Amtrak
 22 is exempt” and inserting in lieu thereof “Amtrak Com-
 23 muter is exempt”.

24 (b) SECTION 24504(c) REPEAL.—Section 24504(c)
 25 of such title is repealed.

1 **SEC. 6. CHAPTERS 247 AND 249 REPEALED.**

2 Chapters 247 and 249 of such title, and the items
3 relating thereto in the table of chapters of subtitle V of
4 such title, are repealed.

5 **SEC. 7. SERVICE DISCONTINUANCE.**

6 (a) AMENDMENT.—Chapter 241 of such title is
7 amended by adding at the end the following new section:

8 **“§ 24105. Service discontinuance**

9 “(a) WAGE CONTINUATION OR SEVERANCE BENE-
10 FIT.—Notwithstanding any arrangement in effect before
11 the date of enactment of this section, no employee of a
12 rail carrier providing rail passenger transportation whose
13 employment is terminated as a result of a discontinuance
14 of intercity rail passenger service shall receive any wage
15 continuation or severance benefit in excess of 6 months
16 pay. This subsection shall not affect the obligations of rail
17 carriers under section 11326 of this title.

18 “(b) TRANSFER.—Notwithstanding any arrangement
19 in effect before the date of enactment of this section, a
20 rail carrier providing rail passenger transportation may
21 require an employee whose position is eliminated as a re-
22 sult of a discontinuance of intercity rail passenger service
23 to transfer to any vacant position for which the employee
24 can be made qualified on any part of such rail carrier’s
25 system. If such transfer requires a change in residence or
26 seniority district, the employee shall choose—

1 “(1) to transfer to the position and be covered
2 by the collective bargaining agreement applicable to
3 the seniority district to which he is transferred; or
4 “(2) to voluntarily furlough himself at his home
5 location and receive protective benefits not in excess
6 of the amount authorized under subsection (a).

7 For purposes of this subsection, a transfer shall be consid-
8 ered to require a change in residence if the new employ-
9 ment is more than 30 miles from the employee’s place of
10 residence and is farther from that residence than was the
11 former work location.”.

12 (b) TABLE OF SECTIONS.—The table of sections of
13 chapter 241 of such title is amended by adding at the end
14 the following new item:

“24105. Service Discontinuance.”.

15 **SEC. 8. FEDERAL EMPLOYERS’ LIABILITY ACT.**

16 The Act entitled “An Act relating to the liability of
17 common carriers by railroad to their employees in certain
18 cases.”, enacted April 22, 1908 (45 U.S.C. 51 et seq.; pop-
19 ularly referred to as the “Federal Employers’ Liability
20 Act” or the “Employers’ Liability Act”) is amended by
21 adding at the end the following new section:

22 “SEC. 11. This Act shall not apply to common car-
23 riers to the extent they provide rail passenger transpor-
24 tation.”.

1 **SEC. 9. CONFORMING AMENDMENTS.**

2 (a) EMPLOYEE PROTECTIVE ARRANGEMENTS.—Sec-
3 tion 11326 of title 49, United States Code, is amended
4 by striking “, and the terms established under section
5 24706(c) of this title”.

6 (b) TERMINAL FACILITIES.—Section 5567 of title 49,
7 United States Code, and the item relating thereto in the
8 table of sections of chapter 55 of such title, are repealed.

9 **SEC. 10. EFFECTIVE DATES.**

10 (a) GENERAL RULE.—Except as otherwise provided
11 in this section, this Act shall take effect 1 year after the
12 date of its enactment.

13 (b) EXCEPTIONS.—(1) Sections 3, 7, and 8 of this
14 Act shall take effect immediately upon enactment.

15 (2) The repeal of section 24909 of title 49, United
16 States Code, shall take effect on October 1, 1997.

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