

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 749) TO REAUTHORIZE FEDERAL SUPPORT FOR PASSENGER RAIL PROGRAMS, AND FOR OTHER PURPOSES, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MARCH 6, 2015, THROUGH MARCH 13, 2015

MARCH 2, 2015.—Referred to the House Calendar and ordered to be printed

Mr. WOODALL, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 134]

The Committee on Rules, having had under consideration House Resolution 134, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 749, the Passenger Rail Reform and Investment Act of 2015, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-9 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides that on any legislative day during the period from March 6, 2015, through March 13, 2015: the

Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.

Section 3 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2.

Section 4 of the resolution provides that at any time through the legislative day of March 13, 2015, the Chair may postpone further consideration of a measure in the House to such time as may be designated by the Speaker.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 3(e)(1) of rule XIII (Ramseyer), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected.

This waiver is necessary because the submission provided by the committees was insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

Although the resolution waives all points of order against the amendment in the nature of a substitute made in order as original text, the committee is not aware of any points of order. The waiver of all points of order is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in this report, the committee is not aware of any points of order. The waiver of all points of order is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 30

Motion by Mr. McGovern to report an open rule. Defeated: 2–7.

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida
Mr. Burgess	Nay	Mr. Polis
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Sessions, Chairman	Nay		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. McNerney (CA): Ensures that socially and economically disadvantaged businesses request for proposals are considered for station development opportunities under Section 208 of the bill. (10 minutes)

2. Fitzpatrick (PA): Adds veteran-owned small businesses to the participation study required under Section 305. (10 minutes)

3. Mica (FL): A proposal for Northeast Corridor Express Service. (10 minutes)

4. Brownley (CA): Requires each state to develop a grade crossing action plan, identifying specific solutions for improving safety at crossings, including highway-rail grade crossing closures or grade separations; and focuses on crossings that have experienced recent grade crossing accidents or multiple accidents, or are at high risk for accidents. (10 minutes)

5. Perlmutter (CO): Requires the Government Accountability Office (GAO) to submit to Congress a report evaluating the effectiveness of the Federal Railroad Administration's (FRA) 2005 rule on the use of locomotive horns at rail crossings. (10 minutes)

6. McClintock (CA): Restricts operating subsidies for Amtrak. (10 minutes)

7. Lipinski (IL): Clarifies that passengers using or transporting non-motorized transportation are to be considered in the Amtrak Office of Inspector General's report on boarding procedures in Section 211. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCNERNEY OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 43, line 24, strike "where appropriate" and insert "including small business concerns owned and controlled by socially and economically disadvantaged individuals".

Page 44, after line 16, insert the following:

(d) DEFINITIONS.—In this section, the terms "small business concern" and "socially and economically disadvantaged individual" have the meanings given such terms in section 305(c).

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FITZPATRICK OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 63, line 6, insert after "individuals" the following: "and veteran-owned small businesses".

Page 64, after line 13, insert the following:

(3) VETERAN-OWNED SMALL BUSINESS.—

(A) IN GENERAL.—The term "veteran-owned small business" has the meaning given the term "small business concern owned and controlled by veterans" in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)).

(B) EXCLUSIONS.—The term "veteran-owned small business" does not include any concern or group of concerns controlled by the same veterans that have average annual gross receipts during the preceding 3 fiscal years in excess of \$22,410,000 as adjusted annually by the Secretary for inflation.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MICA OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 68, after line 9, insert the following new section:

SEC. 308. NORTHEAST CORRIDOR EXPRESS SERVICE.

(a) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Northeast Corridor Infrastructure and Operations Advisory Committee, in consultation with Amtrak, shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that analyzes the implementation of non-stop, high-speed express passenger rail service between Washington, District of Columbia, and New York, New York, and between New York, New York, and Boston, Massachusetts. The report shall consider—

(1) estimated trip time, ridership, revenue, total cost, capacity, and other metrics for each service;

(2) impacts on existing Amtrak and commuter rail services; and

(3) impacts on Northeast Corridor infrastructure.

(b) **CONSIDERATION.**—Not later than 90 days after the transmittal of the report required under subsection (a), the Amtrak Board of Directors shall consider implementing such services.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWNLEY OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new section:

SEC. 503. STATE ACTION PLANS.

(a) **IN GENERAL.**—The Secretary shall require—

(1) each State, other than those States identified pursuant to section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to develop and implement, not later than 18 months after the date of enactment of this Act, a State grade crossing action plan; and

(2) each State that was identified pursuant to section 202 of such Act to update its plan and submit to the Secretary, not later than 1 year after the date of enactment of this Act, a report describing what the State did to implement the plan.

(b) **CONTENTS.**—Each plan required under subsection (a) shall—

(1) identify specific solutions for improving safety at crossings, including highway-rail grade crossing closures or grade separations; and

(2) focus on crossings that have experienced recent grade crossing accidents or multiple accidents, or are at high risk for accidents.

(c) **ASSISTANCE.**—The Secretary shall provide assistance to the States in developing and carrying out, as appropriate, the plan required under subsection (a).

(d) **CONDITIONS.**—The Secretary may condition the awarding of any grants under section 103 of this Act to a State on the development of such State's grade crossing action plan.

(e) **PUBLIC AVAILABILITY.**—The Secretary shall make each plan and report publicly available on an official Internet Web site.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PERLMUTTER OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new section:

SEC. 503. QUIET ZONE REPORT.

Not later than 120 days after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report evaluating the rule issued by the Federal Railroad Administration on the use of locomotive horn at rail crossings. Such report shall—

- (1) evaluate the effectiveness of the rule in reducing accidents and fatalities at rail crossings;
- (2) evaluate the effectiveness of the rule in establishing quiet zones;
- (3) identify any barriers to the establishment of quiet zones; and
- (4) estimate the costs associated with their establishment.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCLINTOCK OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, line 3, through page 3, line 10, strike section 101.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LIPINSKI OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 48, line 14, after “procedures” insert “for passengers, including passengers using or transporting nonmotorized transportation such as wheelchairs and bicycles”.