

PROVIDING FOR THE CONSIDERATION OF H.R. 1788, THE
AMTRAK REFORM AND PRIVATIZATION ACT OF 1995

NOVEMBER 29, 1995.—Referred to the House Calendar and ordered to be printed

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

REPORT

[To accompany H. Res. 284]

The Committee on Rules, having had under consideration House Resolution 284, by a non-record vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 1788, the “Amtrak Reform and Privatization Act of 1995” under an open rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Transportation and Infrastructure.

The rule waives all points of order against the consideration of the bill. The rule makes in order the Committee on Transportation and Infrastructure amendment in the nature of a substitute now printed in the bill, modified by the amendment printed in part 1 of this report as an original bill for purpose of amendment. The amendment printed in part 1 of this report strikes the tax provision and the accelerated outlay provision in section 502 of the bill. The substitute, as modified, shall be considered by title, and the first section and each title shall be considered as read.

The rule waives all points of order against the committee amendment in the nature of a substitute, as modified.

The rule provides for the consideration of a manager’s amendment to be printed in part 2 of this report, which is considered as read, not subject to amendment or to a division of the question, and is debatable for 10 minutes equally divided between the proponent and an opponent. All points of order are waived against the amendment. If adopted, the amendment is considered as part of the base text for further amendment purposes.

Members who have pre-printed their amendments in the Record prior to their consideration will be given priority in recognition to offer their amendments if otherwise consistent with House rules. Finally, the rule provides for one motion to recommit, with or without instructions.

EXPLANATION OF WAIVERS PROVIDED BY THE COMMITTEE ON
TRANSPORTATION AND INFRASTRUCTURE

H.R. 1788, Amtrak Reform and Privatization Act waivers of points
of order

The Parliamentarian has advised that the following waivers of points of order are needed for the bill:

I. Against the bill: Waivers required of sections 302, 308, and 311 of the Budget Act; in particular, section 502 of the bill is in violation of these sections because it accelerates outlays.

II. Against the amendment in the nature of a substitute reported by the committee: In addition to the waivers cited above, waivers are required of clauses 5(a) and 5(b) of Rule XXI; in particular, section 502 of the substitute contains an appropriation and a tax provision.

The Committee intends to offer amendments to address these problems.

PART 1

THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO BE CONSIDERED AS ORIGINAL TEXT PURSUANT TO HOUSE RESOLUTION 284 CONSISTS OF THE TEXT OF THE AMENDMENT IN THE NATURE OF A SUBSTITUTE RECOMMENDED BY THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE NOW PRINTED IN THE BILL, MODIFIED BY THE FOLLOWING AMENDMENT

Page 23, line 4, insert "operating assistance" after "Federal".

Page 23, lines 6 through 8, strike ", and shall not be includible in Amtrak's gross income for Federal tax purposes".

PART 2

THE AMENDMENT TO BE OFFERED BY THE CHAIRMAN OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE OR HIS DESIGNEE

Page 33, line 14, insert ", and with respect only to the facilities it jointly uses with Amtrak, a commuter authority," before "shall not be".

Page 33, line 18, insert "For stations jointly used by Amtrak and a commuter authority, this subsection shall not affect the allocation of costs between Amtrak and the commuter authority relating to accessibility improvements." after "January 1, 1998."

Page 36, after line 21, insert the following new section:

SEC. 617. MAGNETIC LEVITATION TRACK MATERIALS.

The Secretary of Transportation shall transfer to the State of Florida, pursuant to a grant or cooperative agreement, title to alu-

minum reaction rail, power rail base, and other related materials (originally used in connection with the Prototype Air Cushion Vehicle Program between 1973 and 1976) located at the Transportation Technology Center near Pueblo, Colorado, for use by the State of Florida to construct a magnetic levitation track in connection with a project or projects being undertaken by American Maglev Technology, Inc., to demonstrate magnetic levitation technology in the United States. If the materials are not used for such construction within 3 years after the date of the enactment of this Act, title to such materials shall revert to the United States.

