

**AMENDMENT**

**OFFERED BY MR. CARSON OF INDIANA**

Page 833, after line 25 insert the following (and re-designate subsequent paragraphs accordingly):

1           (7) require any entity that begins service on a  
2           new route or expands service on an existing route  
3           using equipment from the equipment pool to provide  
4           that service for no less than 5 years, subject to mon-  
5           etary penalties for early termination of service;

Page 834, line 12, insert “, subject to the require-ments of subsections (c) and (d)” before the period at the end.

Page 834, after line 6 insert the following (and re-designate subsequent subsections accordingly):

6           (c) APPLICABLE LAWS.—

7           (1) IN GENERAL.—Any entity that uses, main-  
8           tains, inspects, or repairs, equipment from the  
9           equipment pool shall be considered a rail carrier,  
10          and an employer for the purposes of making it sub-  
11          ject to—

12                   (A) the Railroad Retirement Act of 1974  
13                   (45 U.S.C. 231 et seq.);

1 (B) the Railway Labor Act (45 U.S.C. 151  
2 et seq.); and

3 (C) the Railroad Unemployment Insurance  
4 Act (45 U.S.C. 351 et seq.).

5 (2) LESSEE.—If the lessee of the equipment is  
6 a State or State entity, it need not be a carrier and  
7 covered by such laws, so long as any entity it con-  
8 tracts with to use, maintain, inspect, or repair the  
9 equipment is a carrier and covered by such laws.

10 (d) PROTECTIVE CONDITIONS.—The Secretary of  
11 Labor shall develop, within 180 days of enactment, em-  
12 ployee protections at least as protective of employee inter-  
13 ests as those developed by the Secretary of Labor and im-  
14 posed under the “4R Act” (49 U.S.C. 22404). Any em-  
15 ployee of a rail carrier providing passenger rail service who  
16 is adversely affected by the leasing of equipment from the  
17 pool will be covered by, and entitled to benefits under, the  
18 protections developed by the Secretary of Labor.

