

**AMENDMENT**

**OFFERED BY MR. DELUZIO OF PENNSYLVANIA**

Page 772, line 8, amend paragraph (6) to read as follows:

1           “(6) By an interstate rail compact, the procure-  
2           ment of rolling stock equipment for use in a  
3           multistate equipment pool, as well as costs related to  
4           the leasing, lease-to-own, maintenance, and storage  
5           of such equipment to create an equipment pool, sub-  
6           ject to the following requirements:

7                   “(A) Except as provided in subparagraph  
8                   (B), any entity that uses, maintains, inspects,  
9                   or repairs, equipment from the equipment pool  
10                  shall be considered a rail carrier and an em-  
11                  ployer for the purposes of—

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

14                           “(ii) the Railway Labor Act (45  
15                           U.S.C. 151 et seq.); and

16                           “(iii) the Railroad Unemployment In-  
17                           surance Act (45 U.S.C. 351 et seq.).

18                   “(B) Subparagraph (A) does not apply to  
19                   a State or agency thereof that is a lessee of

1 equipment from the equipment pool and that  
2 enters into a contract with an entity to allow  
3 the entity to use, maintain, inspect, or repair  
4 the equipment, so long as the entity is a carrier  
5 for purposes of each law described in subpara-  
6 graph (A).

7 “(C) Any employee of a carrier providing  
8 passenger rail service who is adversely affected  
9 as a result of the leasing of equipment from the  
10 equipment pool shall be covered by, and entitled  
11 to benefits under, protections established by the  
12 Secretary of Labor in regulations issued not  
13 later than 180 days after the date of enactment  
14 of this paragraph. Such regulations shall ensure  
15 that such protections are at least as protective  
16 of employee interests as those developed by the  
17 Secretary of Labor and imposed under section  
18 22404.”.

Page 772, line 15, strike “own” and insert “own,  
subject to the requirements described in paragraph (6)”.

Page 773, line 5, strike “non-Federal” and insert  
“State, local, or regional governmental”.

Page 773, line 9, strike subclause (I) and redesignate subsequent provisions as appropriate.

Page 773, lines 16, strike “non-Federal” and insert “State, local, or regional governmental”.

Page 774, line 10, strike “non-Federal” and insert “State, local, or regional governmental”.

Page 781, line 4, strike “and private”.

Page 782, line 18, strike “subsection” and insert “subsection, if the rail carrier enters into an agreement with Amtrak for Amtrak to provide all mechanical and maintenance services to the rail carrier for the duration of the grant”.

Page 783, insert after line 18 (and redesignate clause (ii) as clause (iii)) the following:

1                                   “(ii) APPLICABLE LAWS.—  
2   “(I) IN GENERAL.—Each recipi-  
3   ent of a grant under this subsection  
4   shall be considered a rail carrier, and  
5   an employer for the purposes of—  
6   “(aa) the Railroad Retire-  
7   ment Act of 1974 (45 U.S.C. 231  
8   et seq.);  
9   “(bb) the Railway Labor Act  
10   (45 U.S.C. 151 et seq.); and

1                   “(cc) the Railroad Unem-  
2                   ployment Insurance Act (45  
3                   U.S.C. 351 et seq.).

4                   “(II) EXCEPTION.—Subclause (I)  
5                   does not apply to a State or agency  
6                   thereof that is a lessee of equipment  
7                   from the equipment pool and that en-  
8                   ters into a contract with an entity to  
9                   allow the entity to use, maintain, in-  
10                  spect, or repair the equipment, so long  
11                  as the entity is a carrier for purposes  
12                  of each law described in subclause (I).

13                  “(III) CONTRACTORS.—Any con-  
14                  tractor or subcontractor who enters  
15                  into an agreement to operate, use,  
16                  maintain, inspect, or repair equipment  
17                  for a recipient of a grant under this  
18                  subsection shall be considered a rail  
19                  carrier and an employer for the pur-  
20                  poses each law described in subclause  
21                  (I).”.

