

AMENDMENT TO H.R. 749
OFFERED BY MR. MICA OF FLORIDA

At the end of title III, insert the following new section:

1 **SEC. 308. NORTHEAST CORRIDOR OPERATION COMPETI-**
2 **TION.**

3 Section 24905 of title 49, United States Code, is
4 amended by adding at the end the following new sub-
5 sections:

6 “(g) NORTHEAST CORRIDOR OPERATION COMPETI-
7 TION.—

8 “(1) SOLICITATION OF COMPETITIVE PRO-
9 POSALS.—Not later than 180 days after completion
10 of the capital investment plan under section
11 24911(a), the Commission shall solicit competitive
12 proposals for authority to operate high speed rail
13 passenger service on the main line of the Northeast
14 Corridor from Washington, D.C. to New York and
15 Boston, Massachusetts.

16 “(2) CONTENTS OF PROPOSALS.—A proposal
17 submitted under this subsection—

18 “(A) shall identify the portion of the
19 Northeast Corridor the proposal covers;

1 “(B) shall include a commitment to oper-
2 ate service on the identified portion for a period
3 of at least 15 years;

4 “(C) shall provide for salary and benefit
5 compensation for employees, including retire-
6 ment benefits, at least equal to those provided
7 to employees of Amtrak;

8 “(D) shall provide for the maximum in-
9 vestment from net operating income to improve
10 infrastructure to enhance commuter, freight,
11 and long distance passenger service as provided
12 under paragraph (8);

13 “(E) shall provide for appropriate com-
14 pensation to Amtrak for necessary use of Am-
15 trak’s facilities and services, not to exceed
16 amounts provided to Amtrak for commuter and
17 freight service; and

18 “(F) may include financing provided
19 through the Railroad Rehabilitation and Im-
20 provement Financing program under section
21 502 of the Railroad Revitalization and Regu-
22 latory Reform Act of 1976 (45 U.S.C. 822).

23 “(3) DEADLINE FOR SUBMITTAL.—Proposals
24 under this subsection shall be submitted to the Com-

1 mission not later than 300 days after completion of
2 the capital investment plan under section 24911(a).

3 “(4) COMMISSION DETERMINATION.—

4 “(A) DEADLINE.—Not later than 1 year
5 after completion of the capital investment plan
6 under section 24911(a), the Commission shall
7 review the proposals submitted under this sub-
8 section and determine which proposals to rec-
9 ommend to the Secretary.

10 “(B) CRITERIA.—The determination by
11 the Commission under subparagraph (A) shall
12 be based on—

13 “(i) which proposals would result in
14 the highest quality service with the short-
15 est trip time;

16 “(ii) which proposals would result in
17 the greatest return of net operating income
18 for use as described in paragraph (8); and

19 “(iii) the extent to which a proposal
20 conforms to or exceeds the results of the
21 high-speed service study conducted under
22 section 212(d) of the Passenger Rail In-
23 vestment and Improvement Act of 2008
24 and would provide for service of 2 hours or
25 less with at least one stop from Wash-

1 ington to New York and service of 2 hours
2 and 45 minutes from New York to Boston
3 with at least one stop.

4 “(C) NUMBER OF PROPOSALS REC-
5 COMMENDED.—The Commission shall rec-
6 ommend not more than 2 proposals under this
7 paragraph for each portion of the Northeast
8 Corridor.

9 “(5) AUTHORITY.—Not later than 420 days
10 after completion of the capital investment plan
11 under section 24911(a)0, the Secretary shall review
12 the recommendations of the Commission under para-
13 graph (4) and determine which proposal or proposals
14 to select for granting authority to operate high speed
15 rail passenger service on the main line of the North-
16 east Corridor from Washington, D.C. to New York
17 and Boston, Massachusetts.

18 “(6) COORDINATION WITH AMTRAK.—The
19 terms of a grant of authority under this subsection
20 shall provide for coordination between the grantee
21 and Amtrak with respect to implementation of serv-
22 ice operation plans.

23 “(7) TERMINATION FOR NONPERFORMANCE.—
24 The Secretary may terminate authority granted
25 under this subsection to operate high speed rail pas-

1 senger service on the main line of the Northeast
2 Corridor from Washington, D.C. to New York and
3 Boston, Massachusetts, in the event of noncompli-
4 ance with the terms of such grant of authority.

5 “(8) INFRASTRUCTURE CONTRIBUTIONS.—Any
6 net operating income realized from operation author-
7 ized under this subsection that exceed the amount
8 allocated to the operator under the grant of author-
9 ity shall be used, pursuant to the recommendations
10 of the Commission, for infrastructure improvements
11 on the main line of the Northeast Corridor from
12 Washington, D.C. to New York and Boston, Massa-
13 chusetts, including improvements that benefit exist-
14 ing or proposed commuter or freight service.

15 “(h) DISPATCHING PLAN REVIEW.—The Commission
16 shall review and approve biannually the dispatching plan
17 developed by Amtrak for Northeast Corridor rail oper-
18 ations of long distance, commuter, and freight traffic.”.

