

Union Calendar No.

118TH CONGRESS
2^D SESSION

H. R. 8692

[Report No. 118-]

To require that the Amtrak Board of Directors comply with the open meetings requirements of section 552b of title 5, United States Code, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2024

Mr. NEHLS introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

SEPTEMBER --, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on June 11, 2024]

A BILL

To require that the Amtrak Board of Directors comply with the open meetings requirements of section 552b of title 5, United States Code, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Amtrak Transparency*
5 *and Accountability for Passengers and Taxpayers Act”.*

6 **SEC. 2. OPEN MEETINGS.**

7 *Section 24301(e) of title 49, United States Code, is*
8 *amended—*

9 *(1) by striking “Section 552 of title 5, this part”*
10 *and inserting the following:*

11 *“(1) IN GENERAL.—Except as provided in para-*
12 *graph (3), sections 552 and 552b of title 5, this part”;*

13 *(2) in the second sentence by striking “Section*
14 *552 of title 5, United States Code, applies” and in-*
15 *serting the following:*

16 *“(2) TIMING OF APPLICATION.—Except as pro-*
17 *vided in paragraph (3), sections 552 and 552b of title*
18 *5 apply”;* and

19 *(3) by adding at the end the following:*

20 *“(3) SCOPE OF APPLICATION.—*

21 *“(A) INFORMATION.—The requirements of*
22 *the second sentence of section 552b(b) of title 5*
23 *shall not apply to any portion of an Amtrak*
24 *meeting and subsections (d) and (e) of section*
25 *552b of title 5 shall not apply to any informa-*

1 *tion pertaining to any portion of an Amtrak*
2 *meeting otherwise required by section 552b of*
3 *title 5 to be disclosed to the public in any case*
4 *in which Amtrak properly determines that such*
5 *portion or portions of the meeting or the disclo-*
6 *sure of such information is likely to involve—*

7 *“(i) contract negotiations, including*
8 *negotiations for contract procurements and*
9 *agreements, the disclosure of which would*
10 *imperil or compromise the competitive posi-*
11 *tion of Amtrak;*

12 *“(ii) collective bargaining agreements*
13 *or any terms and conditions that are pro-*
14 *posed for inclusion in any collective bar-*
15 *gaining agreement, including the negotia-*
16 *tion of terms and conditions with employees*
17 *or representatives of employees of Amtrak;*
18 *and*

19 *“(iii) with respect to any individual*
20 *who is a prospective officer, employee, or*
21 *contractor or an officer, employee, or con-*
22 *tractor employed or appointed by Amtrak,*
23 *matters involving the employment, appoint-*
24 *ment, termination of employment, terms*
25 *and conditions of employment, evaluation of*

1 *the performance of, promotion or dis-*
2 *ciplining of any such individual, unless all*
3 *such individuals whose rights could be ad-*
4 *versely affected request in writing that the*
5 *matter or matters be discussed at a public*
6 *meeting.*

7 “(B) *ADDITIONAL APPLICATION.—In addi-*
8 *tion to the information described in subpara-*
9 *graph (B), the information described in section*
10 *552b(c) shall apply to Amtrak meetings.”.*