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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

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.

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IN THE HOUSE OF REPRESENTATIVES

Mr. NEHLS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**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—

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

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

6           (2) in the second sentence by striking “Section  
7 552 of title 5, United States Code, applies” and in-  
8 serting the following:

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

12           (3) by adding at the end the following:

13           “(3) SCOPE OF APPLICATION.—

14           “(A) INFORMATION.—The requirements of  
15 the second sentence of section 552b(b) of title  
16 5 shall not apply to any portion of an Amtrak  
17 meeting and subsections (d) and (e) of section  
18 552b of title 5 shall not apply to any informa-  
19 tion pertaining to any portion of an Amtrak  
20 meeting otherwise required by section 552b of  
21 title 5 to be disclosed to the public in any case  
22 in which Amtrak properly determines that such  
23 portion or portions of the meeting or the disclo-  
24 sure of such information is likely to involve—

1           “(i) contract negotiations, including  
2 negotiations for contract procurements and  
3 agreements, the disclosure of which would  
4 imperil or compromise the competitive po-  
5 sition of Amtrak;

6           “(ii) collective bargaining agreements  
7 or any terms and conditions that are pro-  
8 posed for inclusion in any collective bar-  
9 gaining agreement, including the negotia-  
10 tion of terms and conditions with employ-  
11 ees or representatives of employees of Am-  
12 trak; and

13           “(iii) with respect to any individual  
14 who is a prospective officer, employee, or  
15 contractor or an officer, employee, or con-  
16 tractor employed or appointed by Amtrak,  
17 matters involving the employment, appoint-  
18 ment, termination of employment, terms  
19 and conditions of employment, evaluation  
20 of the performance of, promotion or dis-  
21 ciplining of any such individual, unless all  
22 such individuals whose rights could be ad-  
23 versely affected request in writing that the  
24 matter or matters be discussed at a public  
25 meeting.

1                   “(B) ADDITIONAL APPLICATION.—In addi-  
2                   tion to the information described in subpara-  
3                   graph (B), the information described in section  
4                   552b(c) shall apply to Amtrak meetings.”.