PASSED ON VOICE VOTE

AMENDMENT TO H.R. 401

OFFERED BY MR. WAXMAN AND MR. TOM DAVIS OF VIRGINIA

In section 18 of the National Capital Transportation Act of 1969, as proposed to be added by section 2 of the bill, insert after subsection (d) the following new subsection (and redesignate the succeeding provisions accordingly):

1 "(e) ACCESS TO WIRELESS SERVICES IN METRORAIL
2 SYSTEM.—
3 "(1) REQUIRING TRANSIT AUTHORITY TO PRO-
4 VIDE ACCESS TO SERVICE.—No amounts may be
5 provided to the Transit Authority pursuant to the
6 authorization under this section unless the Transit
7 Authority ensures that customers of the rail service
8 of the Transit Authority have access within the rail
9 system to services provided by any licensed wireless
10 provider that notifies the Transit Authority (in ac-
11 cordance with such procedures as the Transit Au-
12 thority may adopt) of its intent to offer service to
13 the public, in accordance with the following time-
14 table:

1 "(A) Not later than 1 year after the date
2 of the enactment of the National Capital Trans-
3 portation Amendments Act of 2007, in the 20
4 underground rail station platforms with the
5 highest volume of passenger traffic.
6 "(B) Not later than 4 years after such
7 date, throughout the rail system.
8 "(2) ACCESS OF WIRELESS PROVIDERS TO SYS-
9 TEM FOR UPGRADES AND MAINTENANCE.—No
10 amounts may be provided to the Transit Authority
11 pursuant to the authorization under this section un-
12 less the Transit Authority ensures that each licensed
13 wireless provider who provides service to the public
14 within the rail system pursuant to paragraph (1) has
15 access to the system on an ongoing basis (subject to
16 such restrictions as the Transit Authority may im-
17 pose to ensure that such access will not unduly im-
18 pact rail operations or threaten the safety of cus-
19 tomers or employees of the rail system) to carry out
20 emergency repairs, routine maintenance, and up-
21 grades to the service.
22 "(3) PERMITTING REASONABLE AND CUS-
23 TOMARY CHARGES.—Nothing in this subsection may
24 be construed to prohibit the Transit Authority from
25 requiring a licensed wireless provider to pay reason-

1 able and customary charges for access granted
2 under this subsection.
3 "(4) REPORTS.—Not later than 1 year after the
4 date of the enactment of the National Capital
5 Transportation Amendments Act of 2007, and each
6 of the 3 years thereafter, the Transit Authority shall
7 submit to the Committee on Oversight and Govern-
8 ment Reform of the House of Representatives and
9 the Committee on Homeland Security and Govern-
10 mental Affairs of the Senate a report on the imple-
11 mentation of this subsection.
12 "(5) DEFINITION.—In this subsection, the term
13 'licensed wireless provider' means any provider of
14 wireless services who is operating pursuant to a Fed-
15 eral license to offer such services to the public for
16 profit.".

PASSED ON VOICE VOTE

#1

AMENDMENT TO H.R. 401

OFFERED BY MS. FOXX, NC

Page 3, insert after line 22 the following:

1 "(3) Such Federal grants may be used only for
2 the maintenance and upkeep of the systems of the
3 Transit Authority as of the date of the enactment of
4 the National Capital Transportation Amendments
5 Act of 2007 and may not be used to expand the sys-
6 tems.".

Page 5, strike line 22 and all that follows through page 6, line 4, and insert the following:

7 "(f) AVAILABILITY.—Amounts appropriated pursu-
8 ant to the authorization under this section shall remain
9 available until expended.".

NON-GERMANE

AMENDMENT TO H.R. 401

OFFERED BY MS. FOXX, NC

Page 2, at the beginning of line 18, insert the following: "(a) IN GENERAL.—".

Page 6, after line 4, insert the following:

1 (b) RESCISSION.—Effective with respect to fiscal year
2 2009 and each of the 9 succeeding fiscal years, the unobli-
3 gated balances of funds available from the Mass Transit
4 Account of the Highway Trust Fund for such a fiscal year
5 to carry out sections 5305, 5307, 5308, 5309, 5310, 5311,
6 5316, 5317, 5320, 5335, 5339, and 5340 of title 49,
7 United States Code, and section 3038 of the Federal
8 Transit Act of 1998 (112 Stat. 387 et seq.), and the obli-
9 gation authority distributed for such sum, are rescinded
10 by an amount equal to the amount appropriated for the
11 fiscal year to the Secretary of Transportation for grants
12 under section 18 of the National Capital Transportation
13 Act of 1969 (as added by subsection (a)).

PASSED ON VOICE VOTE

#1

AMENDMENT TO H.R. 401

OFFERED BY MR. WESTMORELAND

In section 18 of the National Capital Transportation Act of 1969, as proposed to be added by section 2 of the bill, insert after subsection (d) the following new subsection (and redesignate the succeeding provisions accordingly):

"(e) CAP ON OVERTIME PAY.—

"(1) IN GENERAL.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority certifies to the Secretary of Transportation that the amount of overtime compensation paid to any employee of the Transit Authority with respect to any pay period does not exceed ⅓ of the employee's rate of basic pay for such period.

"(2) EFFECTIVE DATE.—Paragraph (1) shall apply with respect to pay periods beginning on or after the date of the enactment of the National Capital Transportation Amendments Act of 2007.".

#2

PASSED ON VOICE VOTE

AMENDMENT TO H.R. 401

OFFERED BY MR. WESTMORELAND

In section 18 of the National Capital Transportation Act of 1969, as proposed to be added by section 2 of the bill, insert after subsection (d) the following new subsection (and redesignate the succeeding provisions accordingly):

"(e) EXCLUSION OF OVERTIME PAY IN CALCULATION OF ANNUAL SALARY USED FOR DETERMINING AMOUNT OF RETIREMENT ANNUITY.—

"(1) IN GENERAL.—~~No~~ To the extent consistent with collective bargaining agreements, no amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority certifies to the Secretary of Transportation that, in determining the amount of any annuity paid to an individual who is separated from employment with the Transit Authority which is based in whole or in part on the compensation paid to the individual during any year, there shall be excluded from the determination of the compensation paid to the individual during the year any amounts paid as overtime compensation.

1 "(2) EFFECTIVE DATE.—Paragraph (1) shall
2 apply with respect to compensation paid to an indi-
3 vidual during years beginning after the date of the
4 enactment of the National Capital Transportation
5 Amendments Act of 2007.".