

# TCU LEGISLATIVE WATCH

## 111<sup>TH</sup> Congress SECOND SESSION



Ron Kloos

International Vice President and National Legislative Director

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### AMTRAK—Budget And Appropriation For FY 2010:

On March 11, 2009, President Obama signed **HR 1105** which was the Fiscal Year 2009 Omnibus Appropriations Bill. This bill concluded the appropriations from the 110<sup>th</sup> Congress that were not completed before the end of 2008. As a result of this bill Amtrak received a total of \$1.453 billion for fiscal year 2009. In addition Amtrak received \$114 million for the last installment of the Amtrak workers backpay. The House Appropriations Committee has appropriated \$1.5 billion for Amtrak for FY 2010. This bill is being delayed due to the work on the health care bill. Just prior to the summer recess an effort is underway to reduce the Amtrak appropriation in both the House and Senate by over \$400 million. *(TCU Supports Full Funding for Amtrak). Signed into law by President 03-11-09 PL 111-08*

### S 5—Cleaner, Greener, and Smarter Act of 2009:

Sen. Harry Reid (NV) together with 20 co-sponsors introduced this bill on Jan. 7, 2009. The bill is to improve the economy and security of the United States by reducing the dependence on foreign and unsustainable energy sources and the risks of global warming. The bill would do this by making and encouraging significant investments in green job creation and clean energy across the economy; diversifying and expanding the use of secure, efficient, and environmentally friendly energy supplies and technologies; transforming the infrastructure to make it sustainable and the U.S. more competitive globally, including transmission grid modernization and transportation sector electrification; requiring reductions in emissions of greenhouse gases; protecting consumers from volatile energy prices through better market oversight and enhanced energy efficiency standards and incentives and eliminating wasteful and unnecessary tax breaks and giveaways that fail to move the U.S. toward a more competitive and cleaner energy future. **S. 5** has been placed on the Senate Legislative Calendar under General Orders. *(TCU Watch) Bill never became law.*

HR 107—SMART Act of 2009: Rep. Jeff Flake (R-AZ) together with 2 co-sponsors introduced **HR 107** on Jan. 6, 2009, to reform Social Security retirement and Medicare by establishing a Personal Social Security Savings Program to create a safer, healthier, more secure, and more prosperous retirement for all Americans and to reduce the burden on young Americans. This is the same Republican attempt to create Social Security accounts that would be subject to handling by Wall Street money managers. **HR 107** has been referred to the Committee on Ways and Means, Committee on Education and Labor, Budget Committee and the Committee on Energy and Commerce. *(TCU opposes) Bill never became law.*

### S 146 & HR 233—Railroad Antitrust Enforcement Act of 2009:

Sen. Herb Kohl (D-WI) together with 7 co-sponsors introduced **S 146** on January 6, 2009. This bill would amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads. **S 146** had been marked up by the Judiciary Committee and was scheduled for a cloture vote on June 2, but a compromise was reached with the Senate Commerce Committee on an over-all rail bill, and **S 146** was pulled from the floor. Rep. Tammy Baldwin (D-WI) together with 3 co-sponsors introduced **HR 233** on January 7, 2009. This bill is the same as **S 146**. **HR 233** has been referred to the House Judiciary Committee and the Committee on Transportation and Infrastructure. The railroads are opposed to these bills as they consider them as an attempt to re-regulate the rail industry. *(TCU Opposes) HR233 never became law, and S. 146 was withdrawn*

HR 162—Senior Citizens Tax Elimination Act: Rep. Ron Paul (R-TX) together with 2 co-sponsors introduced this bill for the purpose of amending the Internal Revenue Code of 1986 to repeal the inclusion in gross income of Social Security or Railroad Retirement

benefits. **HR 162** has been referred to the House Ways and Means Committee. *(TCU Watch)* **Bill never became law.**

**HR 243—Labor Relations First Contract Negotiations Act of 2009:** On Jan. 7, 2009, Rep. Gene Green introduced **HR 243** to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes. The bill has been referred to Committee on Education and Labor. *(TCU Watch)* **Bill never became law.**

**HR 250—Neighborhood Rail Accountability Act:** On Jan. 7, 2009, Rep. Gene Green (D-TX) introduced **HR 250** to require the Surface Transportation Board to consider certain issues when deciding whether to authorize the construction of a railroad line. Among other items the STB would be required to give greater weight to local official statements and public comments, in opposition to the proposed construction, especially in residential areas if there is an unusually high level of public opposition. **HR 250** has been referred to the Committee on Transportation and Infrastructure. *(TCU Watch)* **Bill never became law.**

**HR 272—Freight Rail Infrastructure Capacity Expansion Act of 2009:** On Jan. 7, 2009, Rep. Kendrick Meek (D-FL) together with 1 co-sponsor introduced **HR 272** a bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity. This is similar to a bill that the rail industry got Senator Lott (R-MS) to introduce in the 110<sup>th</sup> Congress. This bill would allow the railroads to take a 25 percent tax credit of the cost of construction and of property placed in service during the taxable year. This would amount to a taxpayer subsidy for the railroads. The railroads have estimated that the industry could save up to \$400 million per year if this tax credit were to become law. The bill has been referred to the House Committee on Ways and Means. *(TCU Watch)* **Bill never became law.**

**HR 407—Release of any Reversionary Interest of the United States in and to Certain Lands in Reno, Nevada:** Rep. Dean Heller (R-NV) introduced this bill on Jan. 9, 2009. The bill would release any reversionary interest in railroad lands within the City of Reno, Nevada, that were originally granted to the Union Pacific Railroad under the provisions of the Act of July 1, 1862, commonly known as the Union Pacific Railroad Act. **HR 407** has been referred to the House Committee on Natural Resources. *(TCU Watch)* **Bill never became law.**

**S 238—Build America Bond Act of 2009:** This bill was introduced by Sen. Ron Wyden (D-OR) together with 4 co-sponsors on Jan. 1, 2009. The bill would

provide \$50 billion in new transportation infrastructure funding through bonding to empower states and local governments to complete significant infrastructure projects across all modes of transportation, including roads, bridges, rail and transit systems, ports and inland waterways. **S 238** has been referred to the Senate Finance Committee for further action. *(TCU Watch)* **Bill never became law.**

**HR 651—Northeast Corridor Rail Tunnel Safety Act:** This bill was introduced by Rep. Peter King (R-NY) along with 1 co-sponsor on Jan. 22, 2009. This bill would authorize \$898 million for the use of Amtrak to complete New York tunnel life safety projects and to rehabilitate tunnels in Washington, D.C. and Baltimore, MD. **HR 651** has been referred to the House T&I Committee. *(TCU Watch)* **Bill never became law.**

**HR 693—Designation of Corridor for Inter-Suburban Commuter Rail:** Rep. Peter Roskam (R-IL) together with 5 co-sponsors introduced this bill on Jan. 26, 2009. **HR 693** is intended to designate as inter-suburban commuter rail corridors between cities, towns and villages that comprise the suburbs of a large city located in one of the five metropolitan areas in the country with the highest population levels. To be so designated among others, the following factors would have to be considered; the availability of existing rail infrastructure and plans for inter-suburban commuter rail; rail projects that have in the past received Federal authorization and appropriation; the potential for reducing congestion and the potential for attracting new businesses and economic development. Once designated as a corridor for inter-suburban commuter rail the Secretary of Transportation shall provide technical assistance in expediting the completion of inter-suburban commuter rail service and prohibit increased usage of such corridor except for the purpose of increasing the availability of inter-suburban commuter rail. **HR 693** has been referred to the House T&I Committee. *(TCU Watch)* **Bill never became law.**

**HR 746—Safeguarding America's Seniors and Veterans Act of 2009:** Rep. John Adler (D-NJ) introduced a bill to provide for economic recovery payments to recipients of Social Security, Railroad Retirement, and Veterans Disability benefits. The payment would be a one time \$500 payment per individual. **HR 746** has been referred to the House Ways and Means Committee and to the Veterans' Affairs Committee. *(TCU Watch)* **Bill never became law.**

**HR 779—Tax Free Tips Act of 2009:** On Jan. 28, 2009, Rep. Ron Paul (R-TX) along with 1 co-sponsor introduced a bill that would amend the Internal Revenue Code to exempt tips from the income tax, social security

and railroad retirement taxes, unemployment taxes and tax withholding. It defines "tips" as any gratuity provided to a salaried employee by a customer or client of the employer's business. **HR 779** has been referred to the Committee on Ways and Means. *(TCU Watch)* **Bill never became law.**

**HR 852—Re-Build America Bond Act of 2009:** On Feb. 4, 2009, Rep. Loretta Sanchez together with 5 co-sponsors introduced a bill that would establish the Re-Build America Trust Fund and directs the Secretary of the Treasury to issue Re-Build America Bonds. All proceeds from the sale would be used to make expenditures for rail, transit, water, highway, bridge or road infrastructure projects. **HR 852** has been referred to the Committee on Ways and Means and to the Committee on Transportation and Infrastructure for consideration. *(TCU Watch)* **Bill never became law.**

**S 268—Green-Collar Youth Jobs, Education, and Training Stimulus Act:** Sen. Patty Murray (D-WA) along with one co-sponsor introduced this bill on Jan. 15, 2009. The bill would provide funding for a Green Job Corps program, YouthBuild Build Green Grants, and Green-Collar Your Opportunity Grants. The purpose of **S 268** is to increase knowledge of the importance of building a green economy; to increase energy efficiency and renewable energy usage, decrease carbon emissions; increase the number of well-trained youth workers who can obtain well paying jobs in a range of green-collar industries. It would also create a green Job Corps program to encourage youth participating in the Job Corps to become informed energy and environmentally conscious consumers, to enable the youth to acquire and expand skills related to green-collar industries, and to address Job Corps construction needs and energy costs and to make Job Corps centers more energy efficient, including retrofitting facilities and restoring campuses. The bill has been referred to the Senate Committee on Health, Education, Labor and Pensions. *(TCU Watch)* **Bill never became law.**

**S 418 & HR 1006—Secondary Metal Theft Prevention Act of 2009:** On Feb. 11, 2009, Sen. Amy Klobuchar (D-MN) with 1 co-sponsor introduced **S 418** and Rep. Bart Stupak (D-MI) with 5 co-sponsors introduced **HR 1006**. These are related bills that would make it unlawful to sell certain secondary metal unless the seller documents ownership and maintains written or electronic records of each secondary metal purchase. The prohibition includes secondary metal that is marked with the name, logo or initials of a railroad company, highway or street poles, rails or signs and other material. The bills impose a civil penalty for violation and urges government agencies to work with representatives of the secondary metal recycling industry to combat the theft and sale of stolen secondary metal. **S 418** has been referred to the

Committee on Commerce, Science and Transportation and **HR 1006** has been referred to the Committee on Energy and Commerce. *(TCU Supports)* **Bill never became law.**

**HR 1058—Seniors Financial Security Act of 2009:** Rep Trent Franks (R-AZ) together with 18 co-sponsors introduced a bill on Feb. 13, 2009, that would amend the Internal Revenue Code to repeal the inclusion in gross income for income tax purposes of social security and tier 1 railroad retirement benefits. **HR 1058** has been referred to the Committee on Ways and Means. *(TCU Watch)* **Bill never became law.**

**S 461 & HR 1132—Extend and Modify the Railroad Track Maintenance Credit:** Sen. Blanch Lincoln (D-AR) together with 1 co-sponsor introduced **S 461** on Feb. 24, 2009. Rep. Earl Pomeroy (D-ND) along with 43 co-sponsors introduced **HR 1132** on Feb. 23, 2009. These are related bills that would amend the Internal Revenue Code to increase the allowable amount of the railroad track maintenance tax credit, revise the types of expenditures eligible for the credit and extend the credit through 2012. This tax credit deals solely with railroad tracks and related structures owned by Class II and III railroads. **S 461** has been referred to the Senate Commerce Committee and **HR 1132** has been referred to the Committee on Ways and Means. *(TCU Watch)* **Both bills never became law.**

**S 560 & HR 1409—Employee Free Choice Act:** On March 10, 2009, Senator Edward Kennedy (D-MA) together with 39 co-sponsors introduced **S 560** while Rep. George Miller (D-CA) along with 222 co-sponsors introduced **HR 1409**. These bills would amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations and to provide for mandatory injunctions for unfair labor practices during organizing efforts. **S 560** has been referred to the Senate Committee on Health, Education, Labor and Pensions. **HR 1409** has been referred to the House Education and Labor Committee. *(TCU Supports)* **Bill never became law.**

**HR 1789—Comprehensive Rail Infrastructure Investment Act of 2009:** On Mar. 30, 2009, Rep. Corrine Brown (D-FL) introduced a bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity. Railroads would receive a 25% tax credit for "new qualified freight rail infrastructure property and qualified locomotive property." This means that almost anything that a railroad uses in its operation except land would be subject to the tax credit as long as the railroads are the primary user of the property. Among other items, ties, rails, ballast, bridges, trestles, terminals, yards, fuel stations, signals, and intermodal facilities would be

included. **HR 1789** has been referred to the Ways and Means Committee for consideration. This bill is very similar to and could be considered as a companion bill to **HR 272**. *(TCU Watch) Bill never became law.*

**S 1132—Law Enforcement Officers Safety Act Improvements Act of 2009:** On May 21, 2009, Sen. Patrick Leahy, together with 2 co-sponsors, introduced a bill which amends the federal criminal code to : (1) include Amtrak and executive branch police officers as federal law enforcement officers eligible to carry concealed firearms; and (2) revise requirements for certifying retired law enforcement officers to carry concealed firearms, including reducing the years of service required for such officers from 15 to 10 years and setting forth requirements relating to mental health certifications. **S 1132** has been referred to the Senate Committee on the Judiciary for further action. *(TCU Watch) Signed into law by President on 10-12/10 PL 111-272*

**HR 2346 & S 1054—FY 2009 Supplemental Appropriations:** **HR 2346** and **S 1054** were submitted by Rep. Dave Obey (D-WI) and Senator Daniel Inouye (D-HI) respectively. Both bills provided for supplemental appropriations for fiscal year ending September 30, 2009. The final version of the bill passed by both Houses was **HR 2346**. Section 1202 of the bill provides that transit agencies may use up to 10% of certain grant funds from the Stimulus Act for operating costs of equipment and facilities for use in public transportation including bus service. **HR 2346** was signed into law by President Obama as **PL 111-20**. *(TCU Supports) Signed into law by President PL 111-32*

**HR 2454-American Clean Energy and Security Act of 2009:** To create clean energy jobs, achieve energy independence, reduce global warming pollution and transition to a clean energy economy. Sets forth provisions concerning clean energy, energy efficiency, reducing global warming pollution, transitioning to a clean energy economy, and providing for agriculture and forestry related offsets. Includes provisions: (1) creating a combined energy efficiency and renewable electricity standard and requiring retail electricity suppliers to meet 20% of their demand through renewable electricity and electricity savings by 2020; (2) setting a goal of, and requiring a strategic plan for, improving overall U.S. energy productivity by at least 2.5% per year by 2012 and maintaining that improvement rate through 2030; and (3) establishing a cap-and-trade system for greenhouse gas (GHG) emissions and setting goals for reducing such emissions from covered sources by 83% of 2005 levels by 2050. *(TCU Watch) Bill never became law.*

**H.R. 2847-The House modified the Commerce-Justice-Science Appropriations Act, 2010:** Making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes substituting the "Jobs for Main Street Act, 2010" as Division A of the Act and the "Statutory Pay-As-You-Go Act of 2009" as Division B. The report of the House Rules Committee on H.Res. 976 (H.Rept. 111-380, p. 5) summarized the matter included in Division A of the Act concerning the Troubled Asset Relief Program (TARP); infrastructure, employment, and public investment programs; unemployment insurance; COBRA; small business loans; the Federal Medical Assistance Percentage; the child tax credit; surface transportation; and certain civil rights claims. *(TCU Supports) Signed into law by President on 03/18/10. PL 111-147*

**H.R. 3200-America's Affordable Health Choices Act of 2009** - To provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes. Sets forth provisions governing health insurance plans and issuers, including: (1) exempting grandfathered health insurance coverage from requirements of this Act; (2) prohibiting preexisting condition exclusions; (3) providing for guaranteed coverage to all individuals and employers and automatic renewal of coverage; (4) prohibiting premium variances, except for reasons of age, area, or family enrollment; and (5) prohibiting rescission of health insurance coverage without clear and convincing evidence of fraud. *(TCU Supports) Bill never became law.*

**S.1796 America's Healthy Future Act of 2009:** An original bill to provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes. Amends the Social Security Act (SSA) to add a new title XXII (Health Insurance Coverage) to ensure that all Americans have access to affordable and essential health benefits coverage. *(TCU Opposes) Bill never became law.*

**H.R. 3404 Emergency Unemployment Compensation Extension Act of 2009.** To amend the Assistance for Unemployed Workers and Struggling Families Act and the Supplemental Appropriations Act, 2008 to provide for the temporary extension of certain unemployment benefits and the temporary availability of further additional emergency unemployment compensation, and for other purposes. Amends the Railroad Unemployment Insurance Act to extend through December 31, 2010, the temporary increase in extended unemployment benefits for employees with 10 or more years of service and for those with less than 10. Makes additional appropriations to cover such cost. *(TCU Supports) Bill never became law.*

**H.R.3548 To amend the Supplemental Appropriations Act, 2008:** to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes. This measure has not been amended since it was passed by the Senate on November 4, 2009. *(TCU Supports)* ***No change.***

**H.R. 3677 Save Our Seniors' Social Security Act of 2009:** To provide relief payments to recipients of Social Security and railroad retirement benefits, and for other purposes. Directs the Secretary of the Treasury to disburse a \$280 payment to each individual who, for any of the months of December 2009, January 2010, or February 2010, is entitled to a Social Security or railroad retirement benefit payment. *(TCU Watch)* ***Bill never became law.***

**H.R. 3789 Amtrak Secure Transportation of Firearms Act:** To permit Amtrak passengers to safely transport firearms and ammunition in their checked baggage. Requires Amtrak, at a station that accepts checked baggage for a specific Amtrak route, to allow a passenger holding a ticket for such route to place an unloaded firearm or starter pistol in a bag that has been checked at the station if: (1) before checking the bag or boarding the train, the passenger declares to Amtrak that an unloaded firearm is in his or her checked bag; (2) the firearm is carried in a locked hard-sided container; and (3) only the passenger has the key or combination to such container. *(TCU Opposes)* ***Signed into law by President 12-16-09 PL111-117, sec 159.***

**S. 1132 Law Enforcement Officers Safety Act Improvements Act of 2009:** A bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes. Amends the federal criminal code to: (1) include Amtrak and executive branch police officers as federal law enforcement officers eligible to carry concealed firearms; and (2) revise requirements for certifying retired law enforcement officers to carry concealed firearms, including reducing the years of service required for such officers from 15 to 10 years and setting forth requirements relating to mental health certifications. *(TCU Watch)* ***Signed into law by President 10-12-10 PL 111-272.***

**S.146 Railroad Antitrust Enforcement Act of 2009:** A bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads. Railroad Antitrust Enforcement Act of 2009 - Amends the Clayton Act to grant the United States exclusive authority to bring suit for injunctive relief against a common carrier that is not a

rail common carrier subject to the jurisdiction of the Surface Transportation Board (STB). *(TCU Opposes)* ***Bill never became law.***

**H.R.4494 To amend the Internal Revenue Code of 1986 to allow a credit for lightweight coal freight cars:** Amends the Internal Revenue Code to allow a general business tax credit for 30% of the basis of an eligible lightweight coal freight car. Defines "eligible lightweight coal freight car" as any freight car: (1) designed to carry coal by rail; (2) the tare weight of which does not exceed 50,000 pounds; and (3) substantially all of the manufacturing of which occurred in the United States. Terminates such credit after 2013. ***Bill never became law.***

**H.R.4643 Public Transportation Safety Program Act of 2010:** Directs the Secretary of Transportation to establish a federal public transportation safety program to improve the safety of, and reduce the number of accidents involving, rail fixed guideway public transportation systems and public transportation bus systems that receive federal assistance. ***Bill never became law.***

**S.3015 Public Transportation Safety Program Act of 2010:** Directs the Secretary of Transportation to establish a federal public transportation safety program to improve the safety of, and reduce the number of accidents involving, rail fixed guideway public transportation systems and public transportation bus systems that receive federal assistance. ***Bill never became law.***

**S.2889: Surface Transportation Board Reauthorization Act of 2009** Authorizes appropriations for FY2010-FY2014 for the Surface Transportation Board. Authorizes appropriations for FY2010-FY2014 for the Surface Transportation Board. ***Bill never became law.***

**S.3047 Tax Code Termination Act:** Tax Code Termination Act - Terminates the Internal Revenue Code of 1986 for taxable years beginning after 2013, except provisions of such Code relating to social security taxation (i.e., taxes on wage, self-employment, and railroad retirement income). ***Bill never became law.***

**S.2926 Economic Fairness for Seniors Act** Economic Fairness for Seniors Act - Amends title XVIII (Medicare) of the Social Security Act (SSA) to keep the same Medicare part B premium for 2010 that was in effect for 2009.

Amends the American Recovery and Reinvestment Tax Act of 2009 (ARRA) to require an additional economic recovery payment (of \$250) in calendar 2010 to certain beneficiaries of SSA title II (Old-Age, Survivors, and

Disability Insurance) (OASDI), railroad retirement, or veterans benefits. Makes appropriations to fund such payments. **Bill never became law.**

**H.R.4872 Health Care and Education Reconciliation Act of 2010:** Sets forth legislative language on health care reform and investing in education submitted to the House Budget Committee by the Ways and Means Committee and the Education and Labor Committee pursuant to reconciliation instructions of Section 202 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010. **Signed into law by President 03-30-10 PL 111-152.**

**S.1134 Responsible Use of Coal Act of 2009:** Requires the Director of the National Energy Technology Laboratory to carry out a research, development, and demonstration program to advance carbon capture and storage and coal power generation technologies. Requires such program to include a large-scale commercial demonstration program to evaluate the most promising carbon capture and storage technologies and research and development programs for carbon capture technologies, carbon dioxide storage, and advanced clean coal power generation technologies. **Hearing held. Bill never became law.**

**H.R.3505 American Energy Production and Price Reduction Act** Expresses the sense of Congress that at no time shall Congress enact legislation that will lead to the increase of domestic energy prices. **Bill never became law.**

**S.2768 National Transportation Safety Board Reauthorization Act of 2010** Reauthorizes appropriations to the National Transportation Safety Board (NTSB) for FY2011 and FY2012. 5/13/2010-- Passed Senate. (Sec. 3) . . . Revises the authority of the NTSB to investigate transportation accidents to include: (1) freight or passenger railroad accidents involving a fatality (other than a fatality involving a trespasser), substantial property damage, or significant injury to the environment; (2) accidents or incidents in response to an international request and delegation under appropriate conventions, coordinated through the Department of State and accepted by the NTSB; (3) accidents or incidents significantly affecting transportation safety; and (4) accidents involving a commercial space launch vehicle.

(Sec. 6) Directs the NTSB to report to specified congressional committees on policies, procedures, and guidelines it has used to expedite the release of factual accident-related information to accident victims and their families, federal, state, and local accident investigators and agencies, private or third party investigation partners, the public, and other specified stakeholders. **Passed Senate, referred to House. Bill never became law.**

**H.R.2847 Hiring Incentives to Restore Employment Act** Title I: Incentives for Hiring and Retaining Unemployed Workers - (Sec. 101) Amends the Internal Revenue Code to: (1) exempt for-profit and nonprofit employers, including public institutions of higher education, from social security and railroad retirement taxes in 2010 (except for the first calendar quarter of such year) for new employees who are hired after February 3, 2010, and before January 1, 2011, and who certify that they have not worked more than 40 hours during the last 60 days; and (2) allow an increase in the general business tax credit for the retention of such employees for at least one year at specified wage levels. Prohibits any carryback of unused business tax credit amounts. **Signed into law by President on 03/18/10 PL 111-147.**

**H.R.5377 Title: To require Amtrak to discontinue passenger rail service on certain long distance routes that operate at a loss.Sponsor:** SECTION 1. DISCONTINUANCE OF SERVICE. Section 24706 of title 49, United States Code, is amended by adding at the end the following new subsection: "(d) Discontinuance for Revenue Loss.—Amtrak shall discontinue service on any long distance route with respect to which total direct costs are more than twice as great as total revenues for the first full fiscal year beginning after the date of enactment of this subsection." **Bill never became law.**

**H.RES.1301 Title: Supporting the goals and ideals of National Train Day. Sponsor:** Recognizes the important contributions trains and Amtrak make to the national transportation system. Supports the goals and ideals of National Train Day as designated by Amtrak. Urges the people of the United States to recognize such a day as an opportunity to celebrate passenger rail and to learn more about trains. **Passed House on 05/05/10.**

**H.R.4213 Title: American Jobs and Closing Tax Loopholes Act of 2010** American Workers, State, and Business Relief Act of 2010 - Title I: Extension of Expiring Provisions - Subtitle A: Energy - (Sec. 101) Amends the Internal Revenue Code to extend through 2010: (1) the alternative motor vehicle tax credit for hybrid vehicles that are medium and heavy trucks; (2) tax credits for biodiesel and renewable diesel used as fuel; (3) tax credits for producing electricity from open-loop biomass facilities and from refined coal facilities; (4) tax credits for the production of low sulfur diesel fuel and the production of fuel from coke or coke gas; (5) the tax credit for new energy efficient home expenditures; (6) excise tax credits and payments for alternative fuels; (7) tax deferral rules for sales or dispositions by a qualified electric utility; and (8) the suspension of the taxable income limitation on

percentage depletion for oil and gas from marginal wells. ***Signed into law by President on 07/22/10. PL 111-205.***

**H.R.1409 Title: Employee Free Choice Act of 2009 Sponsor: Rep Miller, George [CA-7] (introduced 3/10/2009):** Employee Free Choice Act of 2009 - Amends the National Labor Relations Act to require the National Labor Relations Board (NLRB) to certify a bargaining representative without directing an election if a majority of the bargaining unit employees have authorized designation of the representative (card-check) and there is no other individual or labor organization currently certified or recognized as the exclusive representative of any of the employees in the unit. Sets forth special procedural requirements for reaching an initial collective bargaining agreement following certification or recognition. Revises enforcement requirements with respect to unfair labor practices during union organizing drives, particularly a preliminary investigation of an alleged unfair labor practice (ULP) which may lead to proceedings for injunctive relief.

Requires that priority be given to a preliminary investigation of any charge that, while employees were seeking representation by a labor organization, or during the period after a labor organization was recognized as a representative until the first collective bargaining contract is entered into, an employer: (1) discharged or otherwise discriminated against an employee to encourage or discourage membership in the labor organization; (2) threatened to discharge or to otherwise discriminate against an employee in order to interfere with, restrain, or coerce employees in the exercise of guaranteed self-organization or collective bargaining rights; or (3) engaged in any other related ULP that significantly interferes with, restrains, or coerces employees in the exercise of such guaranteed rights.

Adds to remedies for such violations: (1) back pay plus liquidated damages; and (2) additional civil penalties. ***Bill never became law.***

**S.560 Employee Free Choice Act of 2009 Sponsor: Sen Kennedy, Edward M. [MA] (introduced 3/10/2009)Cosponsors Related Bills: H.R.1409 Latest Major Action: 3/10/2009 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.** Employee Free Choice Act of 2009 - Amends the National Labor Relations Act to require the National Labor Relations Board (NLRB) to certify a bargaining representative without directing an election if a majority of the bargaining unit employees have authorized designation of the representative (card-check) and there is no other individual or labor organization currently certified or recognized as the exclusive representative of any of the employees in the unit. Sets forth special

procedural requirements for reaching an initial collective bargaining agreement following certification or recognition. Revises enforcement requirements with respect to unfair labor practices during union organizing drives, particularly a preliminary investigation of an alleged unfair labor practice (ULP) which may lead to proceedings for injunctive relief.

Requires that priority be given to a preliminary investigation of any charge that, while employees were seeking representation by a labor organization, or during the period after a labor organization was recognized as a representative until the first collective bargaining contract is entered into, an employer: (1) discharged or otherwise discriminated against an employee to encourage or discourage membership in the labor organization; (2) threatened to discharge or to otherwise discriminate against an employee in order to interfere with, restrain, or coerce employees in the exercise of guaranteed self-organization or collective bargaining rights; or (3) engaged in any other related ULP that significantly interferes with, restrains, or coerces employees in the exercise of such guaranteed rights.

Adds to remedies for such violations: (1) back pay plus liquidated damages; and (2) additional civil penalties. ***Bill never became law.***

**H.R.5850: Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2011** Department of Transportation (DOT), including: (1) the Office of the Secretary; (2) the Federal Aviation Administration (FAA); (3) the Federal Highway Administration (FHWA); (4) the Federal Motor Carrier Safety Administration; (5) the National Highway Traffic Safety Administration (NHTSA); (6) the Federal Railroad Administration (FRA); (7) the Federal Transit Administration (FTA); (8) the Saint Lawrence Seaway Development Corporation; (9) the Maritime Administration; (10) the Pipeline and Hazardous Materials Safety Administration; (11) the Research and Innovative Technology Administration; (12) the Office of Inspector General; and (13) the Surface Transportation Board (STB).Title I: Department of Transportation - Department of Transportation Appropriations Act, 2011 - Makes appropriations for FY2011 to the Passed House, referred to Senate. ***Bill never became law.***

**Coast Guard Authorization Act for Fiscal Years 2010 and 2011 -** Title I: Authorizations - (Sec. 101) Authorizes FY2010-FY2011 appropriations for the Coast Guard, including for: (1) operation and maintenance; (2) acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft; (3) retired pay, payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for medical care of retired personnel and their dependents; (4) environmental compliance and restoration at Coast Guard facilities; (5)

research, development, test, and evaluation programs related to maritime technology; and (6) the Coast Guard Reserve program. ***Signed into law by President 10-15-10 PL 111-28.***

**H.R.6843: Middle Class Tax Relief Act of 2010** - Title I: Middle Class Tax Relief Made Permanent - (Sec. 101) Eliminates the general terminating date (i.e., December 31, 2010) of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) with respect to individual income tax rate reductions, tax benefits related to children and adoption, marriage penalty relief, and education tax relief, thus making such tax benefits permanent, subject to limitations based on adjusted gross income thresholds set forth in this Act.

Eliminates the terminating date of the Jobs and Growth Tax Relief Reconciliation Act of 2003 that applies to reductions in tax rates for capital gains and dividend income enacted by that Act, thus making such reductions permanent, subject to limitations based on adjusted gross income thresholds set forth in this Act.

(Sec. 102) Establishes permanent income tax rate reductions for individual taxpayers whose adjusted gross income is \$200,000 or less (\$250,000 for married couples filing joint tax returns). ***HR 4853, signed into law by President 12-17-10 PL 111-312.***