

112TH CONGRESS
1ST SESSION

H. R. 3362

To limit the manner in which Amtrak is authorized to provide food and beverage service.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 2011

Mrs. SCHMIDT (for herself, Mr. COBLE, and Mr. BUCSHON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To limit the manner in which Amtrak is authorized to provide food and beverage service.

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 Food and Bev-
5 erage Service Savings Act”.

6 **SEC. 2. AMTRAK FOOD AND BEVERAGE SERVICE.**

7 (a) AUTHORITY.—Section 24305(c)(4) of title 49,
8 United States Code, is amended by striking “only if reve-
9 nues from the services each year at least equal the cost

1 of providing the services” and inserting “only as provided
2 in subsection (g)”.

3 (b) PROCEDURES.—Section 24305 of title 49, United
4 States Code, is amended by adding at the end the fol-
5 lowing new subsection:

6 “(g) FOOD AND BEVERAGE SERVICE.—

7 “(1) IN GENERAL.—Except as provided in para-
8 graph (6), food and beverage service may be pro-
9 vided on Amtrak trains only by a bidder selected by
10 the Federal Railroad Administration under para-
11 graph (5). The Federal Railroad Administration may
12 consult with and obtain assistance from the General
13 Services Administration in carrying out this sub-
14 section.

15 “(2) REQUESTS FOR PROPOSALS.—Not later
16 than 60 days after the date of enactment of this
17 subsection, the Federal Railroad Administration
18 shall issue separate requests for proposals for provi-
19 sion of food and beverage service on Amtrak trains
20 on—

21 “(A) the Northeast Corridor;

22 “(B) other long-haul routes; and

23 “(C) State-run routes.

24 “(3) DEADLINES.—

1 “(A) SUBMITTAL OF BIDS.—Bids for the
2 provision of food and beverage service on Am-
3 trak trains pursuant to the requests for pro-
4 posals issued under paragraph (2) shall be sub-
5 mitted to the Federal Railroad Administration
6 not later than 60 days after the issuance of the
7 relevant request for proposals.

8 “(B) SELECTION OF WINNING BIDS.—The
9 Federal Railroad Administration shall select
10 winning bidders pursuant to paragraph (5) not
11 later than 90 days after the issuance of the rel-
12 evant request for proposals.

13 “(4) AMTRAK PARTICIPATION.—Amtrak may
14 participate in the bidding pursuant to a request for
15 proposals issued under paragraph (2).

16 “(5) SELECTION OF PROVIDERS.—The Federal
17 Railroad Administration shall select for the provision
18 of food and beverage service on Amtrak trains the
19 qualified bidder responding to the request for pro-
20 posals issued under paragraph (2) whose bid would
21 result in the lowest cost, or the greatest source of
22 revenue, to Amtrak.

23 “(6) EXEMPTION.—If no qualified bidder re-
24 sponds to the request for proposals issued under
25 paragraph (2), Amtrak, after transmitting to the

1 Federal Railroad Administration and the Congress
2 an explanation of the reasons for the need of an ex-
3 emption, may request from the Federal Railroad Ad-
4 ministration, and the Federal Railroad Administra-
5 tion may grant, an exemption from the limitations
6 under this subsection.

7 “(7) SUBSIDY FOR NET LOSS.—The Federal
8 Railroad Administration shall provide directly to the
9 entity providing food and beverage service on Am-
10 trak trains any portion of appropriations for Amtrak
11 necessary to cover a net loss resulting from the pro-
12 vision of such service, but only to the extent that
13 such net loss was anticipated in the bid selected.”.

○