

108TH CONGRESS  
1ST SESSION

# H. R. 1148

To direct the Secretary of Homeland Security to carry out activities to assess and reduce the vulnerabilities of public transportation systems.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2003

Ms. MILLENDER-MCDONALD (for herself and Mr. FERGUSON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To direct the Secretary of Homeland Security to carry out activities to assess and reduce the vulnerabilities of public transportation systems.

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 “Public Transportation  
5 Systems Vulnerability Assessment and Reduction Act of  
6 2003”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act, the following definitions apply:

1           (1) FRONTLINE TRANSIT EMPLOYEE.—The  
2 term “frontline transit employee” means an em-  
3 ployee of a mass transportation agency who is a bus  
4 driver, transit operator, transit maintenance em-  
5 ployee, or community representative or is otherwise  
6 employed in a position with direct interaction with  
7 the public.

8           (2) ELIGIBLE TRANSPORTATION AGENCY.—The  
9 term “eligible transportation agency” means a des-  
10 igned recipient as defined in section 5307(a) of  
11 title 49, United States Code, and any other trans-  
12 portation agency designated by the Secretary.

13           (3) SECRETARY.—The term “Secretary” means  
14 the Secretary of Homeland Security.

15 **SEC. 3. PUBLIC TRANSPORTATION SYSTEMS VULNER-**  
16 **ABILITY ASSESSMENTS.**

17           (a) ASSESSMENT.—The Secretary, in consultation  
18 with the heads of other appropriate Federal departments  
19 and agencies, shall—

20           (1) conduct a review of all government assess-  
21 ments conducted after September 11, 2001, of ter-  
22 rorist-related threats to all forms of public transpor-  
23 tation, including public gathering areas related to  
24 public transportation; and

1           (2) as necessary, conduct additional assess-  
2           ments of vulnerabilities associated with any public  
3           transportation system.

4           (b) ADEQUACY OF TRAINING.—In conducting the re-  
5           view and assessments under subsection (a), the Secretary  
6           shall determine the percentage of frontline transit employ-  
7           ees who have received training in emergency preparedness  
8           and response activities.

9           (c) REPORTS.—

10           (1) IN GENERAL.—Not later than 180 days  
11           after the date of enactment of this Act, the Sec-  
12           retary shall transmit to the President and Congress  
13           a report on the results of the review and assess-  
14           ments conducted under this subsection (a), including  
15           the Secretary’s finding under subsection (b), and the  
16           Secretary’s recommendations for legislative and ad-  
17           ministrative actions.

18           (2) UPDATES.—The Secretary shall update the  
19           report, including the Secretary’s finding under sub-  
20           section (b), annually for 2 years and transmit the  
21           updated reports to the President and Congress.

1 **SEC. 4. GRANTS FOR EMERGENCY PREPAREDNESS AND RE-**  
2 **SPONSE TRAINING OF FRONTLINE TRANSIT**  
3 **EMPLOYEES.**

4 (a) IN GENERAL.—The Secretary may make grants  
5 to eligible transportation agencies for—

6 (1) the training of frontline transit employees  
7 in emergency preparedness and response activities;  
8 and

9 (2) the acquisition of equipment and tech-  
10 nologies, approved by the Secretary, to assist in car-  
11 rying out such training and activities.

12 (b) TRAINING ACTIVITIES.—Training activities under  
13 subsection (a)(1) may include the teaching of best practice  
14 methods, planning, testing, drills, and the development of  
15 agency and regional emergency preparedness and response  
16 programs.

17 (c) APPLICATIONS.—To be eligible for a grant under  
18 this section, an eligible transportation agency shall submit  
19 to the Secretary an application at the time and containing  
20 the information that the Secretary requires by regulation.

21 (d) TERMS AND CONDITIONS.—A grant to an eligible  
22 transportation agency in a fiscal year under this section  
23 shall be subject to the following terms and conditions:

24 (1) EMERGENCY MANAGEMENT COMMITTEE.—  
25 The agency shall certify that the agency will estab-  
26 lish a committee on emergency preparedness and re-

1 sponse training consisting of at least one frontline  
2 transit employee representative and at least one  
3 management employee representative. The com-  
4 mittee shall be composed of an equal number of  
5 frontline transit employee representatives and man-  
6 agement employee representatives. Committee posi-  
7 tions shall not be vacant for any period in the fiscal  
8 year of more than 30 days.

9 (2) REPORT.—The agency shall agree to submit  
10 to the Secretary before the last day of the fiscal year  
11 a report on the use of the grant, including a state-  
12 ment of the number of frontline transit employees  
13 receiving training under the grant.

14 (e) ALLOCATION OF GRANT AMOUNTS.—The Sec-  
15 retary shall allocate amounts made available for grants  
16 under this section in a fiscal year among eligible transpor-  
17 tation agencies based on the needs of the agencies for  
18 emergency preparedness and response training and equip-  
19 ment. Not less than 10 percent of such amounts shall be  
20 allocated to eligible transportation agencies in non-urban  
21 areas.

22 (f) FEDERAL SHARE.—The Federal share of the cost  
23 of activities funded using amounts from a grant under this  
24 section may not exceed 90 percent.

1 (g) REGULATIONS.—Not later than 6 months after  
2 the date of enactment of this Act, the Secretary shall issue  
3 final regulations to carry out this section.

4 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

5 There is authorized to be appropriated to carry out  
6 this Act \$8,000,000 per fiscal year for each of fiscal years  
7 2004, 2005, and 2006. Such amounts shall remain avail-  
8 able until expended.

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