

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE TRANSPORTATION SECURITY ADMINISTRATION SHOULD, IN ACCORDANCE WITH THE CONGRESSIONAL MANDATE PROVIDED FOR IN THE IMPLEMENTING RECOMMENDATIONS OF THE 9/11 COMMISSION ACT OF 2007, ENHANCE SECURITY AGAINST TERRORIST ATTACK AND OTHER SECURITY THREATS TO OUR NATION'S RAIL AND MASS TRANSIT LINES

JUNE 17, 2008.—Referred to the House Calendar and ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland Security, submitted the following

## REPORT

[To accompany H. Res. 1150]

The Committee on Homeland Security, to whom was referred the resolution (H. Res. 1150) expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance with the congressional mandate provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007, enhance security against terrorist attack and other security threats to our Nation’s rail and mass transit lines, having considered the same, report favorably thereon with amendments and recommend that the resolution be agreed to.

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The amendments are as follows:

Strike all after the enacting resolving clause and insert the following:

That the Transportation Security Administration should—

(1) continue to enhance security against terrorist attack and other security threats to our Nation's rail and mass transit lines, as well as school transportation systems, including as provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53);

(2) continue development of the National Explosives Detection Canine Team Program, which has proven to be an effective tool in securing against explosives threats to our Nation's rail and mass transit lines, with particular attention to the application of its training standards and the establishment of a reliable source of domestically-bred canines;

(3) improve upon the success of the Online Learning Center by providing increased person-to-person professional development programs to ensure those responsible for securing against terrorist attacks on our transportation systems are highly trained in both securing against terrorist attacks and professional relations with the traveling public; and

(4) continue to secure our Nation's mass transit and rail lines against terrorist attack and other security threats, so as to ensure the security of commuters on our Nation's mass transit lines and prevent the disruption of rail lines critical to our Nation's economy, and to give special attention to school transportation systems by working with school administrators, State and local law enforcement, and other representatives in the school transportation industry to keep children safe from terrorist attack.

Amend the preamble to read as follows:

Whereas the Transportation Security Administration is uniquely positioned to lead the efforts to secure our Nation's rail and mass transit lines from the threat of terrorism as a result of expertise developed through over five years of securing our Nation's commercial air transportation system;

Whereas the successes of the Transportation Security Administration's National Explosives Detection Canine Team Program has furthered the Transportation Security Administration's ability to provide security against terrorist attacks on the Nation's transportation systems by preventing and protecting against explosives threats;

Whereas each weekday 11,300,000 passengers depend on our Nation's mass transit lines as a means of transportation, and mass transit lines serve as an enticing target for terrorists as evidenced by the March 11, 2004, attack on the Madrid, Spain, mass transit system, the July 7, 2005, attack on the London, England, mass transit system, and the July 11, 2006, attack on the Mumbai, India, mass transit system;

Whereas each weekday more than 25 million children depend on our Nation's school transportation system, in addition to mass transit systems, to get to and from school and school activities, and the security of these systems must be enhanced to address the threat of terrorism; and

Whereas securing our Nation's rail and mass transit lines from terrorist attack and other security threats is essential due to their impact on our Nation's economic stability and the continued functioning of our national economy: Now, therefore, be it

#### PURPOSE AND SUMMARY

The purpose of H. Res. 1150 is to express the sense of the House of Representatives that the Transportation Security Administration should, in accordance with the congressional mandate provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007, enhance security against terrorist attack and other security threats to our Nation's rail and mass transit lines.

#### BACKGROUND AND NEED FOR LEGISLATION

On the eve of the one-year anniversary of the passage and signing of the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110-53), there is much still to be done to secure rail and mass transit systems in the United States from the threat of terrorist attack. In light of this, and with an eye to the bombings of mass transit systems in Madrid, Spain; London, England; and Mumbai, India that occurred in recent years, H. Res. 1150 in-

structs the Transportation Security Administration (TSA) to continue and strengthen efforts to secure rail lines, mass transit lines, and school transportation systems across the country and to build on their successful programs, such as the National Explosives Detection Canine Team and Online Learning Center programs.

#### HEARINGS

No Committee hearings were held on H. Res. 1150.

#### COMMITTEE CONSIDERATION

H. Res. 1150 was introduced in the House on April 25, 2008, by Ms. Jackson-Lee of Texas and Mr. Thompson of Mississippi. H. Res. 1150 was referred solely to the Committee on Homeland Security. Within the Committee, the resolution was referred to the Subcommittee on Transportation Security and Infrastructure Protection.

The Subcommittee on Transportation Security and Infrastructure Protection of the Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Thursday, May 1, 2008, in 311 Cannon House Office Building to consider H. Res. 1150, expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance the congressional mandate provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007, enhance security against terrorist attack and other security threats to our Nation's rail and mass transit lines.

The Subcommittee adopted H. Res. 1150, without amendment, by voice vote.

The Chairman discharged the Subcommittee on Transportation Security and Infrastructure Protection from further consideration of H. Res. 1150 on May 20, 2008.

The Committee on Homeland Security considered H. Res. 1150 on May 20, 2008, and ordered the measure reported to the House with a favorable recommendation, as amended, by unanimous consent.

The following amendments were offered:

An amendment offered by Mr. Rogers (#1); on page 3, line 3, strike "lines;" and insert "line, with particular attention to the application of its training standards and the establishment of a reliable source of domestically-bred canines."; was AGREED TO by voice vote.

An amendment offered by Mr. Etheridge (#2); inserting clauses relating to school transportation systems; was AGREED TO by voice vote.

#### COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report legislation and amendments thereto.

No record votes were requested during Committee consideration.

#### COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee has held oversight hearings and made findings that are reflected in this report.

#### NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H. Res. 1150, would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

#### STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H. Res. 1150, contains the following general performance goals, and objectives, including outcome related goals and objectives authorized.

This resolution is intended to send a strong message to the Transportation Security Administration (TSA) that the House of Representatives wants TSA to continue to enhance security against terrorist attacks on rail and mass transit.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of the rule XXI.

#### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

#### ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for this legislation is provided in Article I, section 8, clause 1, which grants Congress the power to provide for the common Defense of the United States.

#### APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

## SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

This resolution directs the Transportation Security Administration (TSA) to continue enhancing security for rail and mass transit lines, as well as school transportation systems, particularly as provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110–53). The resolution directs TSA to continue developing the National Explosives Detection Canine Team Program, recognizing its success in the past. This section includes language, accepted at Full Committee mark-up, which recognizes the importance of establishing a reliable source of domestically-bred canines for the program.

The resolution also directs TSA to improve on the success of its Online Learning Center program by increasing person-to-person professional development programs to further strengthen security efforts and relations with the traveling public.

Additionally, TSA is directed to continue securing mass transit and rail lines against terrorist attacks and other security threats in order to protect commuters and prevent disruption of rail lines critical to the U.S. economy, as well as to protect school transportation systems and the students that use them.

The Committee strongly supports TSA's capabilities and desires to TSA to continue to its full capabilities to secure the Nation as a whole, and transportation systems specifically.

