

**(j) Consultation**

In carrying out this section, the Secretary shall consult with over-the-road bus operators and nonprofit employee labor organizations representing over-the-road bus employees, public safety and law enforcement officials.

**(k) Authorization****(1) In general**

From the amounts appropriated pursuant to section 114(w) of title 49, there shall be made available to the Secretary to make grants under this section—

- (A) \$12,000,000 for fiscal year 2008;
- (B) \$25,000,000 for fiscal year 2009;
- (C) \$25,000,000 for fiscal year 2010; and
- (D) \$25,000,000 for fiscal year 2011.

**(2) Period of availability**

Sums appropriated to carry out this section shall remain available until expended.

(Pub. L. 110-53, title XV, §1532, Aug. 3, 2007, 121 Stat. 457.)

**§ 1183. Over-the-road bus exercises****(a) In general**

The Secretary shall establish a program for conducting security exercises for over-the-road bus transportation for the purpose of assessing and improving the capabilities of entities described in subsection (b) to prevent, prepare for, mitigate, respond to, and recover from acts of terrorism.

**(b) Covered entities**

Entities to be assessed under the program shall include—

- (1) Federal, State, and local agencies and tribal governments;
- (2) over-the-road bus operators and over-the-road bus terminal owners and operators;
- (3) governmental and nongovernmental emergency response providers and law enforcement agencies; and
- (4) any other organization or entity that the Secretary determines appropriate.

**(c) Requirements**

The Secretary shall ensure that the program—

- (1) consolidates existing security exercises for over-the-road bus operators and terminals administered by the Department and the Department of Transportation, as jointly determined by the Secretary and the Secretary of Transportation, unless the Secretary waives this consolidation requirement, as appropriate;
- (2) consists of exercises that are—
  - (A) scaled and tailored to the needs of the over-the-road bus operators and terminals, including addressing the needs of the elderly and individuals with disabilities;
  - (B) live, in the case of the most at-risk facilities to a terrorist attack;
  - (C) coordinated with appropriate officials;
  - (D) as realistic as practicable and based on current risk assessments, including credible threats, vulnerabilities, and consequences;
  - (E) inclusive, as appropriate, of over-the-road bus frontline employees; and
  - (F) consistent with the National Incident Management System, the National Response

Plan, the National Infrastructure Protection Plan, the National Preparedness Guidance, the National Preparedness Goal, and other such national initiatives;

(3) provides that exercises described in paragraph (2) will be—

(A) evaluated by the Secretary against clear and consistent performance measures;

(B) assessed by the Secretary to identify best practices, which shall be shared, as appropriate, with operators providing over-the-road bus transportation, nonprofit employee organizations that represent over-the-road bus employees, Federal, State, local, and tribal officials, governmental and nongovernmental emergency response providers, and law enforcement personnel; and

(C) used to develop recommendations, as appropriate, provided to over-the-road bus operators and terminal owners and operators on remedial action to be taken in response to lessons learned;

(4) allows for proper advanced notification of communities and local governments in which exercises are held, as appropriate; and

(5) assists State, local, and tribal governments and over-the-road bus operators and terminal owners and operators in designing, implementing, and evaluating additional exercises that conform to the requirements of paragraph (2).

**(d) National Exercise Program**

The Secretary shall ensure that the exercise program developed under subsection (c) is consistent with the National Exercise Program established under section 748 of this title.

(Pub. L. 110-53, title XV, §1533, Aug. 3, 2007, 121 Stat. 460.)

**§ 1184. Over-the-road bus security training program****(a) In general**

Not later than 6 months after August 3, 2007, the Secretary shall develop and issue regulations for an over-the-road bus training program to prepare over-the-road bus frontline employees for potential security threats and conditions. The regulations shall take into consideration any current security training requirements or best practices.

**(b) Consultation**

The Secretary shall develop regulations under subsection (a) in consultation with—

- (1) appropriate law enforcement, fire service, emergency response, security, and terrorism experts;
- (2) operators providing over-the-road bus transportation; and
- (3) nonprofit employee labor organizations representing over-the-road bus employees and emergency response personnel.

**(c) Program elements**

The regulations developed under subsection (a) shall require security training programs, to include, at a minimum, elements to address the following, as applicable:

- (1) Determination of the seriousness of any occurrence or threat.