

HR 874

Rail Passenger Disaster Family Assistance Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Transportation and Public Works

Introduced: Feb 25, 2003

Current Status: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transp

Latest Action: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. (May 9, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/874>

Sponsor

Name: Rep. Young, Don [R-AK-At Large]

Party: Republican • **State:** AK • **Chamber:** House

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Brown, Corrine [D-FL-3]	D · FL		Feb 25, 2003
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Feb 25, 2003
Rep. Miller, Gary G. [R-CA-42]	R · CA		Feb 25, 2003
Rep. Oberstar, James L. [D-MN-8]	D · MN		Feb 25, 2003
Rep. Quinn, Jack [R-NY-27]	R · NY		Feb 25, 2003
Rep. Simmons, Rob [R-CT-2]	R · CT		Feb 26, 2003

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	May 9, 2003
Transportation and Infrastructure Committee	House	Reported By	Mar 18, 2003

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

No related bills are listed.

(This measure has not been amended since it was reported to the House on March 18, 2003. The summary of that version is repeated here.)

Rail Passenger Disaster Family Assistance Act of 2003 - (Sec. 2) Amends Federal transportation law to require the Chairman of the National Transportation Safety Board (NTSB), as soon as practicable after being notified of a rail passenger accident involving a major loss of life, to: (1) designate and publicize the name and phone number of an NTSB employee who shall be a director of family support services responsible for acting as a point of contact within the Federal Government for the families of passengers involved in a rail passenger accident, and a liaison between the rail passenger carrier and the families; and (2) designate an independent nonprofit organization (with experience in disasters and post-trauma communication with families) which shall have primary responsibility for coordinating the emotional care and support of the families of passengers involved in such accidents.

Declares it shall be the responsibility of the director of family support services to request, as soon as practicable, from the rail passenger carrier involved in an accident a list of the names of the passengers who were aboard the carrier's train. Authorizes a designated organization also to request such list from such carrier. Prohibits the director of family support services and a designated organization from releasing list information to any person, except that information about a passenger may be provided to the passenger's family to the extent considered appropriate by the director or organization. Requires the NTSB, in the course of its investigation of an accident, to ensure, to the maximum extent practicable, that the families of passengers involved in the accident are: (1) briefed, prior to any public briefing about the accident and any other findings from the investigation; and (2) individually informed of and allowed to attend any public hearings and meetings of the Board about such accident.

Prohibits: (1) a person (including a State or political subdivision) from impeding the ability of the NTSB (including the director of family support services) or the designated organization to carry out its responsibilities under this Act, or the ability of the families of passengers involved in an accident to have contact with one another; (2) unsolicited communication concerning a potential action for personal injury or wrongful death to be made by an attorney or any potential party to the litigation to an individual (other than an employee of the rail passenger carrier) injured in an accident, or to a relative of an individual involved in such accident, before the 45th day following the date of the accident; and (3) a State or political subdivision from preventing the employees, agents, or volunteers of an organization from providing mental health and counseling services in the 30-day period beginning on the date of an accident.

States that procedures required by this Act (other than the prohibition on impeding the NTSB, on unsolicited attorney contact, and the guarantee of access to mental health and counseling services) shall not apply when the NTSB has relinquished investigative authority to a Federal criminal investigative agency. Requires the NTSB, in such circumstances, however, to assist the agency with primary investigative responsibility in helping families of accident victims.

(Sec. 3) Directs each rail passenger carrier to submit to the Secretary of Transportation and the Chairman of the Board a plan for addressing the needs of the families of passengers involved in a rail passenger accident resulting in a major loss of life. Shields a rail passenger carrier from liability for damages (except for gross negligence or intentional misconduct) in any action brought in a Federal or State court arising out of the carrier's performance in preparing or providing a passenger list, or in providing information concerning a train reservation, pursuant to the carrier's plan.

(Sec. 4) Directs the Secretary, in cooperation with the NTSB, designated organizations, rail passenger carriers, and families which have been involved in rail accidents, to establish a task force consisting of representatives of such entities

and families, representatives of passenger rail carrier employees, and representatives of other appropriate entities to develop for Congress a model plan to assist passenger rail carriers in responding to passenger rail accidents, as well as recommendations on methods to: (1) improve timely notification by passenger rail carriers to the families of passengers involved in a passenger rail accident; (2) ensure that the families of non-U.S. citizens involved in such an accident receive appropriate assistance; and (3) ensure that emergency services personnel have as immediate and accurate a count of the number of passengers onboard the train as possible.

Actions Timeline

- **May 9, 2003:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **May 8, 2003:** Considered as unfinished business. (consideration: CR H3776-3777)
- **May 8, 2003:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 414 - 5 (Roll no. 172).(text: CR 5/07/2003 H3705-3707)
- **May 8, 2003:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 414 - 5 (Roll no. 172). (text: CR 5/07/2003 H3705-3707)
- **May 8, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **May 7, 2003:** Mr. Quinn moved to suspend the rules and pass the bill.
- **May 7, 2003:** Considered under suspension of the rules. (consideration: CR H3705-3708; text of measure as reported in House)
- **May 7, 2003:** DEBATE - The House proceeded with forty minutes of debate on H.R. 874.
- **May 7, 2003:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Mar 18, 2003:** Reported by the Committee on Transportation. H. Rept. 108-39.
- **Mar 18, 2003:** Reported by the Committee on Transportation. H. Rept. 108-39.
- **Mar 18, 2003:** Placed on the Union Calendar, Calendar No. 26.
- **Feb 26, 2003:** Committee Consideration and Mark-up Session Held.
- **Feb 26, 2003:** Ordered to be Reported by Voice Vote.
- **Feb 25, 2003:** Introduced in House
- **Feb 25, 2003:** Introduced in House
- **Feb 25, 2003:** Referred to the House Committee on Transportation and Infrastructure.