

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1116

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 3, 2005

Ms. MILLENDER-MCDONALD introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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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       2005”.

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 or rail operator, mechanic, customer service rep-  
5 resentative, maintenance employee, or transit police  
6 or security officer and other individuals designated  
7 by the Secretary.

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. ADMINISTRATION OF DUTIES.**

16 All duties vested in the Secretary under this Act shall  
17 be carried out by the Secretary acting jointly with the Sec-  
18 retary of Transportation.

19 **SEC. 4. PUBLIC TRANSPORTATION SYSTEMS VULNER-**  
20 **ABILITY ASSESSMENTS.**

21 (a) **ASSESSMENT.**—The Secretary shall—

22           (1) conduct a review of all government assess-  
23 ments conducted after September 11, 2001, of ter-  
24 rorist-related threats to all forms of public transpor-

1 tation, including public gathering areas related to  
2 public transportation;

3 (2) ensure that the assessment of each public  
4 transportation system identifies—

5 (A) the critical assets of the system;

6 (B) threats to those assets;

7 (C) security weaknesses in the system and  
8 its assets;

9 (D) redundant and backup systems re-  
10 quired to ensure the continued operation of crit-  
11 ical elements of the system in the event of an  
12 attack or other incident; and

13 (E) the extent to which frontline transit  
14 employees have received training in security  
15 awareness and emergency preparedness and re-  
16 sponse procedures; and

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

20 (b) REPORTS.—

21 (1) IN GENERAL.—Not later than 180 days  
22 after the date of enactment of this Act, the Sec-  
23 retary shall transmit to the President and Congress  
24 a report on the results of the review and assess-  
25 ments conducted under this subsection (a), including

1 the Secretary's recommendations for legislative and  
2 administrative actions.

3 (2) UPDATES.—The Secretary shall update the  
4 report annually for 2 years and transmit the up-  
5 dated reports to the President and Congress.

6 **SEC. 5. GRANTS FOR EMERGENCY PREPAREDNESS AND RE-**  
7 **SPONSE TRAINING OF FRONTLINE TRANSIT**  
8 **EMPLOYEES.**

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

11 (1) the training of frontline transit employees  
12 in emergency preparedness and response activities;  
13 and

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

17 (b) TRAINING ACTIVITIES.—Training activities under  
18 subsection (a)(1) may include the teaching of best practice  
19 methods, planning, testing, drills, and the development of  
20 agency and regional emergency preparedness and response  
21 programs.

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

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

4 (1) EMERGENCY MANAGEMENT COMMITTEE.—

5 The agency shall certify that the agency will estab-  
6 lish a committee on emergency preparedness and re-  
7 sponse training consisting of at least one frontline  
8 transit employee representative and at least one  
9 management employee representative. The com-  
10 mittee shall be composed of an equal number of  
11 frontline transit employee representatives and man-  
12 agement employee representatives. Committee posi-  
13 tions shall not be vacant for any period in the fiscal  
14 year of more than 30 days.

15 (2) REPORT.—The agency shall agree to submit  
16 to the Secretary before the last day of the fiscal year  
17 a report on the use of the grant, including a state-  
18 ment of the number of frontline transit employees  
19 receiving training under the grant.

20 (e) OTHER REQUIREMENTS.—Except as otherwise  
21 specifically provided by this section, a grant under this  
22 section shall be subject to—

23 (1) the terms and conditions that apply to  
24 grants made under section 5307 of title 49, United  
25 States Code; and

1           (2) other terms and conditions determined by  
2           the Secretary.

3           (f) ALLOCATION OF GRANT AMOUNTS.—The Sec-  
4           retary shall allocate amounts made available for grants  
5           under this section in a fiscal year among eligible transpor-  
6           tation agencies based on the needs of the agencies for  
7           emergency preparedness and response training and equip-  
8           ment. Not less than 10 percent of such amounts shall be  
9           allocated to eligible transportation agencies in nonurban  
10          areas.

11          (g) FEDERAL SHARE.—The Federal share of the cost  
12          of activities funded using amounts from a grant under this  
13          section may not exceed 90 percent.

14          (h) REGULATIONS.—Not later than 6 months after  
15          the date of enactment of this Act, the Secretary shall issue  
16          final regulations to carry out this section.

17          **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

18          There is authorized to be appropriated to the Sec-  
19          retary of Homeland Security to carry out this Act  
20          \$25,000,000 for each of fiscal years 2006 through 2009.  
21          Such amounts shall remain available until expended.

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