

115TH CONGRESS
2D SESSION

H. R. 5766

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2018

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To improve the security of public areas of transportation
facilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Securing Public Areas
3 of Transportation Facilities Act of 2018”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) PUBLIC AND PRIVATE SECTOR STAKE-
7 HOLDERS.—The term “public and private sector
8 stakeholders” has the meaning given such term in
9 section 114(u)(1)(C) of title 49, United States Code.

10 (2) SURFACE TRANSPORTATION ASSET.—The
11 term “surface transportation asset” includes facili-
12 ties, equipment, or systems used to provide transpor-
13 tation services by—

14 (A) a public transportation agency (as
15 such term is defined in section 1402(5) of the
16 Implementing Recommendations of the 9/11
17 Commission Act of 2007 (Public Law 110–53;
18 6 U.S.C. 1131(5)));

19 (B) a railroad carrier (as such term is de-
20 fined in section 20102(3) of title 49, United
21 States Code);

22 (C) an owner or operator of—

23 (i) an entity offering scheduled, fixed-
24 route transportation services by over-the-
25 road bus (as such term is defined in sec-
26 tion 1501(4) of the Implementing Rec-

ommendations of the 9/11 Commission Act
of 2007 (Public Law 110–53; 6 U.S.C.
1151(4)); or

(ii) a bus terminal; or

(D) other transportation facilities, equip-
ment, or systems, as determined by the Sec-
retary.

SEC. 3. PUBLIC AREA SECURITY WORKING GROUP.

(a) WORKING GROUP.—The Secretary of Homeland
Security shall establish a working group to promote col-
laborative engagement between the Department of Home-
land Security and public and private sector stakeholders
to develop non-binding recommendations for enhancing se-
curity in public areas of transportation facilities (including
facilities that are surface transportation assets), including
recommendations regarding the following topics:

(1) Information sharing and interoperable com-
munication capabilities among the Department of
Homeland Security and public and private stake-
holders with respect to terrorist or other threats.

(2) Coordinated incident response procedures.

(3) The prevention of terrorist attacks and
other incidents through strategic planning, security
training, exercises and drills, law enforcement pa-

1 trols, worker vetting, and suspicious activity report-
2 ing.

3 (4) Infrastructure protection through effective
4 construction design barriers and installation of ad-
5 vanced surveillance and other security technologies.

6 (b) ANNUAL REPORT.—Not later than 1 year after
7 the establishment of the working group under subsection
8 (a) and annually thereafter for 5 years, the Secretary of
9 Homeland Security shall report to the Committee on
10 Homeland Security of the House of Representatives and
11 the Committee on Commerce, Science, and Transportation
12 of the Senate on the working group’s organization, partici-
13 pation, activities, findings, and non-binding recommenda-
14 tions for the immediately preceding 12-month period. The
15 Secretary may publish a public version of such report that
16 describes the working group’s activities and such related
17 matters as would be informative to the public, consistent
18 with section 552(b) of title 5, United States Code.

19 (c) INAPPLICABILITY OF THE FEDERAL ADVISORY
20 COMMITTEE ACT.—The Federal Advisory Committee Act
21 (5 U.S.C. App.) shall not apply to the working group es-
22 tablished under subsection (a) or any subsidiary thereof.

23 **SEC. 4. TECHNICAL ASSISTANCE.**

24 (a) IN GENERAL.—The Secretary of Homeland Secu-
25 rity shall—

1 (1) inform owners and operators of surface
2 transportation assets about the availability of tech-
3 nical assistance, including vulnerability assessment
4 tools and cybersecurity guidelines, to help protect
5 and enhance the resilience of public areas of such
6 assets; and

7 (2) subject to the availability of appropriations,
8 provide such technical assistance to requesting own-
9 ers and operators of surface transportation assets.

10 (b) BEST PRACTICES.—Not later than 1 year after
11 the date of the enactment of this Act, the Secretary of
12 Homeland Security shall publish on the Department of
13 Homeland Security’s website and widely disseminate, as
14 appropriate, best practices for protecting and enhancing
15 the resilience of public areas of transportation facilities
16 (including facilities that are surface transportation as-
17 sets), including associated frameworks or templates for
18 implementation. Such best practices shall be updated peri-
19 odically.

20 **SEC. 5. REVIEW.**

21 (a) REVIEW.—Not later than 1 year after the date
22 of the enactment of this Act, the Administrator of the
23 Transportation Security Administration shall submit to
24 the Committee on Homeland Security of the House of
25 Representatives and the Committee on Commerce,

1 Science, and Transportation of the Senate a report that
2 includes a review of regulations, directives, policies, and
3 procedures issued by the Administrator regarding the
4 transportation of a firearm and ammunition, and, as ap-
5 propriate, information on plans to modify any such regula-
6 tion, directive, policy, or procedure based on such review.

7 (b) CONSULTATION.—In preparing the report re-
8 quired under subsection (a), the Administrator of the
9 Transportation Security Administration shall consult with
10 the Aviation Security Advisory Committee (established
11 pursuant to section 44946 of title 49, United States Code)
12 and appropriate public and private sector stakeholders.

Passed the House of Representatives June 25, 2018.

Attest:

KAREN L. HAAS,

Clerk.