To direct the Secretary of Homeland Security to carry out activities to assess and reduce the vulnerabilities of public transportation systems.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2005

Ms. MILLER-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.

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 Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Public Transportation Systems Vulnerability Assessment and Reduction Act of 2005”.

4 SEC. 2. DEFINITIONS.

5 In this Act, the following definitions apply:
(1) **FRONTLINE TRANSIT EMPLOYEE.**—The term “frontline transit employee” means an employee of a mass transportation agency who is a bus or rail operator, mechanic, customer service representative, maintenance employee, or transit police or security officer and other individuals designated by the Secretary.

(2) **ELIGIBLE TRANSPORTATION AGENCY.**—The term “eligible transportation agency” means a designated recipient as defined in section 5307(a) of title 49, United States Code, and any other transportation agency designated by the Secretary.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Homeland Security.

**SEC. 3. ADMINISTRATION OF DUTIES.**

All duties vested in the Secretary under this Act shall be carried out by the Secretary acting jointly with the Secretary of Transportation.

**SEC. 4. PUBLIC TRANSPORTATION SYSTEMS VULNERABILITY ASSESSMENTS.**

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

(1) conduct a review of all government assessments conducted after September 11, 2001, of terrorist-related threats to all forms of public transpor-
tation, including public gathering areas related to public transportation;

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

(A) the critical assets of the system;

(B) threats to those assets;

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

(D) redundant and backup systems required to ensure the continued operation of critical elements of the system in the event of an attack or other incident; and

(E) the extent to which frontline transit employees have received training in security awareness and emergency preparedness and response procedures; and

(3) as necessary, conduct additional assessments of vulnerabilities associated with any public transportation system.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall transmit to the President and Congress a report on the results of the review and assessments conducted under this subsection (a), including
the Secretary’s recommendations for legislative and administrative actions.

(2) UPDATES.—The Secretary shall update the report annually for 2 years and transmit the updated reports to the President and Congress.

SEC. 5. GRANTS FOR EMERGENCY PREPAREDNESS AND RESPONSE TRAINING OF FRONTLINE TRANSIT EMPLOYEES.

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

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

and

(2) the acquisition of equipment and technologies, approved by the Secretary, to assist in carrying out such training and activities.

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

(c) APPLICATIONS.—To be eligible for a grant under this section, an eligible transportation agency shall submit to the Secretary an application at the time and containing the information that the Secretary requires by regulation.
(d) Terms and Conditions.—A grant to an eligible transportation agency in a fiscal year under this section shall be subject to the following terms and conditions:

(1) Emergency Management Committee.—
The agency shall certify that the agency will establish a committee on emergency preparedness and response training consisting of at least one frontline transit employee representative and at least one management employee representative. The committee shall be composed of an equal number of frontline transit employee representatives and management employee representatives. Committee positions shall not be vacant for any period in the fiscal year of more than 30 days.

(2) Report.—The agency shall agree to submit to the Secretary before the last day of the fiscal year a report on the use of the grant, including a statement of the number of frontline transit employees receiving training under the grant.

(e) Other Requirements.—Except as otherwise specifically provided by this section, a grant under this section shall be subject to—

(1) the terms and conditions that apply to grants made under section 5307 of title 49, United States Code; and
(2) other terms and conditions determined by
the Secretary.

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

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

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

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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