

108TH CONGRESS
2D SESSION

H. R. 5217

To provide for the security and safety of rail transportation systems in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2004

Mr. CASTLE (for himself and Mr. KIRK) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To provide for the security and safety of rail transportation systems in the United States, 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Railroad Security and Public Awareness Act of 2004”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Rail worker security training program.
- Sec. 3. Public awareness.
- Sec. 4. Railroad security upgrades.

1 **SEC. 2. RAIL WORKER SECURITY TRAINING PROGRAM.**

2 (a) IN GENERAL.—Not later than 60 days after the
3 date of enactment of this Act, the Secretary of Homeland
4 Security, in consultation with appropriate law enforce-
5 ment, security, and terrorism experts, representatives of
6 railroad carriers, and nonprofit employee organizations
7 that represent rail workers, shall develop and issue de-
8 tailed guidance for a rail worker security training program
9 to prepare front-line workers for potential threat condi-
10 tions.

11 (b) PROGRAM ELEMENTS.—The guidance developed
12 under subsection (a) shall require such a program to in-
13 clude, at a minimum, elements that address the following:

14 (1) Determination of the seriousness of any oc-
15 currence.

16 (2) Crew communication and coordination.

17 (3) Appropriate responses to defend oneself.

18 (4) Use of protective devices.

19 (5) Evacuation procedures.

20 (6) Psychology of terrorists to cope with hi-
21 jacker behavior and passenger responses.

22 (7) Live situational training exercises regarding
23 various threat conditions, including tunnel evacu-
24 ation procedures.

25 (8) All employee training provisions included in
26 the Transportation Security Directive (SD

1 RAILPAX–04–01 and SD RAILRAX–04–02) issued
2 under the authority of section 114 of title 49,
3 United States Code, by the Transportation Security
4 Administration on May 20, 2004.

5 (9) Any other areas that the Secretary deems
6 appropriate.

7 (c) RAILROAD CARRIER PROGRAMS.—Not later than
8 60 days after the Secretary issues guidance under sub-
9 section (a) in final form, each railroad carrier shall develop
10 a rail worker security training program in accordance with
11 that guidance and submit it to the Secretary for approval.
12 Not later than 30 days after receiving a railroad carrier’s
13 program under this subsection, the Secretary shall review
14 the program and approve it or require the railroad carrier
15 to make any revisions the Secretary considers necessary
16 for the program to meet the guidance requirements.

17 (d) TRAINING.—Not later than 180 days after the
18 Secretary approves the training program developed by a
19 railroad carrier under this section, the railroad carrier
20 shall complete the training of all front-line workers in ac-
21 cordance with that program.

22 (e) UPDATES.—The Secretary shall update the train-
23 ing guidance issued under subsection (a) from time to
24 time to reflect new or different security threats, and re-

1 quire railroad carriers to revise their programs accordingly
2 and provide additional training to their front-line workers.

3 (f) SECURITY TRAINING PROGRAM GRANTS.—The
4 Secretary of Homeland Security is authorized to make
5 grants to railroads (including intercity, heavy, and light
6 rail), hazardous materials shippers, owners of rail cars
7 used in the transportation of hazardous materials, univer-
8 sities, colleges, and research centers, and State and local
9 governments (for railroad facilities and infrastructure) for
10 full or partial reimbursement of costs incurred to imple-
11 ment the program detailed in subsection (a).

12 (g) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to the Secretary of
14 Homeland Security \$250,000,000 for fiscal year 2006 to
15 carry out the purposes of this section. Amounts appro-
16 priated pursuant to this subsection shall remain available
17 until expended.

18 (h) DEFINITION.—For purposes of this section, the
19 term “front-line workers” means heavy and light rail em-
20 ployees who have daily access to the operations infrastruc-
21 ture and passengers of their rail systems.

22 **SEC. 3. PUBLIC AWARENESS.**

23 Not later than 90 days after the date of enactment
24 of this Act, the Secretary of Homeland Security, shall de-
25 velop a national plan for public outreach and awareness.

1 Such plan shall be designed to increase awareness of
2 measures that the general public, railroad passengers, and
3 railroad employees can take to increase railroad system
4 security. Such plan shall also provide outreach to railroad
5 carriers and their employees to improve their awareness
6 of available technologies, ongoing research and develop-
7 ment efforts, and available Federal funding sources to im-
8 prove railroad security. Not later than 9 months after the
9 date of enactment of this Act, the Secretary of Homeland
10 Security shall implement the plan developed under this
11 section.

12 **SEC. 4. RAILROAD SECURITY UPGRADES.**

13 (a) SECURITY IMPROVEMENT GRANTS.—The Sec-
14 retary of Homeland Security is authorized to make grants
15 to railroads (including intercity passenger and heavy and
16 light rail), hazardous materials shippers, owners of rail
17 cars used in the transportation of hazardous materials,
18 universities, colleges, and research centers, and State and
19 local governments (for railroad facilities and infrastruc-
20 ture) for full or partial reimbursement of costs incurred
21 to prevent or respond to acts of terrorism, sabotage, or
22 other railroad security threats, including providing for—
23 (1) technologies for reduction of tank car vul-
24 nerability;

1 (2) demonstration of bridge and tunnel inspec-
2 tion technologies;

3 (3) security and redundancy for critical commu-
4 nications, electric power (including traction power),
5 computer, and train control systems essential for se-
6 cure railroad operations or to continue railroad oper-
7 ations after an attack impacting railroad operations;

8 (4) the security of hazardous material transpor-
9 tation by railroad;

10 (5) secure passenger railroad stations, trains,
11 and infrastructure;

12 (6) public security awareness campaigns for
13 passenger train operations;

14 (7) the sharing of intelligence and information
15 about railroad security threats;

16 (8) train tracking and interoperable commu-
17 nications systems that are coordinated to the max-
18 imum extent possible;

19 (9) additional police and security officers, in-
20 cluding canine units; and

21 (10) all provisions included in the Transpor-
22 tation Security Directives (SD RAILPAX-04-01
23 and SD RAILPAX-04-02) issued under the author-
24 ity of section 114 of title 49, United States Code,

1 by the Transportation Security Administration on
2 May 20, 2004.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to the Secretary of
5 Homeland Security \$250,000,000 for fiscal year 2006 to
6 carry out the purposes of this section. Amounts appro-
7 priated pursuant to this subsection shall remain available
8 until expended.

○