

HIGHLIGHTS OF H.R. 1269, THE RAIL AND PUBLIC TRANSPORTATION SECURITY ACT OF 2007

Introduced by

*the Honorable James L. Oberstar, Chairman, Committee on Transportation and Infrastructure,
the Honorable Peter A. DeFazio, Chairman, Subcommittee on Highways and Transit, and
the Honorable Corrine Brown, Chairwoman, Subcommittee on Railroads, Pipelines,
and Hazardous Materials*

March 1, 2007

- Directs the Secretary of Homeland Security, in coordination with the Secretary of Transportation, to develop and implement a National Rail and Public Transportation Security Plan. This plan was required in the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108-458), but was never completed.
- Directs the Department of Homeland Security (DHS) to assign each railroad, public transportation agency, and over-the-road bus operator to a tier based on risk.
- Requires DHS, in coordination with the Department of Transportation (DOT), to issue regulations, within one year of enactment, to establish a security program for rail carriers, public transportation providers, and over-the-road bus operators.
 - Transportation providers assigned to a high- or medium- risk tier are required to conduct an assessment of the vulnerability of their infrastructure and operations to terrorist attack and prepare and submit a security plan to the Secretary of Homeland Security for approval six months after the regulations are issued.
 - The bill sets specific requirements that must be included in vulnerability assessments and security plans of high- and medium-risk providers. The bill provides DHS the discretion to set lesser requirements for providers in lower tiers.
 - The bill sets administrative, civil, and criminal penalties for failure to comply with these requirements.
- Requires DHS to create a Strategic Information Sharing Plan to improve the information flow among Federal agencies and between the Administration and private and public sector stakeholders including State, local, and tribal authorities, and railroad carriers, public transportation agencies, and labor organizations.
- Establishes a rail security assistance grant program.
 - Authorizes \$2.4 billion over four years (FY 2008 – FY 2011) for grants to rail carriers for capital and operational security improvements.
 - To be eligible for a grant, each rail carrier must have a security plan approved by DHS.
 - DHS is responsible for establishing the program, annual funding priorities, and security improvement priorities for each grant recipient, based on the approved security plan.
 - DOT is responsible for distributing and monitoring grant funds to eligible recipients.
 - The Federal share for grants is 80 percent.

- Establishes a public transportation security assistance grant program.
 - Authorizes \$3.4 billion over four years (FY 2008 – FY 2011) for grants to public transportation agencies and other designated recipients for capital and operational security improvements.
 - To be eligible for a grant, each public transportation agency or designated recipient must have a security plan approved by DHS.
 - DHS is responsible for establishing the program, annual funding priorities, and security improvement priorities for each grant recipient, based on the approved security plan.
 - DOT is responsible for distributing and monitoring grant funds to designated recipients.
 - The Federal share for grants is 80 percent.

- Establishes an over-the-road bus security assistance grant program.
 - Authorizes \$87 million over four years (FY 2008 – FY 2011) for grants to private operators of over-the-road buses for capital and operational security improvements.
 - To be eligible for a grant, each operator must have a security plan approved by DHS.
 - DHS is responsible for establishing the program, annual funding priorities, and security improvement priorities for each grant recipient, based on the approved security plan.
 - DOT is responsible for distributing and monitoring grant funds to designated recipients.
 - The Federal share for grants is 80 percent.

- Authorizes \$140 million over four years (FY 2008 – FY 2011) for grants to Amtrak for fire and life safety improvements to Amtrak tunnels along the Northeast Corridor.

- Requires mandatory security training for railroad, public transportation, and over-the-road bus employees to ensure that front-line transit workers are properly trained to address security needs.
 - DHS, in coordination with DOT, is required to develop a security training program within 90 days after enactment; within 60 days after the issuance of this guidance, railroad carriers, public transportation agencies, and bus operators must develop a security training program and submit it to the Secretary for approval.
 - Not later than one year after the Secretary approves the plan, all workers must have received security training.

- Requires DHS to establish a program for the purpose of testing and evaluating the ability of railroad carriers, public transportation agencies, and bus operators to prevent, prepare for, and respond to acts of terrorism.

- Authorizes \$200 million over four years (FY 2008 – FY 2011) for DHS to conduct research in a variety of areas of rail and public transportation security, in coordination with other

ongoing research and development security-related initiatives being conducted by the National Academy of Sciences, DOT, and other Federal agencies.

- Establishes whistleblower protections for employees of railroads, public transportation agencies, and over-the-road bus companies; employees of and contractors and subcontractors of these entities; employees of DOT and DHS; and employees of agency contractors and subcontractors.
- Requires an increase in the number of DHS rail security inspectors to 500 by 2010.
- Codifies the existing National Domestic Preparedness Consortium and adds the Transportation Technology Center in Pueblo, Colorado, to the Consortium.
- Provides the Transportation Security Administration with authority to enforce general administrative, civil, and criminal penalties.