

115TH CONGRESS
2D SESSION

H. R. 5766

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

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2018

Mr. PAYNE (for himself and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **PUBLIC AND PRIVATE SECTOR STAKE-**
9 **HOLDERS.**—The term “public and private sector

1 stakeholders” has the meaning given such term in
2 section 114(u)(1)(C) of title 49, United States Code.

3 (2) SURFACE TRANSPORTATION ASSET.—The
4 term “surface transportation asset” includes facili-
5 ties, equipment, or systems used to provide transpor-
6 tation services by—

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

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

15 (C) an owner or operator of—

16 (i) an entity offering scheduled, fixed-
17 route transportation services by over-the-
18 road bus (as such term is defined in sec-
19 tion 1501(4) of the Implementing Rec-
20 ommendations of the 9/11 Commission Act
21 of 2007 (Public Law 110–53; 6 U.S.C.
22 1151(4))); or

23 (ii) a bus terminal; or

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

4 **SEC. 3. PUBLIC AREA SECURITY WORKING GROUP.**

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

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

17 (2) Coordinated incident response procedures.

18 (3) The prevention of terrorist attacks and
19 other incidents through strategic planning, security
20 training, exercises and drills, law enforcement pa-
21 trols, worker vetting, and suspicious activity report-
22 ing.

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

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

14 (c) INAPPLICABILITY OF THE FEDERAL ADVISORY
15 COMMITTEE ACT.—The Federal Advisory Committee Act
16 (5 U.S.C. App.) shall not apply to the working group es-
17 tablished under subsection (a) or any subsidiary thereof.

18 **SEC. 4. TECHNICAL ASSISTANCE.**

19 (a) IN GENERAL.—The Secretary of Homeland Secu-
20 rity shall—

21 (1) inform owners and operators of surface
22 transportation assets about the availability of tech-
23 nical assistance, including vulnerability assessment
24 tools and cybersecurity guidelines, to help protect

1 and enhance the resilience of public areas of such
2 assets; and

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

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

16 **SEC. 5. REVIEW.**

17 (a) **REVIEW.**—Not later than one year after the date
18 of the enactment of this Act, the Administrator of the
19 Transportation Security Administration shall submit to
20 the Committee on Homeland Security of the House of
21 Representatives and the Committee on Commerce,
22 Science, and Transportation of the Senate a report that
23 includes a review of regulations, directives, policies, and
24 procedures issued by the Administrator regarding the
25 transportation of a firearm and ammunition, and, as ap-

1 appropriate, information on plans to modify any such regula-
2 tion, directive, policy, or procedure based on such review.

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

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