



EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE
August 19, 2004

SUBJECT: FEDERAL LEGISLATION

ACTION: APPROVE STAFF RECOMMENDATION ON FEDERAL LEGISLATION

RECOMMENDATION

Adopt the following position:

S. 2453(Shelby) – PUBLIC TRANSPORTATION TERRORISM PREVENTION ACT OF 2004 – which would provide federal funding for capital, research and operation grants to public transportation agencies for the purpose of enhancing security. – **SUPPORT**

ISSUE

According to the American Public Transportation Association, since the September 11, 2001 attack against America, the U.S. Department of Homeland Security has allocated a total of \$115 million to 30 of the nation's 6,000 transit systems for security. Over the same period, the Department of Homeland Security has dedicated over \$12 billion to protect the nation's air system. This inequity has led several prominent Members of Congress to propose legislation, like S. 2453, to provide adequate security funding for mass transportation entities across the United States. The MTA would benefit from the additional transit security funding that would be made available as a result of passage of this legislation.

ATTACHMENT

A. S. 2453 (Shelby)

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BILL: S. 2453 "THE PUBLIC TRANSPORTATION TERRORISM PREVENTION ACT OF 2004"

AUTHOR: U.S. SENATOR RICHARD SHELBY (R-AL)

SUBJECT: PUBLIC TRANSPORTATION AND TERRORISM

STATUS: APPROVED BY THE SENATE BANKING, HOUSING AND URBAN AFFAIRS COMMITTEE ON MAY 6, 2004

ACTION: SUPPORT

RECOMMENDATION:

Staff recommends that the MTA Board of Directors adopt a support position on "The Public Transportation Terrorism Prevention Act of 2004."

PROVISIONS:

Authorizes the Secretary of Homeland Security to award grants to public transportation agencies to improve security. The bill provides for three major grant programs.

Capital Grant Program: Would provide \$3.5 billion for transit security infrastructure measures, including the acquisition of surveillance equipment and chemical and biological detection systems.

Operation Grant Fund: Would provide \$1.3 billion for public awareness campaigns, workforce training and canine patrols associated with major events.

Research Grant Fund: Would provide \$200 million for developing and improving detection and imaging technologies that have the capability to deter terrorist threats.

The bill also requires that transportation agencies deemed to be at risk of terrorist attack participate in the Information Sharing and Analysis Center for Public Transportation (ISAC). ISAC was created by Presidential Decision Directive 63 with the goal of protecting critical infrastructure in the United States from a terrorist attack. Further, the bill provides that transportation agencies shall not be charged a fee for participating in ISAC.

The \$5 billion authorized by this bill for transportation security is provided for fiscal year 2005 through fiscal year 2007.

This bill provides (Section 5) that the Secretary of Homeland Security shall award grants directly to public transportation agencies, like the MTA, for allowable operational and capital security improvements. Public transportation agencies will be provided grants based on security assessments to be conducted by the Federal Transit Administration. Further, the bill stipulates that the Secretary of Homeland Security, in consultation with the Federal Transit Administration,

shall award grants to public or private entities to conduct research into, and demonstration of, technologies and methods to reduce and deter terrorist threats or mitigate damages resulting from terrorist attacks against public transportation systems.

IMPACT ANALYSIS:

Passage of this bill could allow the MTA to apply for federal funds to install additional closed circuit television cameras at our METRO bus facilities and in our METRO subway system stations. The bill also provides an opportunity to fund K-9 teams that could be used by METRO's law enforcement and security forces. Lastly, the bill would provide a potential benefit by funding research efforts to improve screening, sensing, imaging and detection devices for explosives and hazardous chemical and biological agents.