

TSA Security Training Rule Requirements



AMERICAN
PUBLIC
TRANSPORTATION
ASSOCIATION

Wednesday, June 3, 2020
2:00 p.m. – 4:00 p.m.

Welcome and Introductions

Emani Lee-Odai
Program Manager – Safety & Security
Technical Services and Innovation
American Public Transportation Association



Opening Remarks



Christopher T. McKay

Mass Transit Industry Engagement Manager
Industry Engagement Branch
Policy, Plans, and Engagement
Transportation Security Administration
Arlington, VA



Mr. Ronald Pavlik, Jr.

Chief of Police
Washington Metropolitan Area Transit
Authority (WMATA)
Washington, DC

Presenter

Harry Schultz

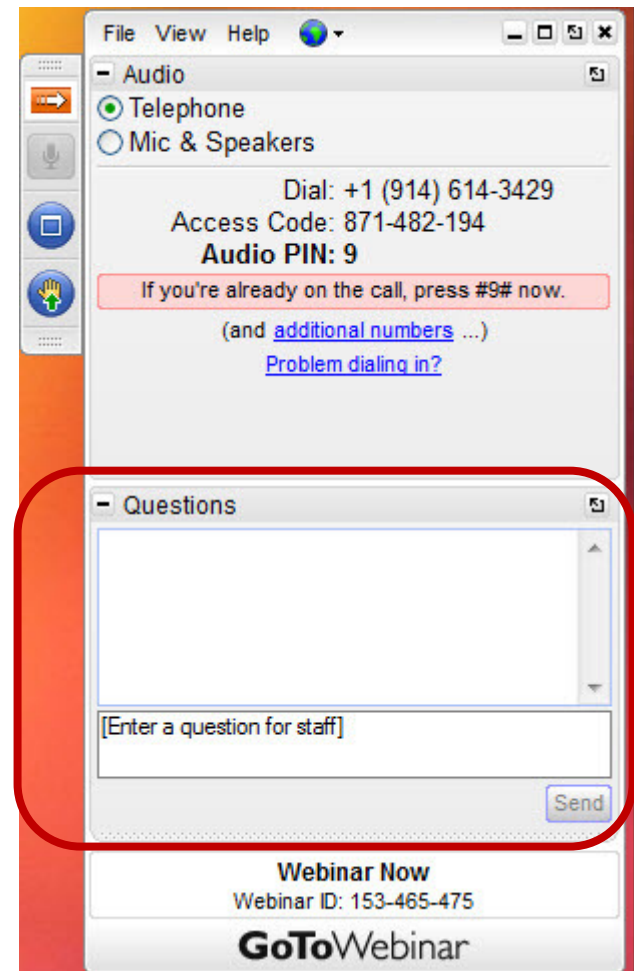
Section Chief, Policy Evaluation Section

Division: Surface Policy Division

Office: Policy, Plans, and Engagement
Transportation Security Administration

Housekeeping

- This webinar will be **recorded** and made available on APTA's website
- All attendee phone lines are **muted**
- To ask a question, use the **Questions Panel**; questions will be answered at the end of the presentations



Panelists



Scott Gordon

Executive Director, Surface Division
Policy, Plans, and Engagement
Transportation Security
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Arlington, VA



Victor Parker

Transportation Security Specialist
Surface Division
Policy, Plans, and Engagement
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David H. Kasminoff

Senior Counsel for Regulations &
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Department of Homeland Security
Transportation Security
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Arlington, VA

Security Training for Surface Transportation Employees Final Rule

A Presentation for Public
Transportation Agencies and
Passenger Railroads

June 3, 2020



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Security Training Rule Summary

On March 23, 2020, TSA published the Security Training for Surface Transportation Employees Final Rule in the *Federal Register*.

In special consideration of on-going challenges to the surface transportation industry in response to the Novel Coronavirus (COVID-19), TSA amended this rule on May 1, 2020, extending the rule's effective date from June 22, 2020 to **September 21, 2020**.



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Security Training Rule Summary

The rule requires owner/operators of higher-risk freight railroad carriers, public transportation agencies (including rail mass transit and bus systems), passenger railroad carriers, and over-the-road bus companies to provide TSA-approved security training to employees who perform security-sensitive functions.

TSA is also expanding its requirements for security coordinators and the reporting of significant security concerns (currently limited to rail operations) to include certain bus operations within the scope of the regulation.



Organization of the Rule

- 49 CFR Part 1500 has been restructured into general and mode-specific parts
- Parts 1570 and 1582 contains key requirements that impact the public transportation/passenger rail mode

PART 1500 –Terms and Abbreviations

PART 1503 – Investigative and Enforcement Procedures

PART 1520 – Protection of Sensitive Security Information

PART 1570 – General Rules (applicable to all modes)

PART 1580 – Freight Rail Security

PART 1582 – Public Transportation and Passenger Railroad Security

PART 1584 – Highway and Motor Carriers



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Which Public Transportation and Passenger Rail Operators Are Covered by the Rule?

- Higher-risk public transportation (rail and bus) and passenger rail operations are covered.
 - Amtrak
 - The 46 specific agencies and companies listed in Appendix A to Part 1582
 - Owner/operators that serve as a host railroad to a freight operation described in §1580.301



What Are the Key Requirements of this Rule?

Each owner/operator covered by this rule must:

- Designate a Security Coordinator and at least one alternate Security Coordinator
- Report significant security concerns to TSA
- Develop a comprehensive security training program
- Provide security training to employees in **security-sensitive** positions

Designating security coordinators and reporting significant security concerns to TSA are new requirements for transit bus operations in higher-risk locations



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What Are the Significant Dates In This Rule?

- The Security Training Rule becomes effective **September 21, 2020**
- Owner/operators must notify TSA of their applicability determination by **October 21, 2020**
- Owner/operators must report to TSA the names and contact information of a security coordinator and an alternate security coordinator by **October 28, 2020**
- Owner/operators must submit their training programs to TSA for approval by **December 21, 2020**
- Owner/operators must ensure employees in security sensitive positions complete initial training within **one (1) year** after TSA approves the training program
- Employees in sensitive-security positions must receive refresher training at least once every **three years**



How Do I Notify TSA That The Rule Applies to My Agency/Company?

Send an email to: SecurityTrainingPolicy@tsa.dhs.gov.

- Include in the subject line of the email: *Security Training Rule Applicability (Agency or Company name)*
- Include in the body of the email:
 - Mode of Transportation (e.g. public transportation or passenger rail)
 - Owner/operator corporate name
 - Optional:
 - Doing business as (DBA) name
 - Corporate address
 - Contact name, email address, and phone number



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See § 1570.105

Security Coordinators (1570.201)

What is a Security Coordinator?

- Security Coordinators are security liaisons to TSA, providing a single point of contact for receiving communications and inquiries from TSA concerning threat information or security procedures. Security Coordinators must be appointed at the corporate level.

What is required of a Security Coordinator?

- Serves as the primary contact for intelligence information and security-related activities and communications with TSA. Any individual designated as a Security Coordinator or alternate Security Coordinator may also perform other corporate duties as required.
- Is accessible to TSA on a 24 hours a day, 7 days a week basis.
- Coordinates security practices and procedures internally and with appropriate law enforcement and emergency response agencies.



How Do I Submit Security Coordinator Information to TSA?

Via email: Send email to: TSA.seccord@tsa.dhs.gov

Include in the subject line of your email: *Security Coordinator Contact Info - (Agency or Company Name)*. Include the following information in the body of the email for the Security Coordinator and the alternate Security Coordinator:

- First and last name
- Title
- Office and mobile telephone numbers
- Email address
- U.S. citizenship status
- Corporate address (optional)
- Shipping/mailing address (optional)



How Do I Determine Which Employees Fall Within a Security-Sensitive Category?

Owner/operators may determine if an employee falls within in a security-sensitive category and function by referring to **Appendix B to Part 49 CFR 1582, *Security-Sensitive Job Functions For Public Transportation and Passenger Railroads***. Categories include employees/contractors performing the following functions:

- Operating a vehicle
- Inspecting and maintaining vehicles
- Inspecting or maintaining building or transportation infrastructure
- Controlling dispatch or movement of a vehicle
- Providing security of equipment and property
- Loading or unloading cargo or baggage
- Interfacing with traveling public
- Complying with security programs or measures



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Per Section 1570.3, employee means an individual who is engaged or compensated by an owner/operator regulated under this subchapter, or by a contractor to an owner/operator regulated under this subchapter. The term includes direct employees, contractor employees, authorized representatives, immediate supervisors, and individuals who are self-employed.

Reporting Significant Security Concerns

Requirements for reporting:

- Each owner/operator identified in §1582.1 must report, ***within 24 hours*** of initial discovery, any potential threats and significant security concerns involving transportation-related operations in the United States or transportation to, from, or within the United States as soon as possible using the methods prescribed by TSA.
- Potential threats or significant security concerns encompass incidents, suspicious activities, and threat information including, but not limited to, the ***categories of reportable events listed in Appendix A to Part 1570.***
- *Reports are to be made telephonically to the TSA Transportation Security Operations Center (TSOC) by calling **1-866-615-5150***

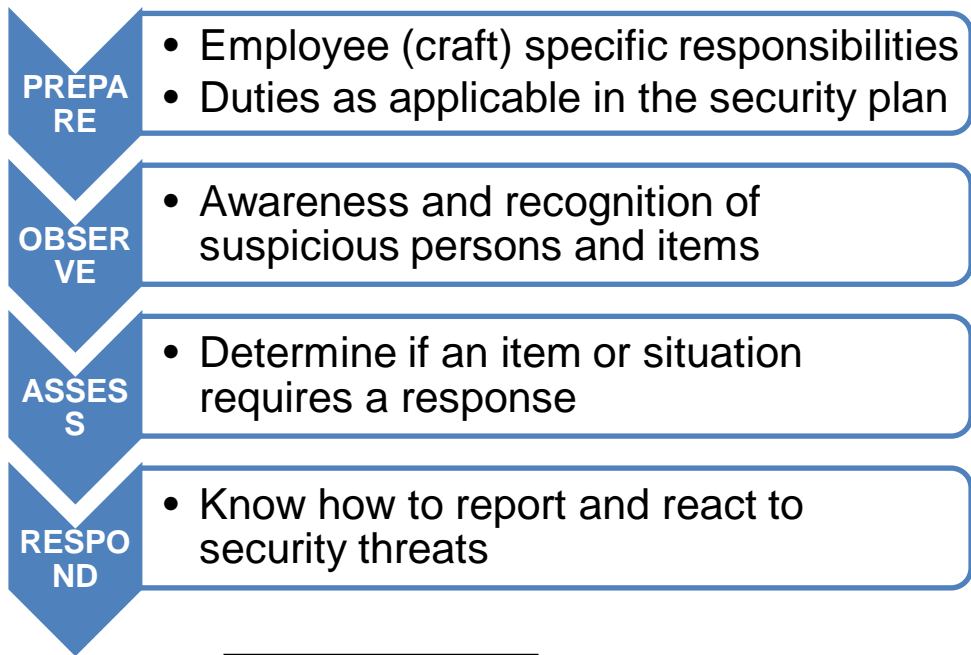


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See §1570.203

Required Elements of Security Training

Training must address:



See §1582.115



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What Information Must a Training Program Contain?

1. Administrative Information

- Name of owner/operator
- Name and contact information of security training program POC
- Number, by specific job function category, of security-sensitive employees trained or to be trained
- Implementation Schedule
- Location where training program records will be maintained
- Curriculum or lesson plan learning objectives, and method of delivery
- Plan for ensuring supervision of untrained security-sensitive employees.
- Plan of notifying employees of changes to security measures
Method(s) for evaluating the effectiveness of the security training program



Can an employer use existing training to meet the requirements of this rule?

Yes, an employer can use applicable training that has been prepared or delivered for other purposes. If existing training will be used, then the training program must include:

- An index organized in the same sequence as the requirements of the rule.
- This index should clearly show the alignment of pre-existing or previous training to the required elements of this rule.



How Do I Provide a Copy of My Training Program to TSA?

TSA will provide details for submission of training programs after receiving confirmation from the owner/operator that they are subject to the rule per applicability determination requirements covered in §1570.105 of the rule.

TSA intends to send this information to the owner/operator's Security Coordinator.



Is TSA providing model training or training aids for this rule?

TSA has produced three videos intended to help you satisfy part of the *Observe, Assess, and Respond* security training elements required by the rule. Videos for these sub-modes of transportation will be available:

- Mass Transit Bus
- Mass Transit Rail
- Passenger Rail

To request one or more of the videos, send your request via email to: SecurityTrainingPolicy@tsa.dhs.gov.

- Include in the subject line of the email: *Security Training Videos for (Agency or Company)*
- Include in the body of the email the which video(s) are needed and a mailing address for delivery



Recommended Next Steps

Obtain a copy of the Security Training Rule Factsheet



The Factsheet Contains:

- A Regulatory Overview
- Significant Timeline
- Regulatory Timeline
- Web Link to Security Training Rule
- TSA Contact Email Address

Read the [Security Training Rule](#)

- **Preamble** – For the spirit and intent of the rule
- **Regulatory Text** – For the rule's requirements



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For questions or additional information

Contact the TSA Surface Policy Team

- By email -
SecurityTrainingPolicy@tsa.dhs.gov
- By voicemail – (571) 227-5563



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Questions?



Thank you for your participation!

For further information

www.tsa.gov/for-industry

Closing Remarks



Scott Gordon

Executive Director, Surface Division
Policy, Plans, and Engagement
Transportation Security Administration
Arlington, VA



Polly Hanson

Senior Director Security, Risk and
Emergency Management
American Public Transportation Association
Washington, DC

Adjournment

Thank you for your participation!

For additional information visit: www.apta.com

View the recording of today's webinar and download the presentation materials starting on
Friday, June 5, 2020