

PUBLIC TRANSPORTATION SECURITY

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INFRASTRUCTURE
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PUBLIC TRANSPORTATION SECURITY

Tuesday, June 22, 2004

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, SUBCOMMITTEE ON HIGHWAYS, TRANSIT AND PIPELINES, WASHINGTON, D.C.

The subcommittee met, pursuant to call, at 10:00 a.m. in room 2167, Rayburn House Office Building, Hon. Thomas E. Petri [chairman of the subcommittee] presiding.

Mr. PETRI. The hearing will come to order.

Last Thursday, Chairman Don Young, Railroad Subcommittee Chairman Quinn and Vice Chairman Porter introduced the Rail Security Bill to provide grant funding and procedures for improving security on the Nations intercity passenger and freight railroads. This morning's hearings will examine issues related to public transportation security, including the role and responsibilities of the Federal Transit Administration and the Department of Homeland Security, the state of preparedness in the transit industry and the security needs and funding priorities of the U.S. public transportation systems. I pray the information we gain from this hearing will lay the groundwork for development of public transportation security legislation.

On June 10, we experienced a situation that illustrates why it is imperative that there be a clear division of responsibilities and protocol for relaying information regarding possible attacks and for our response to this information. As you know, a small plane was cleared by the FAA to enter restricted air space over our Nation's Capital while carrying a governor and former member of Congress to the funeral events for President Reagan. FAA air traffic controllers were aware that the plane's transponder was not operating correctly and used alternative methods to track the aircraft. However, this information was not passed on to the Transportation Security Administration and a full blown emergency evacuation of the Capital, Senate and House office buildings was consequently carried out. We were all told this is not a drill.

Ironically, the FAA is the only agency at the Department of Transportation that actually has a memorandum of understanding with the TSA outlining each agency's responsibilities and duties. How much more potential for miscommunication is there for DOT agencies that don't have any formal documentation of its relationship with TSA? We are told that FTA and TSA have a very good working relationship but who is responsible for what jobs?

Witnesses on our first panel are from these two agencies: Mr. Robert Jamison, Deputy Administrator, FTA and Mr. Chet Lunner,

Assistant Administrator, TSA. We hope they can better describe the roles and responsibilities of each of their agencies as well as update us on the status of Federal action to improve public transportation security.

The next panel consists of representatives from the U.S. public transportation industry who will describe what actions are being taken now by transit agencies and other transportation providers in order to protect our traveling public. We will also hear what the unmet needs of the industry are in relation to being adequately prepared to meet safety and security emergencies.

It is vitally important that we be ready to face this challenge. Worldwide, the statistics on terrorist attacks are alarming. Forty-two percent of all terrorist attacks over the last ten years have been carried out on rail systems and on buses. Transit systems are particularly vulnerable to attack because they have open access with frequent stops and transfer points and serve high concentrations of people in crowded areas.

We must ensure that the Federal agencies charged with oversight of the security and safety of these public transportation systems have a clear plan for the best possible protection against and response to any deliberate harm whether the threat is from international terrorists or from domestic sources.

I would now call on Mr. Lipinski for any opening remarks he would care to make.

Mr. LIPINSKI. Thank you for calling today's hearing. This hearing is an excellent opportunity to listen and learn about the current state of public transportation security. It will help this subcommittee in its consideration as we all work to develop and implement public policy in this important area.

Today, more and more Americans across the country take public transportation. It is clean, it is efficient, it is affordable and it is convenient. With the growing ridership, there are growing security needs as well. More than 14 million Americans use public transportation each and every day. The reality is that transit systems, especially with the large volumes of passengers they carry, can be attractive targets for terrorist attack. The Madrid bombing of early this year underscored the vulnerability of public transportation systems.

We recognize the efforts of the Administration with regard to transit security systems since the terrorist attacks. Those efforts should be commended. For instance, after September 11, the FTA, FRA and TSA worked together in coordinating vulnerability assessments on 37 major transit systems. These assessments were important in providing a snapshot of our transit system security needs. It is important that these assessments be updated on a regular basis so we can ensure that they can provide accurate data for the policy makers.

Also, some would argue that there is a funding gap between past and current Federal funding levels and the actual funding needs. A recent American Public Transportation Association survey was revealing. The survey found that transit agencies' security related needs are \$6 billion. Furthermore, transit agencies have already spent over \$3 billion since September 11, 2001 for security needs. DHS and TSA and only spent \$150 million in public transportation

security grants over the last two years. All in all, it appears that more can be done. I believe that more ought to be done. I believe we should not be content with what we have done thus far. We must be proactive in meeting future challenges.

There is no doubt that we have a challenging mission ahead of us. Public transportation systems were built to move large numbers of people quickly and efficiently. They are open and accessible by their very nature and need to maintain a certain level of efficiency. There is no doubt that there is a Federal interest and Federal role to maintain and enhance security on our public transportation system.

At the same time, it is also important to do so without unduly compromising the effectiveness and efficiency of public transportation. This hearing will be a valuable opportunity to hear from the Federal Government officials and industry officials so we can learn what has been done and what can be done in the future.

I welcome all the witnesses here today and I look forward to hearing their testimony.

Thank you, Mr. Chairman.

Mr. PETRI. Thank you.

Statements by the Chairman, Mr. Young, and Ranking Democratic Member, Mr. Oberstar, will be made a part of the record if and when submitted.

Are there other opening statements? Mr. Bishop.

Mr. BISHOP. Thank you, Mr. Chairman, and thank you for scheduling this hearing on such an important and critical subject.

My own congressional district on Long Island is home to the busiest public transit system in the United States. The Long Island Railroad carries an average of 274,000 customers each weekday on 730 daily trains. While we clearly must focus on securing major transit centers like Penn Station, the railroad's primary terminus, we cannot forget that the other 124 stations in the system also require attention.

I have received several calls and letters from constituents concerned that outlying stations are inviting starting points for targets for terrorists. I have heard very little discussion about these sites. I am concerned that focusing too intently on the most inviting targets while neglecting the lesser ones will only make smaller stations more appealing. I recognize the huge cost and challenge involved in securing these places and I appreciate that we are beginning today a conversation on who should take responsibility for these pressing security issues.

I look forward to today's testimony.

Thank you, Mr. Chairman.

Mr. PETRI. Thank you.

We will now turn to the first panel. We welcome Mr. Robert Jamison, Deputy Administrator, Federal Transit Administration, Department of Transportation and Chet Lunner, Assistant Administrator, Office of Maritime and Land Security, Transportation Security Administration, Department of Homeland Security.

Gentlemen, welcome. Your written statements will be made a part of the record and we invite you to summarize them in approximately five minutes.

**TESTIMONY OF ROBERT JAMISON, DEPUTY ADMINISTRATOR,
FEDERAL TRANSIT ADMINISTRATION, DEPARTMENT OF
TRANSPORTATION; AND CHET LUNNER, ASSISTANT ADMIN-
ISTRATOR, OFFICE OF MARITIME AND LAND SECURITY,
TRANSPORTATION SECURITY ADMINISTRATION, DEPART-
MENT OF HOMELAND SECURITY**

Mr. JAMISON. Mr. Chairman and members of the subcommittee, I appreciate this opportunity to provide you with the information about the Federal Transit Administration's efforts to deter, detect and respond to terrorism in our Nation's transit systems. As you are aware, public transportation is designed and operated as an open environment. It is a potential, highly visible, high consequence target that if attacked could have a significant economic impact on the community and the Nation.

Public transportation carries over 14 million passengers a day. In one week, transit moves more passengers than Amtrak carries in a year. In one month, transit moves more passengers than U.S. airlines transport in a year. The majority of transit riders are in dense, urban environments that run under or near major employment centers, government operations or cultural icons.

Our challenge is to ensure that we maintain robust mobility and transportation options that support the economic and mobility needs of our citizens while making our transit systems as safe and secure as possible. In fact, as the experience of September 11 demonstrated, public transit systems are essential to our national security. Transit trains and buses were key to the swift evacuation of affected areas, were used to transport emergency workers and supplies to the rescue and recovery sites and served as emergency triage centers and temporary shelters.

Prior to September 11, most transit agencies focused their security programs primarily on routine crime and vandalism. That situation has changed. The industry has responded. FTA began conducting counter terrorism threat and vulnerability assessments at 37 of the Nation's largest transit systems within 60 days of September 11. We deployed an aggressive, nationwide security program with the full cooperation and support of every transit agency.

In addition to the counter terrorism readiness assessments, FTA has awarded 83 grants for emergency drills conducted by transit agencies in conjunction with fire, police and other emergency responders, provided on-sight counter terrorism technical assistance to 33 transit agencies with plans to reach all top 50 agencies, developed and issued transit agency specific recommended action steps to take at each Homeland Security Advisory System threat level, conducted 18 regional emergency preparedness forums, provided employee awareness training to more than 55,000 transit employees, developed and distributed protocols and guidelines for responding to chemical and biological incidents in rail, tunnel and transit vehicle environments, championed transit agency participation in FTA/FBI's Joint Terrorism Task Forces, provided start-up funding and worked on a daily basis with the transit specific ISAC, Intelligence Sharing and Analysis Center in which 60 agencies now participate, launched Transit Watch and nationwide emergency response faster awareness program and provided and actively mon-

itored the largest 50 transit agencies actions with respect to the top 20 action list developed by FTA.

Mr. Chairman, we recognize that we must continue to pursue technology solutions. There is no technological quick fix for security concerns, nor is there a substitute for an alert and well prepared transit work force and passenger community. Therefore, FTA continues to focus its primary efforts on three primarily key priorities: employee training, public awareness and emergency preparedness.

FTA's two 20 action list has helped institutionalize these security programs focusing on management and accountability, security problem identification, employee selection, employee training, security audits, document control and access control. We continue to build on our public awareness and training strategy and we substantially completed the development and will soon deliver a behavior monitoring course that incorporates the latest in international counter terrorism techniques. This course will heighten the effectiveness of the transit training portfolio. We have also encouraged transit agencies to remind their passengers to support suspicious activity and expand on our public transit watch program and to implement unattended bag announcements and procedures such as Washington Metro's "Is this your bag?" campaign.

Mr. Chairman, we must keep our communities safe and moving, maintain the important balance among security demands, mobility needs and the economic viability that transit provides to every community it serves.

I would be pleased to answer any questions the committee might have.

Mr. PETRI. Thank you very much.

Mr. Lunner?

Mr. LUNNER. Good morning. It is my pleasure to be here today to speak with you about the Department's ongoing and planned efforts to enhance the security of public transportation systems. I would also like to acknowledge that it is the Department of Homeland Security's first time appearing before you and it is our pleasure to be here to address your concerns about transit security.

The security of the 6,000 public transportation agencies that operate in the U.S. and the 14 million passengers who right public transportation to work each day have been of critical importance to the Department. Months preceding the tragic bombings in Madrid on March 7 and Moscow on February 6, the Department in close cooperation with our partners at the DOT, State and local governments and transit and rail operators, had taken a number of steps to identify and respond to vulnerabilities in the rail and transit systems. The Madrid and Moscow tragedies were terrible reminders of the threat of terrorism to public transportation systems worldwide and strengthened our resolve to improve our security posture against similar attacks in the U.S.

Ensuring that our Nation's transportation systems are secure must be accomplished through effective partnering between appropriate Federal, State, local and private entities. DHS is charged with the responsibility to work and protect all modes of transportation but it has consistently held that this responsibility must be shared with Federal, State, local and private industry partners,

many of whom were already in the business of providing security for their particular piece of the transportation puzzle on 9/11.

This is especially true for public transit systems. It is important to acknowledge the unique public/private nature of those systems. In the U.S. approximately 85 percent of the critical infrastructure supporting surface transportation belongs to the private sector. Therefore, upgrading security is a shared responsibility. The Transportation Security Administration's main charge, both under the Aviation and Transportation Security Act or ATSA now as part of the DHS family is to help coordinate these efforts under the guidance of the Secretary and the Under Secretary for Border and Transportation Security. We are to identify those gaps and work with the appropriate partners, like Mr. Jamison's agency, to ensure that any of those gaps are filled.

As we examine the most effective ways to protect the transit system, we must also consider how the measures we implement are consistent with those in other pieces of the transportation infrastructure such as rail stations, bus stations, airports and seaports. Without consistent application of reasonable and prudent security measures across all the modes, we risk creating weak links that may drive terrorism from one mode to another. Accordingly, our security strategy is grounded in intermodal activities categorized around prevention, protection, response and recovery.

DHS, in conjunction with the Department of Transportation, continually assesses the threats, risks, vulnerabilities and consequences of potential attacks on mass transit and other transportation systems using a threat-based, risk management approach. Effective, strategic threat-based planning results from the evaluation of available intelligence information and the assessment of criticality and vulnerability information. Those allow us to form a picture of the overall risk environment and to devise effective strategies to mitigate the identified vulnerabilities. Domain awareness, therefore, is the essential starting point of our overall transportation security strategy. The Information, Analysis and Infrastructure Protection Directorate of DHS as a member of the intelligence community routinely receives the information from intelligence and law enforcement partners and has the overall responsibility at DHS for the receipt and analysis of information related to threats to the homeland generally.

TSA also receives intelligence information for the transportation sector from sources including the intelligence community, law enforcement agencies, industry and State and local government. The effective communication of intelligence information is integral to strong domain awareness. Accordingly, in 2003, TSA activated our Transportation Security Operations Center to serve as a single point of contact for the communication of information and intelligence related to security related operations, transportation incidents or crises in aviation and all surface modes of transportation.

The next step in our threat-based, risk-managed approach is to assess the criticality of the Nation's transportation infrastructure assets. Leveraging processes developed by IAIP, TSA developed and is deploying a model to determine criticality scores for transportation-related facilities and assets.

With respect specifically to the rail and transit systems, DHS in close coordination with our partners at DOT, with State and local governments and transit and rail operators themselves, has taken a number of steps to address vulnerabilities and improve our security posture against attacks. These efforts span the spectrum of security from information sharing and awareness, planning activities for the prevention, response and recovery to a potential terrorist attack such as security exercises and training for operators to the issuance of baseline standards for passenger rail.

We are exploring the feasibility of using emerging technologies for screening passengers and for screening carry-on items for explosives at rail stations and aboard trains. On May 30, you may already know the TSA completed Phase 1 of this pilot program in New Carrollton, Maryland, the Transit and Rail Inspection Pilot operated with extremely positive results. I would be happy to discuss that in more detail. Phase 2 is now underway at Union Station with cargo and checked baggage. On June 7, TSA implemented Phase 2 of that project and will be reporting those results at the end of the pilot program.

Building on many of those measures recommended for transit and rail and the engagement of our Federal partners at DOT and elsewhere, we issued on May 20 security directives requiring protective measures to strengthen our rail and transit system security. They have been in effect since May 23. In addition, the Administration provided overarching guidance on the security of surface transportation with Homeland Security Presidential Directive No. 7 which directs the establishment of a "national policy for Federal departments and agencies to identify and prioritize U.S. critical infrastructure and key resources and to protect them from terrorist attacks.

DHS is responsible under HSPD No. 7 for developing a national critical infrastructure protection plan which will be comprised of sector specific plans and we are developing those in close coordination with DOT and other stakeholders.

These are some of the key initiatives that the DHS, TSA and our partners are addressing in transit and rail security. Thank you again for the opportunity to discuss our activities in this important area. I would be happy to take your questions.

Mr. PETRI. Thank you very much.

Questions, Mr. Coble?

Mr. COBLE. Thank you, Mr. Chairman. I am alternating between Judiciary and your committee. I hope you will bear with me. I will try to be back here before it adjourns.

Gentlemen, good to have you with us.

Mr. Lunner and/or Mr. Jamison, if you would, update our subcommittee and the committee on the whole for that matter, on your agency's efforts to develop a memorandum of understanding that outlines the roles and responsibilities of TSA and FTA regarding public transportation security prevention, preparation and response and when will this document be complete and available for the committee's review?

Mr. JAMISON. DOT and FTA continue to work closely with the Department of Homeland Security and we fully support clarifying our roles and responsibilities through an agreement. We want to

make sure that we expedite that as quickly as possible. That has not stopped us from working closely together on every issue that affects transit security. For instance, we recently reached agreement on the continuation of our Transit Watch program and a funding arrangement to continue security roundtables with the Department of Homeland Security. We have members on each working group that is a priority for transit security, including the development of a National Transportation Systems Security Plan, the Rail Security Education Program, DHS' Security Planning, Emergency Preparedness Work Group and many other work groups and will continue to focus on that effort and refine those roles and responsibilities.

Mr. COBLE. When you say as quickly as possible, can you be a little more exacting?

Mr. JAMISON. It is the Department's goal to have those roles and responsibilities clarified as soon as possible and we continue to work daily towards that end.

Mr. COBLE. So we are staying with as quickly as possible. OK, I will do that but I would like to have a little more finality if we could.

Mr. Lunner, do you want to add anything to that?

Mr. LUNNER. I won't go over the list because it is the same activities, we are in these jointly. Mr. Jamison is correct. I would characterize the talks as being very productive and it would be sooner rather than later that we will see the results of it. Again, underscoring the other point he made, the lack of the actual document in the final analysis does not stop us from having really highly productive partnerships on a daily basis. We are working very well together.

Mr. COBLE. Thank you. Let me put this question to you. Do U.S. public transportation providers need Federal assistance to adequately meet their security needs and have the amounts provided specifically for transit security been adequate to the needs? While you are digesting that, for purposes of comparison, the figures I have, 14 million people per day are transported on transit. As I understand it, that includes bus, rail and I think when we say rail, we include subway, light rail, commuter rail and \$115 million over two years has been expended to that end. Conversely, 1.8 million people per day are transported on U.S. air carriers to the tune of \$11 billion over the past two years, \$11 billion and \$115 million in the first category. I am told that breaks down to \$9.16 per aviation passenger as opposed to .5 cent per transit passenger. So you talk to me about that, if you will. First of all, are my figures correct?

Mr. JAMISON. I believe your figures are approximately correct but I would defer that question to Mr. Lunner.

First of all, let me say FTA aggressively went on an outreach program and an intensive investigation in the industry to find out what the needs are and really went to school on transit security after September 11. As a result of that investigation, we really stood up an aggressive campaign that focused on what we still considered to be the top priorities for transit security which are training, emergency preparedness and public awareness. As a result of that, we continue to provide free training resources and have trained 50,000 employees. We have stood up a Transit Watch pro-

gram to provide public awareness materials. We have provided emergency preparedness grants to the industry and we continue to develop and embellish on our training programs as we provide on-site technical assistance to the 50 agencies.

Through the course of that development, we also did a TVA and did threat and vulnerability assessments to the top agencies and we have referred those findings to DHS but at FTA we really rely on DHS' overall global perspective from mode to mode to mode and the Nation's risk to help prioritize where those investments need to be made.

Mr. COBLE. Mr. Lunner?

Mr. LUNNER. Sir, your figures were correct as far as they went. The difficulty in this discussion is trying to find the answer to those questions in one budget. As we have mentioned, we have to look at an aggregate of what has happened across the Government because this is a shared responsibility. Not all of the money is going to be traced through a single budget. For example, Amtrak, in 2002, received beyond the \$115 million you referred to earlier, which is correct, \$100 million for safety and security improvements to the rail tunnels that go into Manhattan which are critical and they spent \$76 million to date. The New Jersey Transit and Long Island Railroads are also contributing to that project.

The Department of Transportation's proposed FOI 2005 budget has nearly \$4 billion in transit formula grants to States; about \$37 million of that is statutorily required to be spent on security projects going forward in the near future and the Department of Homeland Security agency, which is now responsible for what is called the UWASI grants was the \$115 million where that came out of and the Office of Domestic Preparedness is proposing to double that grant money to \$1.45 billion targeting it into areas with dense population with big transit systems.

Mr. COBLE. I see my time has expired, but finally, am I correct when I say when we talk about rail, it does include subway, light rail and commuter rail?

Mr. LUNNER. I believe it depends on the context in which the discussion is taking place. Some people use that generically. The more expert discussions would break them down.

Mr. COBLE. Mr. Chairman, my time has expired. I yield back. I thank the Chairman.

Mr. PETRI. Thank you.

Mr. Bishop?

Mr. BISHOP. Thank you, Mr. Chairman.

I would like to say on the same thrust of questions that were just asked, however you categorize or aggregate the numbers, the disparity between what we have spent on aviation and what we are spending on transit is incredible. Why do you think that is? Is it related to a jurisdictional issue, is it related to a perception that rail doesn't represent as inviting a target as aviation does or did?

Mr. LUNNER. I am afraid I can't speak to the reasoning at those levels of discussion, they take place outside of my office. I can talk to you about our commitment to effectively manage and operate what we have been allocated in the wisdom of the budget discussions and what we have done with the money we have been allocated has been very effective, I think, again leveraging, not looking

to us solely for that support but to coordinate those efforts that are going on in the FTA and the industry itself which should be complimented for the amount of efforts it has undertaken on its own and as we continue through the iterative process to determine exactly what our percentage role is in the Federal, State, local, private partnership that this represents.

Mr. BISHOP. Mr. Jamison?

Mr. JAMISON. I can't comment on the differentiation between the aviation and rail, I can tell you that FTA continues to focus its investments on exactly what we consider priorities, those three. Given your opening remarks talking about the uniqueness of your district and the many stations that need to be covered, we continue to stress the public awareness, employee training and the eyes and ears campaigns to focus on being able to cover large amounts of area and continue to provide free training and free resources to that extent.

Mr. LUNNER. Mr. Bishop, if I could follow up on your question. I don't want to in any way suggest that our policy is dismissive of the interest you represent. The head of security for LIR and myself have toured exactly the areas you are talking about. We are well aware of those. Part of the issue is that these allocations are often intel threat-driven and the determination has been made that since the criticality and intel matrix hasn't come to that level yet, I think that has been a question of timing and the threat at the time the allocations are given out. It may well change obviously over time.

Mr. BISHOP. Thank you, Mr. Chairman.

Mr. PETRI. Thank you.

Mr. Duncan?

Mr. DUNCAN. Thank you very much, Mr. Chairman.

This is an important hearing but I want to approach it from a little different angle. I was eating dinner with former Congressman Sonny Callahan and several other members just after 9/11 or a few weeks after 9/11 and he estimated at that time he thought we would spend \$1.5 trillion over the next five years on security measures we wouldn't have otherwise spent. While no one, including me, challenged him on that figure I thought to myself at that time that was awfully high. A few weeks ago Federal Express representative told me that they had spent \$200 million just on extra security measures, just that one company.

When I sit back and think about what the Federal Government spent, the State governments, the city and county governments, all the private companies, I don't know what the figures would be but it has to be mind boggling. I know we have to take this very seriously but I also remember reading a few months ago in the National Journal, which I think everyone familiar with it would say is about as fair a publication or non-partisan as you can get, and they had an article which said we are many thousands more times like to be killed by a car wreck, cancer or a heart attack and we have more of a chance of being struck by lightning than we do of being killed by a terrorist.

Former Governor Gilmore of Virginia, who headed the commission to study the threat of terrorism and what we should do about, in his letter to the President at the end of that study made this statement, "There will never be a 100 percent guarantee of security

for our people, the economy and our society. We must resist the urge to seek total security. It is not achievable and drains our attention from those things can be accomplished.”

At the Federal level, we almost always overreact to any problem there is. I don't care what it is but every departmental agency always wants more money so they tend to say their problem is the worse of all, whatever it is. You always have Federal contractors that are always trying to get bigger contracts and more money, so they are always after more money. I remember several months ago hearing the national news one day on MPR that the Department of Homeland Security, maybe a year or two ago, had almost 4,000 proposals for various security devices. It must be an unbelievable job to go through all those different proposals.

I sometimes wonder if we are achieving balance and common sense in some of these things. It seems to me the big challenge must be to try to do what we can. Nobody wants to be blamed for the next terrorist event, but on the other hand, we have to in some way make sure we get the most bang for our buck. We throw out figures in the billions up here like it was nothing. I am just wondering how you gentlemen would respond to that. How can we do what we need to do but not spend just ridiculous amounts on security so that we can't do all the many other good things the Government could have been doing or should have been doing?

Mr. LUNNER. I very much appreciate your comments, sir. That is a very thoughtful addition to the discussion here and one we don't hear as often because of the situation that you described. There is a natural instinct to try to protect everything we can, it is a human instinct, I think. The way that we are trying to calibrate this is to do it with the wisest stewardship of the taxpayer dollars so that if we do end up having to spend an amount of money, that it is targeted where it will be most effective and where we can find a long term payback that is equal to the investment.

One of the ways we do that is to look beyond our own society to people who have had a lot more experience in this than we. In the last several weeks, I have had face to face discussions with the Israeli experts at a seminar on this very topic, with our counterparts in the British Transport Ministry, later this week I am going to Canada to have those same sorts of discussions, so we can look at not only our own experience at those with much more experience to see what is a proper reaction so that we don't overreact and what is the effective investment so we can learn from their wisdom and their mistakes.

Mr. DUNCAN. Mr. Jamison?

Mr. JAMISON. I would agree with Mr. Lunner's comments. I do appreciate your comments as well. I think the strategy that FTA deployed directly addresses those comments given the openness of our systems and the many miles of track and the many stations we have to cover. It is very important that everybody knows how to spot suspicious behavior, how to respond in emergency scenarios, and that we coordinate our efforts with local first responders. That is largely the result of training, emergency response planning and technical assistance. Those are the biggest investments that need to be made and we try to make those.

Mr. DUNCAN. I see my time is up but I will say once again, we have to take it seriously and I am not saying that we shouldn't take it seriously and I am not saying we shouldn't do anything about terrorism. We should do a lot but on the other hand, we shouldn't just automatically as a Congress approve everything if it has the word security attached to it. The Wall Street Journal had an editorial about that after we passed the Farm bill because they thought it was ridiculous that we had renamed the Farm bill, the Farm Security Act and said every department and agency in the whole Federal Government was using the word security because they thought we were automatically approving anything and everything if it had the word security attached to it.

I am just saying we need to be a little bit reasonable and use a little common sense in regard to this. I appreciate your comments.

Thank you very much.

Mr. PETRI. Mr. Brown, any questions?

Mr. BROWN. Thank you, Mr. Chairman. If I could follow through on Congressman Duncan's direction.

I feel the same way having had an opportunity to go to Iraq where there is trouble everywhere. If you could see the dead carcass of a dog, it could be some kind of roadside bomb planted, so I understand the complicity of the problem you have to face with mass transit. I know with the cost correlation between the number of passengers you carry versus the air passengers, there certainly seems to be a great difference in the amount of money being appropriated. Like Mr. Duncan said, there is no correlation between money and security. I recognize you have a different problem.

My question is, I understand the commuter rail operations currently carry an inadequate level of terrorist insurance. If they lack insurance, then the host railroad bears sole liability should a terrorist attack occur during commuter operations. Should commuter rail and other public transportation authorities be required to carry terrorism insurance?

Mr. JAMISON. Good question. At FTA, I would like to say we have requirements for grant eligibility that will require replacement of federally funded assets, called the satisfactory continuing control provision, so I don't think that is specifically needed. I can also say many large agencies, I can't speak specifically to commuter rail but I know many large agencies already cover or carry counter terrorism insurance.

I also understand that there is some other legislation that might apply called TRIA which I believe is the Terrorism Risk Insurance Act that might provide some coverage for the agencies but I would have to get back to you on the record with that.

Mr. BROWN. If I understand correctly, I believe most insurance policies have a terrorist disclaimer and that is why I raised that point.

Mr. JAMISON. I don't believe it is a big issue in transit but I will have to investigate the issue and get back to you.

Mr. PETRI. Mr. Pascrell.

Mr. PASCRELL. Thank you, Mr. Chairman.

The need for mass transit security funding is really great. To improve safety and security and maintenance of ongoing railroad op-

erations, I know the New Jersey Transit Police need more officers, need more canine teams, need a hardening critical railroad facilities, technological investments and surveillance.

The Senate Banking Committee has passed very responsible transit security legislation which would go a long way to address some of these shortfalls. Although time is running short, I would urge this committee to take up similar legislation this year.

A related issue is the fact that many transit agencies do not fully realize what they should be doing with the limited money they are receiving. That is why I would like each panelist to address his views on the State, Homeland Security Assessment and Strategy document I hold in my hand. This is a very pertinent document put out by the Office of Domestic Preparedness. Perhaps we may want to bring them before us also.

The Special Needs Jurisdictional Tool Kit, as it is called, put together by the Office of Domestic Preparedness, in conjunction with the SAIC and the Port Authority of New Jersey and New York, is a risk-based needs assessment. It is a methodology that provides a quantitative basis for resource allocation. The home agencies of New Jersey Transit and the Port Authority have used the tool kit with great success. It is a document, it is here, it exists, already does exist.

When performing the assessment of risk, response capabilities, very important matter with our local first responders, they are finding some glaring needs. This tool kit can help agencies prioritize and implement counter measures. ODP makes this technical assistance to ports and transit agencies to implement the program. I regret that many transit agencies are slow to work with ODP to get started on reducing their risk. As in many other areas, I hope that we don't have another turf war developing here because we should be down the road a lot further than we are.

I would like each of your opinions about what this document is and how pertinent you think it is. I will start with you, Mr. Jamison.

Mr. JAMISON. We share the expertise we learn from our assessments and incorporate those into those documents. I am not familiar with every detail of that document but I am pretty familiar that we support ODP's assessments and support their role in continuing to work with the agencies going forward doing assessments.

I can say that FTA has no plans to continue to do any further assessments so there is no need to worry about a turf war for that responsibility because we are going to support TSA and ODP in that endeavor.

Mr. PASCRELL. Won't you agree that in order to spend some money or to spend any money you need to assess your vulnerabilities first so that you don't spend money foolishly? This is the peoples' money.

Mr. JAMISON. Absolutely, and not only to spend the money after an assessment, we also have to make sure you prioritize those investments based on the risk identified in that assessment. Then you go a step further and make sure you have the operational and other support funding necessary to make sure that capital investment, whatever it may be, yields results.

Mr. PASCRELL. I would like your opinion of it when you do go through it. I appreciate that.

Mr. LUNNER?

Mr. LUNNER. I would echo Mr. Jamison's response to that. I have also not read that particular document but we as well offer subject matter expertise to the ODP in these grants and in other areas that involve surface modal transportation because as you know, they have taken over in this sort of one stop shopping approach the Department has put together for grants generally. We wholeheartedly agree with that approach as you have described it.

TSA early on developed its own web-based, free to the stakeholder self assessment tool to have an immediate way for them to start making those assessments. We insist that there is and we are trying to build an objective way of scoring these vulnerabilities and criticalities, so that we are not throwing money at a problem simply because someone says they would like to have the money. We need to have these sorts of objective relativity scores so that we can invest wisely.

Mr. PASCRELL. Thank you.

Mr. PETRI. Mr. Beauprez?

Mr. BEAUPREZ. Thank you.

As I sit here listening to this testimony, it crosses my mind that one of the reasons public transportation is so attractive and we have the passenger numbers that we do compared to air transportation, for example, is because of the very low cost and the ease of access. If we complicate that system, it seems to me, by the screening requirements, both expense, time and so forth, that we do with air travel, I guess it begs the question, would we have that kind of ridership.

I would appreciate both of your comments on that and I guess commenting on it from the standpoint of what will our public transit depots entry points, because of the great variation of them in the future, what are they going to look like. We have system back in Denver where you literally step on. I am intrigued by employee training, emergency preparedness but in city after city, we have all kinds of those, just step on and you never even see an employee. So we have that challenge.

I also, Mr. Lunner, would love to hear more about the New Carrollton pilot project.

Mr. LUNNER. I would refer you to the portrait of the former chairman for whom I used to work at the Department of Transportation, Secretary Mineta. You may recall that in the wake of 9/11, as we stood up TSA, his mantra was "world class security and world class customer service." Those twin goals still underlie all the decisions we make because you cannot just put yellow tape around the transit system and have it still serve its main purpose which is to be open, accessible and convenient.

We entered the New Carrollton experiment with that in mind as well. We wanted to see, did the machines work, they had never been tried. This technology had never been tried outside the laboratory in this sort of a non-aviation environment. They had never been used together. Secondly, what would be the impact on the flow and what would the protocols do to passenger acceptance?

Would there be a heated resistance or would they accept it, at what level did that happen?

I am happy to report, and would be happy to talk to you in more detail if you like later, that in both of those key question areas, we found very, very positive results. The machines, the trace portal detectors that pick up explosive traces worked exceptionally well, far more effectively, I think, than even the most optimistic people thought going into the experiment, as did the 3-D bag x-ray machine we used there.

As importantly in my mind, the acceptance by the public was phenomenal. We had in the high 90's, a 98 or 99 percent acceptance rate of the people who went through and we screened something like 9,000 people at that station. Deliberately in a multi-modal way, it was both Marc Amtrak at a station that also accommodates WMATA Metro passengers. So those sorts of questions were always a part of the basic investigation we were about at that pilot project. Again, there were very positive results.

Anything we would do going forward would incorporate those findings so that what we did would be enhanced security without stopping or seriously restricting the flow of passenger traffic.

Mr. JAMISON. I might add that from day one, when we undertook the security initiatives, we focused on making sure that we balanced the mobility and economic viability of our systems as we pursued any security measures. We very much see that as our role in coordinating with DHS going forward to make sure that we bring that perspective to the table for any type of solutions.

We are also investing some research money in security design protocols so that we make sure as we continue to invest through our New Starts Program and other major construction efforts that we are continually looking at the best way to design our facilities going forward. We are also requesting and are undertaking a pilot program in the rebuilding of those transit systems in New York City that require them to do a threat vulnerability analysis at the design stage so that we can really evaluate the risk as the projects are being designed and incorporate particular counter measures in the design phase.

Mr. BEAUPREZ. Thank you both.

Mr. PETRI. Dr. Burgess?

Mr. BURGESS. Thank you.

More along the lines of an observation picking up on Mr. Duncan's point, it does seem that it is going to be difficult to spend the amounts of money necessary to harden every target in the country if we don't take seriously our responsibility of protecting our borders and knowing who is coming into this country and why and where they are going when they get here and how long they are staying.

Along those lines Mr. Lunner, the Department of Homeland Security's relationship with the transit industry, can you give us some insight as to how you communicate with the stakeholders and how those lines of communication are kept open?

Mr. LUNNER. Yes, sir. We have an ongoing and I think very productive, and you will hear from the representatives later from that industry, communication that is improving all the time. We take advantage of the expertise and leverage what the FTA, FRA and

other modes can bring to our conversations but we have established our own relationships. For example, there was a number of stakeholder meetings with our staff before the rail initiatives were announced and there are weekly conversations, telecons, with everyone in all of the modes who wish to participate with our Administrator of the agency, not face to face but voice to voice, weekly conversation that we think is a pretty good indication of the level of communication we would like to maintain.

Mr. BURGESS. Mr. Chairman, I thank you for calling this panel. We are all well aware of the hazards that faced aviation travel after September 2001 but you don't have to go too far back in global history to understand that in 1995 transit systems were very adversely affected in other countries. As a frequent flier on rapid transit rather than mass transit, both here in the Nation's capital and back home on the Trinity Railway Express, I am grateful to hear you are taking the steps you are to try to harden those targets to the extent that we can but recognizing there is a finite amount of money in the world to spend.

Mr. LUNNER. Yes, sir, and on Mr. Duncan's earlier point to which you referred, our experiment at New Carrollton was not intended to develop a system where we would have a Federal force at every rail stop and transit stop in the United States. We were trying to see what is possible in terms of the technology and the procedures that might work in the deployable, intel-driven, threat reduction capability somewhere in the near future so that if we do have indications that a major city has been targeted or faces some increased risk either because of an event or some intel we picked up through the intelligence community, we would be able to deploy that force on a temporary basis until the threat was reduced and then stand it down. I don't want you to believe that we are talking about some sort of nationwide airport-like approach. Ours would be a targeted, threat-driven, deployable capability.

Mr. PETRI. Mr. Pascrell, a second question?

Mr. PASCRELL. There are startling facts about how many folks use public transit every day as compared to aviation passengers. Everyday there are 1.8 million aviation passengers and if I am not mistaken, there are 14 million people that use transit every day. There are 6,000 public transit agencies. Yet when you look at the budget of Homeland Security, we have \$11 billion in Homeland Security for aviation and in the budget we just passed, there is \$111 million for all these other folks that use public transportation. I think those numbers are pretty close to the reality.

My question to each of you is what do you project will be the security in most of our public transit systems five years from now? Give us a picture of you.

Mr. LUNNER. It is going to depend a lot on how the threat changes. My day starts every day with an intelligence briefing at which the Administrator goes over the threats to all the modes across the country and internationally. On a daily basis, and it is that dynamic and will change on a daily basis, we have to match our response prevention and protection capabilities to what we are hearing to what we can reasonably expect to happen to all of these various modes.

As you may know, yesterday the Secretary Ridge was in California announcing some new port security enhancements. As you mentioned, aviation security is at a higher level than ever in the history of the United States. Those are driven by the intelligence and the expert analysis that we get that tells us where to target both the resources and our focus generally. It is impossible for me to tell you five years from now where that threat will stand but I can guarantee you I am confident in saying five years from now our relationship after this transition period we are now all in with the stakeholders in this mode and all the others will be judged by what has happened so far, very successfully cemented.

Mr. JAMISON. I am also confident that our system will continue to ramp up and be even more secure than it is today. Given that intelligence is our first line of defense, I am confident we will continue to refine our ability to get better information and provide that to the front lines.

Also, given what I know about technology and the advancement of research, I have reason to believe that five years from now transit security will be fundamentally heavily operational as it is today, requiring personnel, requiring eyes and ears and so forth given the technological constraints that we have but I am confident we will have a better trained work force that will be better able to respond, better able to spot suspicious behavior and overall security will continue to ramp up.

Mr. PASCRELL. Mr. Jamison, with the number of people who use each of these modes of transportation each day, 14 million compared to 1.8 million passengers, what am I missing here when I compare the public dollars we are spending in one area for private airlines and we know our responsibility, I think we have addressed that, in comparison to protecting 14 million people who use the transit systems of this country, 6,000 systems day in and day out? What am I missing?

Mr. JAMISON. I would have to defer the analysis between modes to my colleague, Mr. Lunner. I am very concerned about those 14 million passengers a day and I understand the priority. Yet, we rely on Homeland Security to prioritize those investments across the modes and to make those decisions based on the information they receive in the threat environment that Mr. Lunner responded to. It is my role and my job to make sure I continue to speak up for the industry and make sure we push those needs over to Homeland Security and I will continue to play that role.

Mr. PASCRELL. Thank you, Mr. Chairman.

Mr. PETRI. Thank you.

Mr. Lipinski?

Mr. LIPINSKI. Thank you.

Gentlemen, the American Public Transit Association says there are \$6 billion of security-related needs for mass transit. What is your opinion on are there \$6 billion worth of needs for mass transit in regards to security in this country? Do either of you have an opinion?

Mr. JAMISON. First, let me say the industry deserves a lot of accolades because they really responded and without a lot of authority at the Federal Transit Administration basically on a collaboration aspect, we have worked very closely with the industry and

they have really stepped up to the plate. I am not surprised that a survey type of response would yield those types of numbers but I am really not in a position to comment on the individual dollar categories.

When FTA did assessments in 37 of the top agencies, we didn't have the time or resources to go in-depth and develop cost estimates. We made recommendations with the concept to give the general managers the ability to prioritize their other investments and make some decisions. It would be not appropriate for me to comment on the details of that.

Mr. LIPINSKI. When you went out to these 37 agencies, did you come up with any figure pertaining to the security needs of those agencies?

Mr. JAMISON. When we were on the ground, we did not. We were on the ground for about a week and it can get quite intensive to go into estimating any types of expenses because of the unique properties of each property, the length of tunnels, the conduit runs and everything that would be involved in even a minimal investment like CCTV, so we did not have the resource to go in depth and to do that.

Mr. LIPINSKI. Mr. Lunner, do you have any comment on this question?

Mr. LUNNER. When we looked at those studies, neither did we develop a number that would correlate to the industry poll. We were more interested in seeking, when we reviewed the vulnerability assessments the FTA had done and helped update as the initiatives were coming out, we were looking for common vulnerabilities as opposed to cost factors, so I don't have a counter number for you today.

Mr. LIPINSKI. Either of you have an opinion on the fact it is stated that the mass transit agencies in this country have already put \$3 billion into security needs?

Mr. JAMISON. Like I said before, I have no way to validate that but the industry has responded, have really stepped up and put a lot of emphasis on security. You will hear from Mr. White later and his agency is probably the leading agency in the country in responding to security issues. So it doesn't surprise me, no.

Mr. LIPINSKI. Any further comment?

Mr. JAMISON. No, sir.

Mr. LIPINSKI. DHS and TSA over the course of two years has put in \$115 million towards security, correct?

Mr. JAMISON. Yes.

Mr. LIPINSKI. You mentioned earlier and I didn't follow entirely so I would appreciate if you would do it again that there were other sources of security funds going into mass transit. One of you mentioned was I think \$100 million into Amtrak?

Mr. JAMISON. Yes, sir.

Mr. LIPINSKI. What were the others?

Mr. LUNNER. The others would include the fiscal year 2005 budget proposal that would double the UASI Program that ODP runs which is where the \$115 million came from which we facilitated out of that account for use by the transit agencies. That same area where the \$115 million from is now suggested in the fiscal 2005

budget to go to \$1.45 billion. So there is a major increase there beyond the \$100 million that went to the Amtrak tunnels.

In addition, the Department of Transportation's budget will provide nearly \$4 billion in transit formula grants to States and localities under its 2005 budget.

Mr. LIPINSKI. Would you run the last one by me again?

Mr. LUNNER. The DOT budget provides for nearly \$4 billion in transit formula grants to States and localities under its fiscal year 2005 budget and about \$37.5 million of that is statutorily required to be spent on security.

Mr. LIPINSKI. The one that you mentioned before, was that \$1.45 billion or million?

Mr. LUNNER. Billion.

Mr. LIPINSKI. Run that by me once again?

Mr. LUNNER. That is the increase in the UASI grant money that is proposed in the 2005 budget from which that earlier \$115 million first came.

Mr. LIPINSKI. So if the 2005 budget is passed at the figure the Administration has recommended, there would be \$1.45 billion?

Mr. LUNNER. Available for that.

Mr. LIPINSKI. That all would go into security for mass transit?

Mr. LUNNER. It would be available. As I understand the UASI Program, an ODP operated account, security is among the things those funds could pay for.

Mr. LIPINSKI. Only among the things. It doesn't mean the \$1.45 billion would go entirely into security for mass transit?

Mr. LUNNER. My understanding is it would be available.

Mr. LIPINSKI. I understand it is available.

Bill, did you want to jump in and say something?

Mr. PASCRELL. Educate me as to how this money is applied for by the agencies? Is it applied for in the same way as most Homeland Security dollars? Say a transit agency has specific needs, you already stated some of them have spend money out of their budgets?

Mr. LUNNER. That is correct.

Mr. PASCRELL. In order to get reimbursed, the only way you can get Homeland Security money is to spend the money first, correct? You have the project, spend the money and then apply for the money?

Mr. LUNNER. I am sorry but you are in an area where I don't operate. I think your earlier suggestion of a conversation with ODP officials would be more fruitful than one with me.

Mr. PASCRELL. To my understanding, Mr. Chairman, you must spend money first as with the municipalities throughout the United States. It was set up that way and I had real reservations about it but you need to spend the money in order to apply to get reimbursed. In other words, after you spend it. The question is will you have the money to spend in the first place?

It seems to me out of whack that we are spending such a tremendous amount of money on aviation security which we all agree we should be doing and yet when there are so many more people moving through the turnstiles every day, there is so little money algebraically. I wasn't trying to be a wise guy before when I said, what am I missing in this picture. In their daily lives, people go through

the turnstiles, they go on the subways, go on the trains and are not really thinking about security too much because they are trying to get to work, trying to get to the dentist or whatever, these 14 million folks out there. We are not proactive enough, I must conclude, in responding to the needs. We are so responsive to the private airlines, which we should be, and are not responsive to the public sector on the protection of the citizens that use public rail.

Mr. LIPINSKI. I need to reclaim my time.

Mr. PETRI. Mr. Shuster, any questions?

Mr. SHUSTER. Yes, thank you, Mr. Chairman.

The question I have is over 40 percent of the terrorist attacks in the world today are on bus and transit systems. Have we studied what the Europeans and Israelis do as far as security? Can you educate me on that a little, and how far away are we from what they do or how close?

Mr. LUNNER. Just yesterday, we hosted an Israeli expert seminar with their terrorist folks from Shin Bet and other areas of their government that have dealt with this issue for many, many years. We had a day long seminar that included those folks as expert speakers and former CIA officials. We have a very good understanding of what they are doing in that rail, transit and bus environment.

A week or so ago I had the Director of the British Transport Ministries Security Division in my office for those similar conversations. Recently I had another meeting I attended with the Netherlands transportation people and the French. Later this week, I will be in Canada having further talks. The whole purpose is to gain exactly what your question references which is the perspective, wisdom and expertise of people who have not only had a lot more experience than we have at these things, but come at it from sort of a different cultural perspective that we can learn from and sift through and see what would work in our environment.

Mr. JAMISON. If I might expand a bit. At FTA we engaged in the international experience. Israel relies heavily upon what they call a passenger behavioral monitoring type of expertise that they teach their transit employees. We have used Israeli expertise to develop a similar course for use in the United States. We are going to be deploying that course at the end of July but it basically teaches the latest in international counter terrorism techniques to spot suspicious behavior.

We have also worked closely with officials in London and they were instrumental in development of the Eyes and Ears campaign and the public awareness campaigns and the Transit Watch campaign. They heavily on educating their passengers, so that has been a big component of our campaign as well. We have worked also with Japan and their experience in the sarin gas attack in 1995 and have helped to develop our chem buyer protocols we put into place as training mechanisms for agencies as well. We will continue to pursue international expertise.

Mr. SHUSTER. So when they talk about watching peoples' behavior, they are doing it from cameras or people in the stations and at the bus stops?

Mr. JAMISON. I can't comment on how many cameras they have but they rely a lot on perimeter security and getting people in-

volved including frontline transit employees and their security personnel that are in the operation.

Mr. SHUSTER. We saw what happened in Madrid and see on a regular basis buses in Israel being blown up. It is very, very difficult for us to secure those modes of transportation, unlike the airports where everybody is funneled in and have to ticket and check their bags. We will destroy the efficiency of the bus system and the transit systems in our large cities if we try to do that. In my mind, it comes down to watching peoples' behavior but more important, getting them at the borders and having our intelligence agencies determine who the bad guys are.

Nobody, that I know of, is proposing that we have every bus terminal and every train terminal turn into an airport or similar security measures as an airport. Are they? Nobody in Europe does that type of security at the train station.

Mr. JAMISON. My only understanding of European operation that does a type of screening is the Eurostar intercity rail which does similar type of screening. Other than that, I am not aware of anybody who does that type of screening.

Mr. SHUSTER. Thank you very much.

Mr. PETRI. Mr. Lipinski?

Mr. LIPINSKI. When you talk about mass transit, what is your definition of mass transit? Is it commuter rail, buses, rapid transit?

Mr. JAMISON. Mass transit from our perspective and our agency's purview is commuter rail, light rail, all forms of rail transit with the exception of intercity and longer passenger rail and passenger bus.

Mr. LIPINSKI. In the Chicago area we have Metro which is commuter rail, the CTA operates buses and L trains that also go into subways and we have Pace that operates suburban bus systems. That would be all of mass transit?

Mr. JAMISON. Correct.

Mr. LIPINSKI. I am not advocating that we put on a mass transit marshal on every train or every bus and I am not advocating that people go through the security you go through at an airport but it seems to me with the tremendous number of people that use mass transit in this country, and based upon what I understand we spend over the course of two years, about half a cent for security in regards to mass transit, we are spending over \$9 over the course of two years in regards to aviation that we do have to really look at the mass transit security needs in this country because it seems to me frankly our position at the present time has been the job of really making mass transit in this country secure is too big of a job. It is going to cost too much money. We have made studies and investigated but at the present time, we haven't come up with any way we can make it as secure as possible and more importantly, how we would ever fund that.

I am not advocating we put a security fee on the passengers on commuter rail, rapid transit or buses but I really think this is an area and I don't have the answer, I wish I did, but it is an area where we really have to focus. I think you gentlemen really have to focus on it and I think the industry has to really focus on it, trying to come up with a system whereby we do make security better on mass transit. I know people will say we haven't had any prob-

lems. Unfortunately, we all know that isn't the answer but I think we really have to be vigorous in trying to come up with some ways to help out the security situation here.

Thank you very much.

Mr. PETRI. Mr. Burns, any questions?

Mr. SHUSTER. Would the Chairman yield for a question?

Mr. PETRI. Sure.

Mr. SHUSTER. Mr. Lipinski brought up a point about advocating putting marshals on buses and trains. I come from a rural area so I have ridden mass transit and trains, but don't they have transit police in those types of situations? What percentage of trains in New York City for instance would have a transit police person on it? Is there a large quantity, a small number?

Mr. JAMISON. I am not exactly familiar with the numbers. When you do talk about New York City, you have to realize the magnitude of the amount of people, well over 7 million a day and well over 600 stations served in New York City. I am pretty sure there is not a security personnel on every train.

Mr. SHUSTER. I wouldn't expect it. There is not an air marshal on every flight in this country. Are those people armed?

Mr. JAMISON. Yes, generally. They do have armed personnel and they definitely ramped up their security actions, including what they call hurricane teams to put personnel out into stations and to do sweeps and really upscale their visibility in the operation.

Mr. SHUSTER. What about the bus systems in Chicago or New York City, do they have some sort of officers?

Mr. JAMISON. Bus systems have security personnel assigned not with the frequency that I understand are in rail systems. A lot of them are incorporating closed circuit or video type technology in their buses to help them for surveillance techniques but I don't have any numbers on how many buses have that.

Mr. SHUSTER. Who is the lead agency on security for transit? Is it TSA or is it FTA?

Mr. JAMISON. It is TSA.

Mr. SHUSTER. Thank you.

Mr. PETRI. Mr. Cummings.

Mr. CUMMINGS. Thank you, Mr. Chairman.

Coming from a port city, Baltimore, and any visit to the port when you see literally football fields of these containers and you think about all of the items that come into the Port of Baltimore and other ports and those going out, and you realize a few of these containers with the wrong kind of stuff in them, could literally harm a substantial number of people just in one swoop.

I know there is a certain percentage of containers that are being looked at now. I am wondering how that changes, does that number move up percentagewise, because we in the city are very concerned about that. We had something a few years ago that had more to do with rail but it almost shut down the city when a train got stuck in the tunnel. So we have already seen the effect that some chemicals can have in the wrong situation. When you have something like a port with all these containers going in and out, I am just wondering how do you draw the balance and do you see that percentage going up, is it enough now? How do you strike a balance there?

Mr. LUNNER. I take your point and you are exactly right. Your understanding of it would mirror our own.

The container threat is real. There are something on the order of 6 million containers that come to the United States through 8,000 ports of call from foreign flag ships every year. In all of these discussions, it is important to remember that whether you are talking about the bus or the train or the subway or the port, it is a piece of the intermodal system. We are trying to look at that international, interconnected, intermodal system for the first time in a holistic way from a security standpoint so that when we partner up, the first people to look at that container are the customs folks who now have pushed our borders across the ocean so that they are looking at those containers through two major programs called CSI and CTPAT that the legacy customs people, CPD, inspect before they come onto the ship.

As they approach the Port of Baltimore, when my Coast Guard and the Customs colleagues see a ship of containers, I see trucks and rail chassis because that is what they are about to become 20 minutes later when they unload, and then enter our system and to throughout the United States through this vast and very efficient system that we have that makes me want to be very careful about what is in those containers, not only when they are loaded on the ship but when they are stuffed.

The answer to your question is there are a number of agencies inside and outside of DHS who are working together collectively and quite feverishly as a matter of fact, to expand our intelligence capabilities, our maritime domain awareness, leading to a national intermodal system domain awareness so that I can tell you some time in the near future what is it, where is it and what is in it to some level of confidence that we may not have had in the past.

Mr. CUMMINGS. You hit on something I guess helps to answer my question about drawing the balance. Is it cheaper then to do the intelligence piece than to go through trying to inspect say 50 percent of the containers? Is there a strong commitment within Homeland Security to do those inspections, to have that intelligence piece in there, strong intelligence?

Mr. LUNNER. Absolutely, sir. I can tell you with great confidence that is the area which I have the most motivation, energy and focus on all the time, no matter how it manifests itself in the various modes. At our operations center, which I discussed earlier, we are bringing all those strings together so that the first time we will have a matrix that allows our people to predict, not only see what is happening but look at patterns and find where the bad guys might be operating.

I think there are three major areas that we are going to as departments and as partners in the other agencies which would be intelligence, development of technology, which sometimes lessens the need for intensive human involvement, we can follow these things from origin to destination better through some new technology and then as Robert mentioned earlier, the training of the operators in all the modes so that they have a better awareness and they know what to look for. The Transit Watch Program in this world we are talking about today, the Highway Watch Program that will involve truck drivers and people who would be pick-

ing up those containers, to train them to what looks suspicious, how to not make yourself as easy a target and who to report things to. All of those initiatives are being developed to meet that challenge.

Mr. CUMMINGS. Thank you very much.

Mr. PETRI. Thank you.

We are ready for the next panel but I had one follow up question. This is clearly something that people are very concerned about and yet we don't want the terrorists to win. Their idea is to spread terror, so we need to basically figure out how to put things in the proper context to take reasonable precautions, and get on about our lives and not be paralyzed by this.

In that context, where does terrorism really rank? Forty-three thousand people die in a year on our Nation's highways, a lot of bus, train, airplane accidents occur because of poorly maintained equipment, mistakes of personnel who work for them, we have international political terrorism, we also have various odd nut cases and other types of uncoordinated cause groups, all of which are a problem. We won't make the world a perfectly safe place by only focusing on these international things that are very high priority right now.

Can you give us any sense of what sort of balance we should be striking in all this? Should we be working on the 43,000 people who die each year on our highways more or should we be spending billions of dollars hoping to build a wall that somehow some nuts aren't going to be able to scale? Can you give us any sense of where this all stands?

Mr. JAMISON. From an FTA perspective, we have been very focused and have paid particular attention to making sure we don't drop a focus on safety as we pursue security. That being said, we also feel very strongly that it is very important to incorporate safety and security into plannings and integrate that throughout the programs. We are continuing to focus on improving, which I might add is transit's very impressive safety record and not lose focus on that and particularly as resources in the industry come under pressure for other needs, we need to make sure that we don't lose any emphasis on safety.

Mr. LUNNER. I compliment the Chairman for hitting the nail on the head. I believe the context is the key word here in what we have been discussing all morning and what we will continue to discuss going forward is with the finite resources and with the changing dynamic threat pattern, exactly where should we invest both in safety and security.

Transit is one of six transportation modes, one of 13 key critical infrastructures that the Department worries about on a daily basis through its IAIP, one of countless other potential targets and threats that the Administration generally has to worry about and it will take this ongoing conversation to keep abreast of exactly where those investments should be made, at what level.

Mr. PETRI. We look forward to continuing this conversation. Thank you very much for your contribution.

The second panel consists of a familiar figure before this committee and in this town, Mr. William Millar, President, American Public Transportation Association; Richard A. White, General Manager

and Chief Executive Officer, Washington Metropolitan Area Transit Authority; and Mr. Peter J. Pantuso, President, American Bus Association.

I think you all know the drill. Your statements are a part of the record. We look forward to you summarizing them. We will begin with Mr. Millar.

TESTIMONY OF WILLIAM MILLAR, PRESIDENT, AMERICAN PUBLIC TRANSPORTATION ASSOCIATION; RICHARD A. WHITE, GENERAL MANAGER AND CHIEF EXECUTIVE OFFICER, WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY; AND PETER J. PANTUSO, PRESIDENT, AMERICAN BUS ASSOCIATION

Mr. MILLAR. Thank you, Mr. Chairman, for holding these hearings and I am really impressed with the breadth of knowledge that the committee already has about the issues related to improving security on America's public transportation systems. In my oral testimony, I will try to summarize both my regular testimony and if you don't mind, I might comment on a couple of the questions I already heard where I think a bit of clarification might be of use.

I get the sense from the committee you understand how important this is. The issue has come up several times here, how many people are we talking about? Numbers get very confusing but let me hopefully clarify but maybe add further to the confusion.

For example, we know on an average week day, about 14 million Americans use public transportation but since most come and go and some transfer, that actually is 32 million times a day that somebody boards a transportation vehicle. The comparable number for airlines you have heard this morning is 1.8 million but that really double counts people. So the ratio between the number of people who use transit on an average day and use the airlines is at least 16 times and under some counts is as many as 30 times.

Also, we know that while there are those 14 million people separate individuals who use transit every day, some work that APTA and the American Automobile Association did last year shows that a little over a quarter of all Americans use public transit at some point in the year. So that is a number like 75 million separate individuals that at some point will board a bus, board a train, board a commuter ferry boat or similar type operation and expect to be secure and safe. As you said, Mr. Chairman, they expect to go about their daily business and not have to worry about the security.

All of us have certainly learned a lot since September 11, 2001 and we in the public transit industry on that day and before that day already had taken security quite seriously because, as you said in your opening statement, many, many terrorist incidents have occurred on public transit around the world going back decades, whether it was IRA bombings in the British Isles or the bombings of buses in Israel or the saran attack in 1995 in Tokyo's subway, we have had to learn those lessons. APTA and its members have been trying to learn those lessons from around the world and gain at the appropriate time, I would be happy to go into that effort in more detail.

After 9/11, public transit stepped up its work in security and a survey we completed earlier this year showed that our transit systems had already invested over \$1.7 billion of their own money. We could not afford to wait for the Federal Government. We had an obligation to our customers and we stepped forward and made that type of investment. We did it at a time when local tax revenues were down because of the situation and the economy, we did it at a time when many transit systems had to raise fares and cut service but we had to invest that money to at least improve the security.

I want to give kudos to the Federal Transit Administration in particular. Immediately after September 11, 2001, FTA as Mr. Jamison testified sought us out and we sought them out and did work on a very good and strong collaborative basis. The 37 assessments you heard about in earlier testimony were done as a joint process in progress between the industry and FTA. We are very pleased about that.

As TSA has been stood up, as the Department of Homeland Security has been stood up, we have continued to try to work on a cooperative basis. I think as Mr. Lunner made clear, they have a lot to learn about us and we have some things to learn about them but I also think he made clear that we do have a mind to do it in a cooperative way and we do work together.

I know my time is running short. Let me finish my summary by saying while we have undertaken many, many activities, I would be happy to outline those and they are in my testimony, I do want to talk a bit about the financial need. I certainly am mindful of Mr. Duncan's concern as well as the concern of others on the committee. This is not a problem we want to just throw money at, but we felt it was important to talk to our transit system members. Two and a half years after 9/11, what had they learned, what experience did they have? What more do they need to do? Out of that survey came the number of \$6 billion that ought to be invested in both one time activities, about \$5.2 billion of that, in upgrading communications equipment, installing better screening around the places where buses and rail cars are stored, initial assessment work, things like that but then there is at least \$800 million of ongoing activity that needs to be done, paying for additional police personnel, training and paying for additional canine corps, things of that sort. That is the nature of that number.

As referenced, we are very pleased the Senate Banking Committee, which has equivalent jurisdiction to this committee in the Senate for public transportation, has reported out Senate Bill 2453 that would make some \$5.2 billion in Federal security funds over the next three years. We think that is an important step forward and we certainly hope this committee will consider similar legislation.

Meanwhile, we work with the Appropriations Committees, both in the House and the Senate. We were very disappointed that the President's budget did not include any money specifically for public transit security. We were very pleased that both the House Appropriations Committee and the Senate Appropriations Committee has reported out bills for 2005 that do include some funding, though far short of the need. We will continue to work with the Congress, with

this committee and all the relevant committees in the Congress so that we can make sure we have the best possible security for the limited dollars that are available to be invested.

Thank you, Mr. Chairman. I look forward to your questions.

Mr. PETRI. Mr. White?

Mr. WHITE. Good morning and thank you for inviting me to testify on WMATA's security initiatives and our interaction with Federal agencies responsible for transit security.

I am Richard White, General Manager and Chief Executive Officer of the Washington Metropolitan Area Transit Authority. My written testimony includes background information on WMATA and its importance to the National Capital Region but in an effort to save time, I will move directly to a discussion that summarizes the security actions Metro has taken and our relationships with Federal partners and our outstanding needs.

As the largest transit provider in the National Capital Region, Metro takes its responsibility in homeland security with the seriousness it demands. We spent considerable time and resources on emergency preparedness, even before September 11. In the aftermath of the 1995 sarin gas attack in the Tokyo subway, we began in partnership with the Departments of Energy, Transportation, Justice and the National Laboratories to develop a chemical sensor detection system for use in a transit environment. Our chemical detection system which is now fully operational has become a model for other transit agencies across the Nation and around the world.

Also, prior to 9/11, WMATA's transit police and safety departments prepared system safety and system security program plans, emergency operational protocols and conducted counter terrorism and explosive incident training. Since 9/11, WMATA has undertaken a number of additional actions to enhance our security and emergency preparedness. With funds made available by the Congress and the Bush Administration after the attacks, we undertook a number of initiatives, including advancing the chemical detection system from pilot to operational phase, installing intrusion detection capability, automatic vehicle locators on buses, bomb containment trash cans, redundant fiber optics for emergency communications, digital cameras on some number of buses and purchased personal protective equipment and additional canine teams for the transit police.

Two years ago, we opened our emergency response training facility which offers training in a transit environment to Federal and State and local first responders. I believe we are the only transit system in the country that has had this kind of capability. We have developed a strong working relationship with the Federal agencies designated with security responsibilities. Obviously our longest relationship is with the Federal Transit Administration under its traditional Surface Transportation Grant Program. We have worked in conjunction with FTA and through APTA and have covered a number of the things that Mr. Jamison testified.

Since the creation of the Department of Homeland Security, the primary Federal funding source for transit has been the Office of Domestic Preparedness as discussed previously. This is an area I think the committee does need to probe further and have a better understanding of the grant mechanisms. The transit community

has received a limited amount of money \$115 million over the past two years. WMATA has received \$6.5 million which has been used to go towards the items identified in our vulnerability assessments.

We were one of the 37 systems that FTA conducted its vulnerability assessment on and we are I believe only the second transit system in the country to be subjected to the Office of Domestic Preparedness vulnerability assessment. So we have been thoroughly assessed by both FTA and DHS. I think we know our vulnerability and our risks quite clearly and it is an issue of resource for us at this particular point in time.

As the recent attacks in Madrid and Moscow illustrate, transit systems continue to be popular targets of terrorists. It would be a national tragedy if we had to wait until another attack similar to Madrid occurred in the United States to commit the additional resources necessary to further secure our transit systems.

We have identified \$150 million in high priority security investments that is currently unfunded and has come out of the security assessments that have been conducted by the Federal Transit Administration and the Office of Domestic Preparedness. We have trained our personnel, spent a tremendous amount of money from our operating budget to coordinate and be prepared but there is a level of capital investment that is necessary to supplement these very labor intensive and expensive ways of attending to security. For WMATA, the lack of funding to address high priority capital needs has been a major limiting factor for enhancing our security capabilities.

I do want to thank the Chairman and the rest of the committee for the opportunity to present these remarks and for the support this committee has provided to Metro and transit systems over the years and I look forward to answering your questions.

Mr. PETRI. Mr. Pantuso?

Mr. PANTUSO. Thank you and please accept the motor coach industry's thanks for holding these hearings and for including the private motor coach and bus industry. Your leadership and that of the committee has allowed ABA members to continue to hope that security needs of the motor coach industry will be supported, strengthened through a critical government/private/public partnership.

The ABA is the primary trade association representing the motor coach industry. We represent nearly 1,000 motor coach and tour companies across America but we also represent over 2,500 tourism destinations, convention and visitors bureaus and State tourism offices.

The motor coach industry's members provide all means of transportation from fixed routes, scheduled service, commuter services, charters and tours and other special operations. The private bus industry transports approximately 774 million passengers each year, a total that exceeds the volume of the Nation's airlines and rail services combined and is second only to the Nation's transit systems.

The motor coach industry is primarily small, family business, there are approximately 4,000 companies in the country and they service virtually every community. Our passengers are 40 percent seniors, 40 percent students and our industry operates with little

or no subsidy from the Federal Government. While the Federal Government is engaged in a massive effort to protect the transportation system from further attacks, Federal resources to aid intercity buses continue to lag far behind other modes, both in terms of quantity and in terms of time limits.

Since 9/11, ABA has engaged in assessing our industry's security needs. We have found that training is the highest priority for all personnel in techniques of threat assessment, threat recognition and crisis management. Equipment is also essential from communication systems to drive shields to the installations of camera and the equipment necessary to provide security wadding of passengers. All funds that are needed to protect significant bus terminals and intermodal facilities are also necessary.

While our list of programs and funds for bus security is on balance very small, the need for Federal funds is very large. While the private bus industry extends into virtually every community and transports nearly three-quarters of a billion people annually, thus far the industry has received only \$30 million in Federal security support.

We applaud the past two Congresses for having recognized the need for security funds for the industry. In 2002, this committee reported H.R. 3429 and had it been approved by the entire Congress, it would have provided \$99 million for motor coach industry security. It is essential that those funds be moved forward in the future because as Chairman Young stated during the past 80 years, 50 percent of all international terrorist attacks have occurred on buses or in bus stations.

H.R. 875, the Over the Road Bus Security and Safety Act of 2003 was introduced by Chairman Young along with yourself, Mr. Chairman and other members, including Mr. Petri and Mr. Lipinski and it would authorize approximately \$100 million in funds for private bus operators and would offer the maximum amount of protection to the most number of passengers. We certainly urge its passage and its funding this year.

ABA has also worked with the Appropriations Committees in Congress. As I stated earlier, we garnered \$35 million in appropriations. Unfortunately, \$5 million of those appropriations were reprogrammed by TSA for the airlines. We applaud also the House Appropriations Committee for their recent approval of an additional \$10 million for bus security in fiscal year 2005 in the appropriations bills.

Security grants currently are being used industrywide in a number of ways both by the industry associations and by individual companies. For example, the American Bus Association, together with the United Motor Coach Association is using a grant to help develop a Train the Trainer Program. Training sessions began in May and have been held across the country. Greyhound Lines for example used their grant to supplement its efforts to increase passenger wadding and larger terminals, develop driver shields, defend attacks on drivers and has been equipping its coaches with a GPS based emergency onboard communications system. Wisconsin Coach Lines used its grant to purchase screening equipment, including metal detectors and hand held wadding devices. These efforts would not have been possible were it not for Federal funds.

Looking to the future, ABA members and TSA officials speak of the need for added GPS systems with real time information, updating the training materials with new information and strategies as they become available, the need to do more train the trainer sessions in more locations and the need for more security equipment in terminals, in garages and on buses.

Finally, let me be clear that the bus industry cannot tolerate an environment where poorly formed or poorly implemented public policy dictates the direction the terrorists will take when they choose to upset our transportation system. Private buses cannot be made a target because of modal preferences by policy makers. We must work instead to expand and update the security for all transportation systems and for all modes so that we can protect those 774 million passengers who ride our buses throughout every single year.

Again, the American Bus Association looks forward to working with you and with this committee and appreciates the invite. We will be happy to answer any questions you might have.

Mr. PETRI. Thank you.

Mr. Beauprez, any questions?

Mr. BEAUPREZ. Thank you.

Gentlemen, thank you for being here today. I want to probe a bit the overarching theme, that more needs to be done, more can be done, passenger security is certainly front and center on all of our minds.

Thinking about the comparison to the aviation industry and what we have done, not all but a substantial amount of the monies necessary are coming from passenger fees. Mr. Millar, Mr. White, any of you certainly should have some feel for what are the sources of funding, how much if any of the burden could be shared by the passengers. If my arithmetic is even close to accurate, I have taken the \$14 million number per day and multiplied that out and it looks like over 5 billion total trips per year. Mr. White, I would assume even a quarter increase of fare in your Metro system would probably be received with a hue and cry from the general public. Percentagewise, that is pretty substantial on a per trip basis, similarly for a bus trip but respond to that.

I think Mr. Millar you point out in your testimony something like a total of \$6 billion is needed. How itemized have you gotten and what do we get for that \$6 billion? How much pain can the passenger stand if any or are you suggesting this just be pulled out of the air as we are prone to do sometimes?

Mr. MILLAR. First, about 30 to 35 percent of the direct cost of operating a transit system comes from the farebox. In very large and well established systems such as Washington Metro, the number is probably higher. In brand new or very small systems, the number is probably lower. The \$1.7 billion that our survey revealed transit had already spent had come primarily from non-Federal sources, so the farebox that the customer pays perhaps a local tax, I believe the sales tax in the Denver area for example helps support public transit there, some States make general fund appropriations to transit. That is where it came from primarily, not from the Federal Government.

As to how much the passenger would be willing to pay to have additional security, I don't know. You are correct in your characterization that given the daily use of the transit system by so many people, and given that so many people who use public transit systems are of relatively limited income, any increase in the fare would certainly be something that would be very difficult to implement.

Also in the last couple years because of the down turn in the economy, a survey we did last year showed that about half the transit systems in America had raised their fares in the last year to cover other kinds of costs, so it is not as if fares haven't gone up in a long time. In most systems they have gone up fairly recently.

We certainly understand the partnership, we know we will continue to have to rely on our customers, on local government, State government and the Federal Government but to date we think the Federal investment has been woefully small in security for public transit.

Mr. BEAUPREZ. Mr. White?

Mr. WHITE. Unfortunately, I have had too much recent experience in engaging our customers as to their capabilities. We have now had to raise our fares two years in a row. We did go for an extended period of time where we had fare stability but our economics are the following. We have an operating budget that is about \$950 million. Our customers pay 55 percent of that cost. You heard Mr. Millar say that the national norm is around one-third or slightly above one-third. So we have already engaged in a public policy almost a de facto decision in the Nation's Capital that the customer is going to be asked to carry a pretty high, higher than normal share of paying for the direct operating cost. Notwithstanding that, State and local governments still contribute \$400 million a year to pay for our operating cost.

Given that we have a distance-based fare structure and we have raised our fares twice in the last two years, and we charge for parking, we are literally at the high end in the Nation with respect to the charges we pass on to our customers. It has become pretty clear to me that we have reached the breaking point, at least for awhile with respect to our ability to go back to the customer. We are pretty constrained at the Metro system.

Mr. BEAUPREZ. I see my time has expired. Mr. Pantuso?

Mr. PANTUSO. Quickly, I would echo the sentiment of Mr. Millar but I would also suggest that from the private bus industry, when you look at our passenger base, 80 percent of our passengers are fixed income, whether students or seniors. When you look at the areas we serve that are often very rural, many of our passengers are low income passengers. We are also in intercity bus in competition with other modes, so any impact that affects change in fares is going to impact the ridership in our industry.

Mr. BEAUPREZ. Mr. Chairman, if I could get a quick follow up to Mr. White, the \$150 million you cited in your testimony as necessary for security, I assume that was for the Washington Metro system only?

Mr. WHITE. Yes, that is correct.

Mr. BEAUPREZ. Thank you, Mr. Chairman.

Mr. PETRI. Mr. Pascrell? Mr. Boozman?

I mentioned in the opening statement that this hearing will be one of the bases for possible legislation in the area of your activities and as we structure that, do you have any advice? Often the Federal Government in many programs will work Federal, State, local. That is the way we work in many of the other transportation programs. With mass transit, bus operations, others, there is often more of a Federal system relationship rather than through the State. Do you have any views as to how we should be operating in this area, whether we should be operating to give the State some greater role in helping to set priorities within its area or whether we should be working directly with the different modes?

Mr. MILLAR. We have a very clear view on that. We believe that the longstanding relationship between the Federal Government and local transit agencies is a good one and a good model to be used. We don't see any reason for doing, as the Department of Homeland Security has done, to send the money first to the States, let the States take an administrative fee off the top and delay the process of getting the money to the transit systems to put into place. We have done our vulnerability assessments. As Mr. Pascrell held earlier, there is another round of vulnerability assessments being done right now, so we think we are identifying where these investments need to be made. We think the issue is to get the money out there quickly so that the public gets the benefit of that investment.

We would advise and have advised the Department of Homeland Security one thing that could make their lives a whole lot easier is if they entered into an agreement with the Federal Transit Administration to pass the money directly to transit agencies. I understand they are worried, they don't want to deal with hundreds and indeed thousands of grantees. We have said there is a very easy mechanism, all the transit systems in America already have a relationship with the Federal Transit Administration. We believe that once Homeland Security has determined what they want to invest in, that amount of money should be transferred to the Federal Transit Administration and put in the normal grant process. Then the normal audit process can kick in, the normal accounting processes can kick in and we think it is a very simple way to make the investment without an additional bureaucracy and without an additional delay. We would like to see the funds go directly to the transit agencies.

Mr. WHITE. I can't pass up this opportunity to provide a comment. I couldn't agree more with Bill in what he just said. Once the decisions have been made as to what is the appropriate level of investment among all the competing priorities the Federal Government has to decide, whatever that decision is with respect to mass transit, it really needs to be allocated specifically as a separate line item in the budget directly to the transit systems for a number of reasons that Bill explained, to get it out faster, and not be subject to any loss in value of that investment through multiple levels of administrative takedowns.

We have also found the Urban Area Security Initiative Program in ODP, which is where the funding sources come, offers a lot of discretion to State and local governments on the allocation of

funds. Yes, they have many competing demands and yes, transit is one eligible expenditure, but I don't think we have found a transit system around the country that has received any of that money that has been allocated to State and local governments which have total discretion on how to use the money for emergency management purposes. We think it needs to be directly allocated to a transit agencies and prefer that funds be administered by the FTA because we already have established grantee relationships with the FTA.

Mr. PETRI. One other quick question and I know Mr. Pascrell has a question as well.

Do you think if we do this in this way, any grant or Federal investment program in security broadly enough so as to cover investments for making it safer, to prevent accidents and loss of lives from other than terrorist attacks or should we separate it and say we have to save a lot of money at the Federal level on protecting people or doing something to inspire confidence in the terrorism area, but it is really your responsibility to worry about accidents and loss of life due to other than terrorists or should we basically be investing in trying to save lives?

Mr. MILLAR. I think what we have learned about the terrorism issue is that many of the practices that we know are good emergency preparedness practices for a wide variety of incidents are applicable to terrorist attack, but I do think if the Congress wants to put focus on dealing with the security issue, then it must allocate money specifically for security, it needs to be money that is separate and apart from the regular formula funds or the New Start Program or fixed guideway modernization or the many other programs this committee has jurisdiction over, but the transit systems as a practical matter will build on what they have already learned through their safety and security program.

Earlier there were questions about police forces. Not many transit systems have their own police force. Security becomes a new and added duty to that. If we want additional patrols specifically for security or if we want to add canine patrols, then we are going to need money specifically to do those things.

We would think it ought to be focused on security but I can assure you that every transit system is going to build from the base that it has already learned so that we make the most efficient use of those funds.

Mr. PETRI. Mr. Pascrell?

Mr. PASCRELL. Two quick questions. It is the direction I was going in terms of categorical money applied for competitively should go directly to the systems and I support that. I want to do everything I can to get it to the next step.

My question is, do each of you support the idea of a mandatory random screening? In other words, we have heard from members that we certainly can't put enough money into this, we don't have enough money to put the machinery and apparatus we are talking about, a different situation with transit. However, can't we do a scientific random sampling and inspect every so many individuals. The second part of the question is, wouldn't you agree that is why retired law enforcement needs to be deeply involved in this in

terms of picking out, in terms of envisioning and watching suspect behavior, they are best at it, we don't have to train individuals?

Mr. MILLAR. With regard to random screening, we certainly are for trying to figure out what is possible to do in that regard in the transit environment. So we were supportive, although it was an intercity and commuter rail environment, the New Carrollton activities TSA testified to earlier today. Our transit system member in the Boston area has announced it intends to implement a program of random inspections of its customers. They have asked us for some technical assistance in that regard. We are in the process now of assisting them in researching what are all the different things you have to think about in that regard. We certainly want to protect peoples' civil liberties.

Mr. PASCRELL. But if you do it randomly.

Mr. MILLAR. But how do you do it randomly when in the case of Boston you are talking about hundreds of thousands of people a day, how big a sample do you need, what is the manpower to get to that sample, how can you make sure it is truly random and it does not unfairly impact any particular groups in our society? Those are all things we are working on this summer. I think we will get some firsthand experience with that in Boston in connection with the Democratic convention later this summer. We will all know a lot more after that.

Mr. PASCRELL. Mr. Pantuso, would you consider that possibility for the bus systems throughout the United States?

Mr. PANTUSO. When I look at the private bus systems, you have to look at the wide variety of services we provide. It may not make sense for a group of 50 grandmothers and grandfathers going to Branson to see a show. It may make sense in certain facilities.

Mr. PASCRELL. Why not?

Mr. PANTUSO. Because typically that group all knows one another, they have in more cases than not all come from the same church, from the same club.

Mr. PASCRELL. We don't apply that to the airlines.

Mr. PANTUSO. Absolutely.

Mr. PASCRELL. Except those who work at the airlines which is another sore spot.

Mr. PANTUSO. I think if you look at the wide variety of product and service we have, we are doing commuter runs in lots of locations which are not unlike transit systems, we are picking up at individual stops along the road. In some of our systems, Greyhound, for example, is doing some random screening. At some of their terminals, some of their larger terminals, they are doing wading.

I think the bigger question and the key that has been on my mind is how we get more information exchanged between the agencies. I was fascinated listening to what is going on both at FTA and the Office of Homeland Security and there is a lot of information there that is valuable to the private bus industry but because we don't fall under necessarily FTA, because we fall under FMCSA in terms of safety because we have a different contact person at Homeland Security than the transit agencies do, sometimes that information may not get shared. I think for our system, for the private bus industry, sharing information would be the most valuable.

Mr. PASCRELL. Thank you.

Mr. PETRI. Gentleman, thank you all for the time you have taken to appear before us today.

This hearing is adjourned.

[Whereupon, at 12:05 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

BROWN
OF
SOUTH
CAROLINA

Highways, Transit & Pipelines Subcommittee Hearing
Public Transportation Security
2167 Rayburn HOB, Tuesday June 22, 2004 at 10:00 am

Mr. Chairman, thank you for holding this important subcommittee hearing today, and thank you to all of the witnesses for their testimony. In a world where war has come to the soil of our nation and of nations around the world, protecting our public transit systems is of the utmost importance. As we have seen the destruction from terrorist attacks on bus and rail systems in Spain, Israel and other countries, we must heed this warning. Our citizens must be safe.

With 14 million passengers daily nationwide, more passengers than aviation and Amtrak combined, light rail and buses are the most widely used and the most vulnerable transportation systems. Protecting such a large body of users is a seemingly impossible task. However, we must be vigilant in our duty and protect our citizens to our best ability. In the first district of South Carolina, we are working to bring together our branches of law enforcement and our transit system so that they may work together in protecting the public.

If attacks are successfully accomplished, there will be devastating effects not limited to loss of life. Economic impacts will be felt nationwide if rail lines are damaged. Since freight trains often use the same rail lines as passenger trains, an attack affecting the tracks could harm freight routes, causing a major economic shock. We cannot afford another attack on American soil.

As we find our nation and its citizens threatened by terrorism, it is imperative that we as Congress commit legislation to protect the nation's public transportation systems. I am sure that every member of this Congress has an interest here today, for terrorism is not confined to the large metropolitan areas in our country. Every town and city is susceptible, and regardless of the location of any attack, we are all affected. I urge every member to do all that is possible to ensure our citizens' safety. I look forward to working with Chairman Petri and my colleagues on this crucial issue.

Harry E. Brown

**Statement of
Robert Jamison
Deputy Administrator
Federal Transit Administration
United States Department of Transportation
Before the
U.S. House of Representatives
Committee on Transportation and Infrastructure
Subcommittee on Highways, Transit, and Pipelines
Hearing on Transit Security
June 22, 2004**

Mr. Chairman and Members of the Committee, thank you for the opportunity to testify today on behalf of the Federal Transit Administration (FTA) regarding security on America's transit systems.

As you know, public transportation systems are inherently open and accessible, intended to help people move rapidly and efficiently between home and work, shopping, medical care, and other community activities on a daily basis. Every workday, transit moves more than 14 million passengers. In two weeks, transit carries more passengers than Amtrak does in a year. In a single month, transit moves more passengers than U.S. airlines carry in a year. Both the Department of Transportation (DOT) and the Department of Homeland Security (DHS) have placed a high priority on increasing security in the Nation's public transportation systems, and we are working together to ensure that transit systems are prepared to respond to security threats and emergency situations.

The challenge we face is balancing a necessarily open public transit environment with the need for security. To put the challenge of securing these environments in perspective, consider that:

- Prior to their destruction on September 11, the World Trade Center and Fulton Street subway stations alone handled over 380,000 people each day -- the equivalent of the entire population of Miami, Sacramento, or Pittsburgh.
- Over 1,600 people *per minute* hurry through dozens of access points into New York's Penn Station during a typical rush hour.
- Every weekday, the people of Chicago take over 1.5 million trips on the elevated railway's 222 miles of track, compared to the approximately 100,000 passengers who board planes at the Chicago O'Hare Airport.
- In Washington DC, Metrorail operates a fleet of over 840 railcars on 103 miles of track in two States and the District of Columbia. In 2002, 181 million trips were taken on Metrorail, 25 times more than the 7 million trips originating at Washington's Reagan National Airport.

As both the DHS and DOT recognize, our Nation's approach to security must be necessarily different in the fast-paced, congested environment of transit than in the relatively closed environment of airlines and airports. Nevertheless, we have vigorously pursued increased transit security.

Since September 11, 2001, FTA has undertaken an aggressive nationwide security program with the full cooperation and support of every transit agency involved. In the 37 largest systems, which carry almost 80 percent of transit riders, FTA has, in concert with the transit agencies, conducted risk and vulnerability assessments. We have also deployed technical assistance teams to 33 transit systems (and have plans in place to reach the 50 largest systems), at no cost to transit agencies, to help strengthen security and emergency preparedness plans; provide immediate, operational security improvements; and offer tailored assistance based on threat assessments. Further, as part of a \$3 million program involving 83 transit agencies, FTA has funded emergency response drills conducted in conjunction with local fire, police and other emergency responders.

Given the inherent openness and challenging environment of public transit, good intelligence must be our first line of defense against terrorism, and FTA has worked diligently with our partners to improve intelligence sharing in the transit industry. FTA funded and worked with the American Public Transportation Association to create the Surface Transportation Information Sharing and Analysis Center (ST-ISAC), which is now used by transit agencies throughout the country to obtain and share intelligence information that is specific to the industry. This system provides two-way communication between the intelligence community and the transit industry, as well as transit-specific intelligence analysis. In addition, FTA worked with the Federal Bureau of Investigation (FBI) to enable transit agencies to participate on their local or regional FBI Joint Terrorism Task Force (JTTF), giving almost all of the 30 largest transit agencies access to real-time intelligence information regarding their community and the ability to contribute information they may have regarding threats to their own operations.

Based on the full complement of threat and vulnerability assessments that have been conducted, as well as consultations with security experts around the world, FTA has pursued a consistent strategy of promoting employee training, emergency preparedness planning, and public awareness as the best way to prevent and mitigate the consequences of a terrorist attack. Specifically, we encourage and assist transit agencies to do the following:

- **Training** -- All transit employees should be trained to deter, detect, mitigate, and respond to a variety of emergency scenarios. Furthermore, they must have the authority to take action if suspicious activity is observed or a specific threat is identified through, for example, random passenger screening.
- **Emergency Preparedness** -- Local agencies should ensure that emergency plans are in place and regular exercises are conducted.
- **Public Awareness** -- The riding public is an important resource in the fight against terrorism. Passengers should be encouraged to be aware of their surroundings and to look for suspicious or unusual activity. Further, they must know how to communicate with transit officials when necessary. It is also critical that passengers know how to exit systems in the event of an emergency.

We continue to build on this important public awareness strategy. FTA has substantially completed development and will soon deliver a passenger behavioral monitoring course that incorporates the latest in international counter-terrorism techniques. This course will heighten the effectiveness of the transit industry's public awareness training portfolio. We have also encouraged transit agencies throughout the country to continue to use public announcements to remind their passengers to report suspicious activity, and to implement unattended bag announcements and procedures, such as Washington Metro's "Is that your bag?" campaign. As we were all reminded by the tragic events in Madrid, it is critically important to be able to identify suspicious packages quickly and minimize false alarms.

FTA has gone far beyond these steps, however, in its work to assist transit agencies to enhance security. Among other important actions, FTA has:

- Developed and delivered new security courses through the National Transit Institute (NTI) and Johns Hopkins University, including Counterterrorism Strategies for Transit Police, Conducting Emergency Drills, and Passenger Awareness, as well as updated versions of transit security courses and security needs assessments. Over 55,000 transit employees have already received security training.
- Developed and launched "Transit Watch" in the fall of 2003. Transit Watch is a nationwide emergency response passenger awareness program, developed and implemented in partnership with the American Public Transportation Association, the Community Transportation Association of America, the American Transit Union, and the Transportation Security Administration in DHS.
- Issued a list of the Top 20 Action Items for transit agencies, identifying the most important elements to incorporate into their Security System Programs. These elements formed the basis of one of four FTA Core Accountabilities for its Senior Executives in Fiscal Year 2003, and I am pleased to report that the 30 largest transit agencies accomplished at least 80 percent of these action items. This year, our goal is to ensure that those agencies complete 90 percent of the action items and to help the next 20 largest transit agencies complete at least 80 percent.
- Developed, in conjunction with Argonne National Laboratories, and distributed to transit agencies standard protocols and guidelines for responding to chemical and biological incidents in rail, tunnel, and transit vehicle environments.
- Developed the ability to communicate electronically with the general managers and heads of security of the 100 largest transit agencies and to communicate instantaneously with the top 30 agencies. This communications system is tested and used on a regular basis to provide updates on incidents, as well as security information bulletins and advisories.
- Issued to transit agencies specific guidelines outlining steps to take at each Homeland Security Advisory Level.

- Developed and will soon deliver Security Design Criteria for use by transit agencies as they design or redesign infrastructure, communications, access control systems, and other transit system components.
- Developed and will soon deliver a web-based training tool for use by communities to conduct table-top emergency preparedness drills to test agency procedures, share best practices, and identify needs.

Consistent with the current alert level, most transit agencies are now operating under “Yellow Alert” guidelines. However, based on specific intelligence information, several large systems continue to operate at the higher “Orange Alert” level. During the most recent “Orange Alert,” the 30 largest transit agencies provided, at FTA’s request, information about the specific actions they were taking as a result. These actions include the following:

- Assigning bomb-sniffing dogs to patrol bus yards and train repair facilities.
- Maintaining all police specialty vehicles in a state of operational readiness.
- Conducting more frequent Operational Control Center critical system backup checks.
- Sending reminders to all transit employees, including bus and rail operators, about what to look for and how to respond to suspicious packages and individuals.
- Assigning transit police to the local police department command center.
- Participating in conference calls with the FBI and emergency management personnel from the region.
- Notifying rapid response team members of potential for call-up.
- Issuing pager and text message alerts to operators and police.
- Checking all security systems, including lighting and intruder alarms.

Finally, I would note that we continue to work directly with the Department of Homeland Security (DHS) on a daily basis, particularly in the area of intelligence analysis. We are confident that DHS, as it prioritizes *all* of our Nation’s security needs, threats and vulnerabilities, can and does take into account these issues with respect to transit. FTA staff meets frequently with the Transportation Security Administration staff on a variety of issues, such as threat and vulnerability assessment methodologies, intelligence matters, transit vulnerabilities and potential Federal guidance to the transit industry. Our agencies have co-hosted national and international security forums, roundtable discussions, and emergency preparedness training at the local level. And, in delivering the \$117.8 million in transit system security grants through the Urban Areas Security Initiative Program, DHS utilized the results of FTA’s threat and vulnerability assessments as it considered eligibility for those funds.

Mr. Chairman, despite the complete devastation of three subway stations and over 1,500 feet of track in Lower Manhattan on September 11, no passengers or subway personnel lost their lives in the attacks, thanks to the training and quick thinking of train operators, dispatchers, and transit managers. Today, we are proud to say that America’s subways, light rail systems, commuter trains, and bus systems are even better prepared to help prevent and respond to such emergencies.

We appreciate the Subcommittee’s continued interest in and concern about transit security, and I would be pleased to respond to any questions you may have.

QUESTIONS FOR THE RECORD
June 22, 2004 Hearing
“Public Transportation Security”
Committee on Transportation and Infrastructure
Subcommittee on Highways, Transit, and Pipelines
U.S. House of Representatives

Question 1: The Federal Transit Administration conducted threat and vulnerability assessments of the country's 37 largest transit systems and consulted with security experts around the world. As a result, you have identified three key areas that must be strengthened:

- Employee training
- Emergency preparedness
- Public awareness

Are these the most important activities for public transportation providers to focus on in order to improve security?

Response: Yes. FTA's ongoing post-9/11 security initiatives, which include considerable direct interaction with many transit agencies, have consistently reinforced the message that these three key areas are the most important strategic security activities. However, these three priorities must be addressed in the context of a "systems approach" to public transit security, both nationally and locally.

Threat and vulnerability assessments conducted with individual transit agencies serve as important baselines. They help transit agencies refine and prioritize specific action items and counter-measure tactics in these strategically important areas.

The events in Madrid put the challenge of securing public transit environments in perspective. While maintaining the openness and mobility required for public transportation, we must utilize all of our resources -- our front line employees and our passengers to be able to spot suspicious behavior and act to prevent, respond, and mitigate the potential impact of a terrorist attack.

Question 2: The American Public Transportation Association testified that there is a huge unmet need for transit security funding. However, most of the needs their members identified were for capital equipment, such as radio communications systems, security cameras, and automated vehicle locators. What is the relative importance of these capital investments versus the operational focus you have stressed at FTA - employee training, emergency preparedness and public awareness?

Response: The issue is not the relative levels of capital versus operating investments, but the creation of a sustained, integrated, strategic security approach by transit agencies that allocates capital and the necessary operating investments into a comprehensive plan. Security-related capital projects, especially proven technologies, are tools that can help transit employees improve security. However, employees must be well trained to

effectively use any newly implemented technologies. Capital projects also require on-going resources for operating and maintenance costs. In fact, an over-reliance on technology without adequate planning, training, and testing, could create a false sense of security.

Question 3: Did FTA work together with the Transportation Security Administration to develop the TSA's May 20 Rail and Transit Security Directive? Please describe the agencies' working relationship on this document.

Response: Before issuing its Security Directives, the Transportation Security Administration provided drafts of the directives to FTA and requested FTA's input. FTA security personnel reviewed the drafts and provided comments to TSA. TSA then considered FTA's comments, and incorporated a number of them into the final Directives.

Question 4: Would it strengthen transit security to make FTA grant funds conditional upon satisfactorily meeting security requirements, such as having an adequate employee-training program?

Response: We do not believe that a specific clause conditioning the receipt of FTA funds on compliance with security requirements is necessary. The proactive response of the transit industry to improve security since 9/11 has been outstanding. Moreover, FTA's existing Master Agreement with its grantees provides general authority to enforce any applicable Federal requirements (including those that may be established by DHS), as follows: "The Recipient understands and agrees that it must comply with all applicable laws, regulations, and requirements. Any violation of a Federal requirement applicable to the Recipient or its Project may result in penalties to the violating party; requirements that do not apply will not be enforced." Coupled with FTA's authority under 18 C.F.R. Section 18.43 ("Enforcement") of DOT's version of the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, FTA already has the authority to insist on compliance with applicable Federal requirements and even withhold funding under appropriate circumstances for failure to comply. Further, to the extent that DHS imposes specific requirements on transit agencies, it does not have to rely on FTA grant conditions to enforce them.

Question 5: With your agency's knowledge of relative threats and vulnerabilities, do you believe we need to focus security enhancement efforts primarily on transit systems that have rail programs, or are bus systems also at risk?

Response: We do not believe that the mode of transit should be the determining factor in decisions about security enhancements. Many rail systems, for example, are integrated with bus systems that are operated by different transit agencies. To focus security measures only on the rail system could create system vulnerability. Every system – whether rail or bus – should invest in public awareness, employee training, and emergency preparedness. The need for additional security investments can only be determined by a careful analysis of the potential threats, consequence, and vulnerabilities of each system.

It is worth noting however, that many heavy rail systems are located in dense urban environments, carry large volumes of passengers, and have stations located adjacent to high profile buildings and public icons. These factors should be considered in the evaluation of security investment between all of the Nation's assets.

SUBCOMMITTEE ON HIGHWAYS, TRANSIT & PIPELINES
PUBLIC TRANSPORTATION SECURITY
TUESDAY, JUNE 22, 2004 @ 10:00 A.M.

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- Thank you Mr. Chairman.
 - I commend you and the ranking member for holding this very important hearing, and I welcome our witnesses here this morning.
 - There is no denying the vital importance of public transit to the daily routine of American lives. In the U.S., there are six thousand public transportation agencies that provide nearly ten billion transit trips annually.
 - Every day, more than fourteen million people use public transit for convenient access to work, shopping, and entertainment.
 - In my congressional district the expansion of transit, under the auspices of Dallas Area Rapid Transit, has bolstered the region's mobility and has served as a beneficial force in combating the region's poor air quality.

- In one month, transit moves more passengers than U.S. airlines transport in a year. Further, forty-two percent of all terrorist incidents worldwide were carried out on rail or bus systems.
- Yet despite these facts, a significant gap exists between federal investments towards securing America's public transportation relative to aviation security.
- Obviously the need for transit agencies to balance security concerns with accessibility, convenience, and accessibility serves as an enormous task.
- However, as evidenced by the Madrid bombings in March of this year which killed one hundred and ninety eight people, the need for bolstering security measures within America's public transit system can not and should not be denied.

- According to GAO report regarding transit security indicates that the most common reason for not addressing items identified as needing attention through assessments is insufficient funding.
- Good starts have been made in bolstering transit security.
- I commend FTA for their multipart security initiative and TSA's rail-transit Security Directive. Securing the nation's transit system is not a short-term or easy task, but more work is needed.
- As I have stated before, reactionary policies regarding public security matters are not an option, and difficult trade-offs will have to be made.
- Again, I welcome our witnesses and I look forward to hearing from them on the current status of their efforts, projected needs, and their expectations of the Congress in the overall transit security equation.

TESTIMONY OF CHET LUNNER
ASSISTANT ADMINISTRATOR
FOR THE OFFICE OF MARITIME AND LAND SECURITY
TRANSPORTATION SECURITY ADMINISTRATION
DEPARTMENT OF HOMELAND SECURITY
BEFORE THE
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEE ON HIGHWAYS, TRANSIT & PIPELINES
U.S. HOUSE OF REPRESENTATIVE
JUNE 22, 2004

Good morning Mr. Chairman, Representative Lipinski, and Members of the Subcommittee. It is my pleasure to be here today to speak with you about the Department's ongoing and planned efforts to enhance the security of public transportation systems. I would like to acknowledge that it is the Department of Homeland Security's (DHS) first time appearing before you and it is our pleasure to be here to address your concerns about transit security.

The security of the 6,000 public transportation agencies that operate in the United States and the 14 million passengers who ride public transportation to work each day has been of critical importance to the Department. Months preceding the tragic bombings in Madrid on March 11 and Moscow on February 6, the Department, in close cooperation and coordination with our partners at the Department of Transportation (DOT), State and local governments, and transit and rail operators, had taken a number of steps to identify and respond to vulnerabilities in the rail and transit systems. The Madrid and Moscow tragedies were terrible reminders of the threat of terrorism to public transportation systems worldwide and strengthened our resolve to improve our security posture against similar attacks.

Ensuring that our Nation's transportation systems are secure must be accomplished through effective partnering among appropriate Federal, State, local, and private industry entities. DHS is charged with responsibility for working to protect all modes of transportation, but it has consistently held that that this responsibility must be shared with Federal, State, local and private industry partners, many of whom were already in the business of providing security for their particular piece of the transportation puzzle.

This is especially true for public transit systems. It is important to acknowledge the unique public-private nature of the public transit systems. In the United States approximately 85 percent of critical infrastructure supporting surface transportation belongs to the private sector. Therefore, upgrading security is a shared responsibility among the Federal Government, States, localities, and the private sector. The Transportation Security Administration's (TSA) main charge, both under the Aviation and Transportation Security Act (ATSA) and now as part of the DHS family, is to help coordinate these efforts under the guidance of the Secretary of Homeland Security and

the Under Secretary for Border and Transportation Security, identify gaps, and work with appropriate partners to ensure that any security gaps are filled.

The mass transit and rail industry, and State and local governments, are to be commended for their proactive response and significant commitments in addressing homeland security issues, both pre and post-9/11, and following the Moscow and Madrid bombing incidents. The responsible government approach is to leverage these industry efforts as we develop baseline standards and refine our mass transit security strategy.

As we examine the most effective ways to protect the transit security system, we must also consider how the measures we implement in the transit system are consistent with those in other transportation infrastructure, such as rail stations, bus stations, airports, and seaports. Without consistent application of reasonable and prudent security measures across modes, we risk creating weak links that may drive terrorism from one mode to another. Accordingly, our transportation security strategy is grounded in intermodal activities categorized around prevention, protection, response and recovery.

DHS, in conjunction with DOT, continually assesses the threats, risks, vulnerabilities, and consequences of potential attacks on mass transit and other transportation systems using a threat-based, risk-management approach. Effective, strategic, threat-based planning results from the evaluation of available intelligence information and the assessment of criticality and vulnerability information. These allow us to form a picture of the overall risk environment and devise effective strategies to mitigate any identified vulnerabilities. TSA has the responsibility for coordinating these efforts in the transportation sector with other DHS components under the guidance of the Under Secretary for Border and Transportation Security and DOT.

Domain awareness is the essential starting point of our overall transportation security strategy. The Information Analysis and Infrastructure Protection Directorate (IAIP) of DHS, as a member of the intelligence community (IC), routinely receives information from intelligence and law enforcement partners, and has overall responsibility at DHS for the receipt and analysis of information related to threats to the homeland. TSA also receives intelligence information for the transportation sector from sources including the IC, law enforcement agencies, industry, and State and local governments.

The effective communication of intelligence information is integral to strong domain awareness. Accordingly, in 2003 TSA activated the Transportation Security Operations Center (TSOC) to serve as a single point of contact for the communication of information relating to security operations, incidents, or crises in aviation and all surface modes of transportation. The National Capital Region Command Center is co-located with the TSOC and provides seamless integration in protecting the National Capital Region. TSA's 24-hour watch routinely communicates with industry representatives about security events or information of potential security interest. TSA also connects electronically to intelligence community databases, and participates in daily intelligence teleconferences with other Federal agencies to discuss threat and incident reports.

To ensure that all information pertinent to transportation security is identified and provided to TSA on a timely basis, TSA has assigned liaison officers to major intelligence and law enforcement agencies.

All threat information received by TSA is carefully analyzed for its potential impact on any U.S. transportation asset at home or overseas. TSA consults with other security and technical experts within DHS and in other agencies to achieve a comprehensive threat and vulnerability assessment. If we conclude that warnings to industry and field operators or operational adjustments are warranted, our response can take a variety of forms. Top government decision makers are alerted immediately, as well as industry stakeholders. Additionally, TSA coordinates with IAIP to disseminate specific warnings, advisory information, or countermeasures, where appropriate, to local law enforcement and the transportation industry.

The Department, working with DOT's Federal Transit Administration (FTA), Federal Railroad Administration (FRA), and Office of Intelligence and Security, coordinates information and threat sharing for rail and transit through the DOT Surface Transportation Information Sharing and Analysis Center (ST-ISAC) in partnership with the Association of American Railroads (AAR) and the American Public Transportation Association. As part of the significant partnership that has developed, TSA hosts ST-ISAC representatives at the TSOC. When appropriate, DHS disseminates Information Bulletins and advisories describing specific threats and providing guidance and suggested protective measures. In addition, DHS hosts conference calls with our Federal, State, local, and industry partners to communicate current information, obtain an assessment of the level of related preparedness, and determine additional short-term measures to be taken. For example, in the immediate aftermath of the Madrid attacks, the Department released Information Bulletins and hosted national conference calls with Federal, State and local public safety communities, all State and Territorial Homeland Security Advisors, officials from 50 major urban areas, and industry stakeholders.

The next step in our threat-based, risk-managed approach is to assess the criticality of the Nation's transportation infrastructure assets. Leveraging processes developed by IAIP, TSA developed and is deploying a model to determine relative criticality scores for transportation related facilities and assets. Criticality assessments provide a systematic approach to determine the relative importance of an asset to the Nation's transportation system, public safety, and economic health. These assessments will provide a quantitative basis for the determination of where to allocate resources and how to manage operational requirements.

TSA and our partners at DHS have worked with FTA and FRA to analyze vulnerability assessments conducted in the wake of September 11 on the 37 major U.S. transit systems. Additional vulnerability assessments will be conducted on critical transportation assets to examine the overall security posture of a transportation asset as well as the security posture of the asset in response to identified threat scenarios to determine their susceptibility to attack or compromise. Information from the assessment is used to determine what mitigation strategies are necessary to reduce the susceptibility to attack or

compromise. Input information for the assessments is collected from agencies through formal, facilitated meetings as well as staff contacts. Information from industry is either requested directly from industry associations or corporate representatives and voluntarily provided, or is collected from industry websites.

With respect specifically to the rail and transit systems, DHS, in close coordination with our partners in DOT, State and local governments, and transit and rail operators, has taken a number of steps to address vulnerabilities and improve our security posture against attacks. These efforts span the spectrum of security, from information sharing and awareness, planning activities for the prevention, response and recovery to a potential terrorist attack such as security exercises and training, to the issuance of baseline standards for passenger rail.

Prior to the Madrid and Moscow tragedies, security assessments of rail and transit networks operating in high-density urban areas were performed by FTA and reviewed by TSA. As a result of these assessments, these systems have produced robust security and emergency preparedness plans. Between FY 2003 and this year, DHS has used information from these assessments to allocate \$117.8 million to high-risk transit systems through the Urban Area Security Initiative (UASI) grant program in the Office for Domestic Preparedness. Sixty-seven million, eight hundred thousand dollars (\$67.8 million) was allocated in fiscal year 2003 and an additional \$50 million was allocated in fiscal year 2004. Grantees may use these funds for security expenses such as the installation of physical barricades, video surveillance systems, motion detectors, thermal/infrared imagery and chemical/radiological material detection systems, integrated communications systems, and for prevention planning, training and exercises, among other things.

TSA has also hosted security exercises to bring together rail carriers, Federal and local first responders, and security experts to address potential gaps in antiterrorism and emergency response training among rail personnel. One such security exercise occurred at Union Station in Washington, D.C., and involved stakeholders, emergency responders and enforcement agencies working together to implement the station's Emergency Response Plan. In another security exercise, DHS partnered with the Naval War College Gaming Department to conduct an operation designed to evaluate security awareness, prevention, response and recovery of the national transportation system to a security incident. The lessons learned from these exercises are being leveraged to enhance transit and rail security for the entire Northeast corridor.

The transit and rail industries, and State and local governments, have also been very proactive in addressing homeland security issues. Most recently, transit and rail system operators enhanced their existing security plans by taking additional preventive measures in cooperation with the Department, including deploying more explosives detection canine teams, adding uniformed officer patrols, increasing surveillance, and conducting reporting and awareness campaigns in the passenger environment.

One such awareness campaign is the FTA's "Transit Watch" Program, a nationwide program developed in collaboration with transit industry partners to raise the awareness of public transportation employees and passengers. Participating transit agencies provide training for their employees so that the employees know what to do, if and when passengers bring safety and security concerns to their attention. TSA has partnered on this program and is working with FTA to identify potential synergy with transit projects. TSA is also coordinating with the Federal Railroad Administration to develop a rail system inspection guide for use by rail law enforcement and security personnel to inspect trains for explosives and other threats. The Department's Federal Law Enforcement Training Center has provided security training to rail and transit operators; and TSA has distributed security awareness educational information to transit system employees on how to recognize and respond to potential terrorist attacks. The Federal Law Enforcement Training Center also plans to accelerate current security training programs for transit law enforcement personnel. The Department also plans to leverage existing efforts to generate additional public awareness by integrating existing passenger and rail security education materials and awareness programs developed by industry, TSA, and FTA. TSA has also developed a series of security awareness tools, such as Tip Cards, Pamphlets, and Posters for Motorcoach employees. Since October 2003, TSA has distributed more than 220,000 of these products that provide security related operational guidance to Motorcoach employees.

Railroad companies, including commuter rail operators, all employ their own law enforcement personnel who have the power and duty to preserve the peace, detain or arrest offenders, and enforce the law. DHS has partnered with them to provide security training for their law enforcement personnel, and is also examining the feasibility of providing the use of existing Homeland Security explosive detection canine teams to assist in special threat environments. The Federal Protective Service (FPS) is leading an effort to assess how readily explosives detection canine teams from various DHS agencies could be cross-trained for the rail and transit environments and made available for augmentation of local capabilities when needed. In addition, DHS is partnering with local authorities to provide additional training and assistance for local canine teams.

DHS has also partnered with the industry and stakeholders on other transportation security initiatives such as the Intercity Bus grant programs and our hazmat and pipeline initiatives. Through the Intercity Bus Security Grants Program, TSA has funded many projects to enhance the security of the Motorcoach industry. In 2003, TSA provided approximately \$20 million in grants for improvements to security systems and equipment for over-the-road buses. Grant funding has been used to address a wide variety of security needs including driver protection, tracking and communications with over-the-road buses, passenger and baggage screening, security assessments and/or development of security plans, and training for transportation personnel to recognize and respond to criminal attacks and terrorist threats. Grants funds could also be used for physical security enhancements such as fencing, lighting, and surveillance equipment at locations where buses are parked and maintained. Due to the transfer of the Program to ODP, the two agencies will be working together in the award of the \$10 million for the Intercity Bus Security Grants program for Fiscal year 2004.

TSA is also exploring the feasibility of using emerging technologies for screening passengers and carry-on items for explosives at rail stations and aboard trains. On May 30, TSA completed Phase I of this pilot program in New Carrollton, Maryland. The pilot, the Transit and Rail Inspection Pilot (TRIP), operated with extremely positive results. Passengers were overwhelmingly receptive to the screening process. Because screening passengers in the open rail environment is very different from the controlled-environment of the aviation sector, the pilot focused on testing the best means to adapt screening techniques for this environment. The overall results of the pilot indicate the ability of explosive detection equipment to function within the rail environment. TSA, in close coordination with DHS's Science and Technology Directorate (S&T) will continue to test and identify new technologies with an eye towards increasing the effectiveness of identifying explosives while minimizing process time. During Phase I, 8,835 passengers and 9,875 pieces of baggage were screened. Over 95% of passengers wanting access to the boarding platforms were screened.

The preliminary findings from this pilot indicate that screening passengers and their carry-on baggage in the commuter and intercity rail environment in a similar environment to that tested is possible. In addition, one of the main objectives of the pilot was to develop baseline standards for deploying the technology and protocol as needed. The preliminary findings support the premise that rail and transit operators might be able to deploy this type of targeted screening and protocols in similarly situated high threat areas, such as where specific intelligence indicates there is a need or in preparation for a special event or major public gathering.

On June 7, TSA implemented Phase II of the pilot, at Union Station, Washington, D.C., to assess the feasibility of using emerging technologies for screening checked and unclaimed baggage and cargo for explosives at rail stations. Phase II is being conducted in partnership with AMTRAK for a 23 day period and is expected to yield important data on customer wait times, screening effectiveness, cost, and impact on Amtrak operations.

Building on many of the security measures recommended for transit and passenger rail authorities, and the engagement of our Federal partners at DOT, the industry, and State and local authorities, on May 20, the Department issued Security Directives (SDs) requiring protective measures to strengthen our rail and transit system security. These Security Directives have been effective since May 23. The protective measures range from removing or replacing station trash cans to utilizing canine explosives detection teams. The directives apply to all passenger rail owners/operators, including light rail systems, inter-city passenger rail systems such as Amtrak, commuter rail operations such as the Maryland Rail Commuter and Long Island Railroad, as well as subway systems nationwide. The Security Directives, administered by TSA, which build on the industry existing best practices, will enhance security across the Nation's rail systems. DHS will ensure compliance with these security measures.

Baseline standards such as the Rail Security Directives are just one component of the Administration's transit and rail security strategy. The Administration provided

overarching guidance on the security of surface transportation with Homeland Security Presidential Directive 7 (HSPD-7), which directs the establishment of “a national policy for Federal departments and agencies to identify and prioritize United States critical infrastructure and key resources and to protect them from terrorist attacks.” DHS is responsible under HSPD-7 for developing a National Critical Infrastructure Protection Plan, which will be comprised of Sector Specific Plans (SSPs). The Transportation SSP, which is being developed in close coordination between TSA, DOT, and other stakeholders sets forth the roles and responsibilities of federal and private-sector transportation partners and stakeholders for transportation security and transportation infrastructure protection. DHS will build on the foundation of the SSP to develop modal security plans, including mass transit and rail, that will provide overall operational planning guidance on transit and rail security. Development of the Transportation and other SSPs, as well as the modal plans, is well underway and anticipated for completion by end of the year.

Anticipated for completion for summer travel, is a rail incident location system funded by TSA through Operation Respond Institute (Operation Respond) for the Northeast rail corridor (NEC) between Washington, DC and Boston, Massachusetts. TSA is working with Operation Respond to develop and deploy this enhanced Geospatial Information System (GIS) and overhead imagery system of the Amtrak-owned rail infrastructure between Washington, DC and Boston, MA. The NEC rail incident location system will include high-resolution overhead imagery and street mapping related to NEC rail landmarks, and will support local authorities, police, first responders, Amtrak, and commuter rail operators in locating and responding to emergencies and criminal/terrorist acts involving passenger trains, commuter rail trains, and structures. This effort is an expansion of other mapping/imagery projects funded by DOT through Operation Respond. The results of this initiative will be shared with DOT, Amtrak police, and select law enforcement and emergency response organizations.

Hazardous Materials Initiatives:

Enhancing hazardous materials security has been a critical component of DHS’ efforts to protect our homeland. Since the terrorist attacks of September 11, 2001, the security of hazardous materials shipments has received enhanced scrutiny, specifically, the transport of chemicals classified as toxic by inhalation hazardous materials (TIH). Rising public safety concerns has centered on the effect of intentional release of TIH chemicals as they are transported through highly populated urban areas.

DHS and DOT have been working on various initiatives that support the development of a national risk-based plan to address the shipment of hazardous materials by rail and truck. For rail, DHS and DOT are focusing on the assessments of vulnerabilities of high threat urban areas where TIH are transported, improved tracking and monitoring equipment, identification of practical alternatives to placards on rail tank cars, new rail car design standards, and the development of hazardous materials security plans to improve the adequacy and effectiveness of industry security plans.

In July 2003, TSA hosted a workshop at the request of the Association of American Railroads. At this workshop, TSA brought together experts from the emergency response community, railroads, and government agencies to discuss placarding and security and safety issues related to hazardous materials shipments by rail. As a result of the workshop, TSA will initiate a study on alternatives to rail placarding this summer. The discussion of alternatives will reflect the need for emergency responders to have visible, full and immediate knowledge of the contents of these vehicles in the event of an incident or accident.

TSA led a multi-agency study on the rail transport of hazardous materials through the D.C. metropolitan area, which included a vulnerability assessment of the rail infrastructure. TSA is currently reviewing the findings and developing a risk mitigation strategy to reduce these risks. The multi-agency task force on this study is comprised of DHS (IAIP and TSA), FRA, the DOT's Research and Special Programs Administration (RSPA) and all affected stakeholders, including the local first responder community, local government, and railroad owners and users (VRE, Amtrak). An interagency working group will conduct similar reviews in two to three other high-threat urban areas before making a vulnerability assessment tool available to the Nation.

With preventive measures in place, the risk of terrorism is reduced, albeit not eliminated. TSA will continue to identify and re-evaluate threats and vulnerabilities and make decisions that both facilitate transportation and improve its security.

Thank you again for the opportunity to appear before you on this important topic. I look forward to answering any questions you may have.

Questions for the Record

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

SUBCOMMITTEE ON HIGHWAYS, TRANSIT & PIPELINES

U.S. HOUSE OF REPRESENTATIVE

JUNE 22, 2004

FOR ASSISTANT ADMINISTRATOR CHET LUNNER

Q1: Did the Transportation Security Administration and the Federal Transit Administration work together to develop the May 20th Rail and Transit Security Directive? Please describe the agencies' working relationship on this document.

Answer: The Transportation Security Administration (TSA) had the lead on developing the Rail and Mass Transit Security Directives. In doing so, TSA worked closely with the Federal Transit Administration (FTA) in their development. FTA was a joint participant in meetings held to discuss the contents of the Directives, which were based on industry best practices already identified and posted by the FTA as guidelines.

Q2: The Department of Homeland Security has released \$115 million over two years for transit security grants. In fiscal year 2003, the grants went directly to transit agencies, but in fiscal year 2004, the grants go to States instead, who pass the funds through to transit agencies. Why did DHS change how it administered these grants?

Answer: The Department released \$117.8 million over two years for Urban Area Security Initiative (UASI) transit security grants. In FY 2003 the Department released the UASI grant money directly to the transit agencies. In FY 2004, the UASI grant money was released to the states to further distribute to the transit agencies. This change was made in recognition of the shared responsibility among the private sector, states, and the federal government in providing for the security of the Nation's transportation infrastructure. Each state has completed a security assessment of its critical infrastructure based on risk and vulnerability assessments. The states have developed plans to mitigate those risks. As a result, it is believed that the states need to be actively involved in the funding of any mitigation strategies to improve the security of the state's critical infrastructure.

Q3: Please describe the Department of Homeland Security's relationship with the transit industry. Do you have regular meetings with industry stakeholder groups, such as APTA? What kind of mechanisms are in place for receiving feedback on DHS actions from transit stakeholders?

Answer: The Department of Homeland Security (DHS) regularly reaches out to the transit industry, including APTA, in a variety of ways. These include involving the industry in meetings and conference calls, participating in industry and government-

sponsored conferences, and exchanging information by numerous means. For example, when DHS raises the threat level to orange, DHS contacts the nation's top 30 transit agencies via telephone and e-mail to ensure awareness and address concerns and questions. In addition, DHS, in coordination with the Federal Transit Administration (FTA), co-hosted a Transit Security Roundtable for the Security Coordinators from the same top 30 transit agencies. This Roundtable provided a forum to discuss industry best practices as they pertained to security. DHS and FTA plan to hold another Transit Security Roundtable later this year to further this discussion.

DHS recently invited the American Public Transportation Association (APTA), the Community Transportation Association of America (CTAA), and the Amalgamated Transit Union (ATU) to a bus security training session hosted by the Department of Homeland Security that included over 40 participants from the mass transit, motorcoach and school bus industries. DHS also coordinates with APTA and the FTA on the mass transit sector of the Public Transportation Information Sharing and Analysis Center (PT-ISAC). Our modal expertise is utilized to update threat information that is periodically provided to industry.

DHS has also partnered with FTA on its Transit Watch Program, a nationwide security awareness program designed for mass transit passengers and employees. FTA, TSA and the Transit Watch partners (the APTA, CTAA, and ATU) conducted a series of focus groups across the country and found that transit passengers and employees value heightened watchfulness. Similar to the successful nationwide Neighborhood Watch crime prevention program implemented in the early 1970s, Transit Watch is intended to raise awareness of transit employees, riders and the general public and is designed for easy and low-cost implementation.

DHS has also reached out to the top 100 transit agencies to retrieve security contact information that is currently being compiled in a database. An e-mail system has been established to field questions and receive feedback from transit stakeholders pertaining to the rail and transit Security Directives and other DHS transit initiatives.

Q4: With your Department's knowledge of relative threats and vulnerabilities, do you believe we need to focus security enhancement efforts primarily on transit systems that have rail programs, or are bus systems also at risk?

Answer: DHS recognizes that bus systems are also at risk. The sheer numbers of people riding buses speak for themselves: the bus industry carries more people in two weeks than Amtrak carries in a year. Bus systems world-wide have been targeted more frequently by terrorists than rail systems. The U.S. Department of State reports that in Asia and the Middle East, which have seen the most frequent terrorist activity, the most frequent targets have been bus systems. As buses are one of the most common modes of transportation in the world, they make inviting targets due to their accessibility and high concentration of passengers. Realizing that bus systems are more prevalent than rail systems, Middle Eastern countries facing frequent terrorist activity experience attacks

against bus services more often than attacks against rail systems. While the number and nature of historic terrorist attacks are not the sole determinant of risk, historical events do point to the susceptibility of bus systems to terrorist attacks.

In recognition of this risk, in October 2003, TSA distributed \$19.8 million to sixty bus operators and organizations, including the American Bus Association. Along with driver protection and tracking and communication technology upgrades, funds will also be used for passenger and baggage screening, security assessments and/or development of security plans, training for transportation personnel to recognize and respond to terrorist threats and criminal attacks, and for physical security enhancements such as fencing, lighting, and surveillance equipment at locations where buses are parked and maintained. TSA has recently invited eligible bus operators to apply for an additional \$10 million dollars.

TESTIMONY OF
WILLIAM W. MILLAR, PRESIDENT
AMERICAN PUBLIC TRANSPORTATION ASSOCIATION
BEFORE THE
SUBCOMMITTEE ON HIGHWAYS, TRANSIT AND PIPELINES
HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
ON
PUBLIC TRANSPORTATION SECURITY

June 22, 2004

SUBMITTED BY

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APTA is a nonprofit international association of over 1,500 public and private member organizations including transit systems and commuter rail operators; planning, design, construction and finance firms; product and service providers; academic institutions; transit associations and state departments of transportation. APTA members serve the public interest by providing safe, efficient and economical transit services and products. Over ninety percent of persons using public transportation in the United States and Canada are served by APTA members.

Mr. Chairman, thank you for this opportunity to testify on public transportation security. We commend the House Subcommittee on Highways, Transit and Pipelines for holding this hearing today particularly in light of the terrorist attack March 11, 2004, in Madrid, Spain and the continuing threat of terrorist attack to public transportation systems and riders across the nation.

ABOUT APTA

The American Public Transportation Association (APTA) is a nonprofit international association of over 1,500 public and private member organizations including transit systems and commuter rail operators; planning, design, construction, and finance firms; product and service providers; academic institutions; transit associations and state departments of transportation. APTA members serve the public interest by providing safe, efficient, and economical transit services and products. Over ninety percent of persons using public transportation in the United States and Canada are served by APTA member systems.

PASSENGER RAIL AND PUBLIC TRANSPORTATION SECURITY

Mr. Chairman, we do not need to emphasize the critical importance of keeping America's public transportation secure in this time of heightened national security. We must look at the security of our surface transportation program in its entirety and that includes the full spectrum of public transportation services. At intermodal hubs such as Washington's Union Station there are blends of services including intercity passenger rail, commuter rail, subway, and bus transportation. Congress should examine the unique security needs for all of America's public transportation.

America's public transportation services are by design and necessity an open environment. Over 9 billion transit trips are taken annually on all modes of transit service. People use public transportation vehicles over 32 million times each weekday. This is more than sixteen times the number of daily travelers aboard the nation's domestic airlines and over 450 times the number used by Amtrak intercity services. The numbers of customers using public transportation each and every day create ongoing challenges for enhancing security within our transit environments.

In addition, transit employees are on the front line in our nation's effort against terrorism. They are the first responder evacuation teams who will assist in getting the public out of critical incident areas and our cities in the event of a terrorist attack. This was evident on September 11, 2001, when public transportation in New York City, New Jersey and Washington, D.C. helped safely evacuate citizens from center cities. Indeed, this same story was true around the country as transit systems quickly and efficiently evacuated people from closed airports and downtown areas. We remember that the interstate highway program was begun by President Eisenhower as a national defense interstate highway program. It is clear now that public transportation, too, has a significant national defense component and is a fundamental element in responding to community disasters and emergencies.

In that connection, APTA is honored to play a critical role in transportation security and works closely with a number of federal agencies in this regard, notably the Federal Transit Administration (FTA) and the Federal Railroad Administration of the U.S. Department of Transportation, and the Transportation Security Administration (TSA), the Office of Domestic Preparedness (ODP), and the Directorate of Information Analysis & Infrastructure Protection of the U.S. Department of Homeland Security. At the program level, APTA works closely with the FTA

and FRA to administer an industry audit program that oversees a system safety and security management plan for transit systems around the country. Our safety audit program for commuter rail, bus, and rail transit operations has been in place for many years and includes elements specific to security planning and emergency preparedness. Separately, in connection with Presidential Decision Directive Number 63, we are pleased to have been designated a Public Transportation Sector Coordinator by the Department of Transportation, and as my testimony notes below, we have established a Transit Information Sharing Analysis Center (ISAC) that provides a secure two-way reporting and analysis structure for the transmission of critical alerts and advisories to transit agencies around the country.

Since the events of 9/11, state and local public transit agencies, like all state and local entities, have spent significant sums on police overtime, enhanced planning and training exercises, and capital improvements related to security. In response to a 2004 APTA survey, transit agencies around the country have identified in excess of \$6 billion in transit security needs. These include both immediate capital investments and recurring operating expenses related to security. We would be pleased to submit our survey for the record.

Mr. Chairman, it is important to note that these costs are separate and distinct from the capital infrastructure needs we have identified under the TEA 21 reauthorization effort. We cannot emphasize enough that funding authorization legislation for transit security should remain separate from TEA 21 reauthorization. In our view, transit security needs are unique and should continue to be addressed in the context of the budget of the Department of Homeland Security. Particularly at a time when transit systems are experiencing the impacts of the economic downturn, we need investment from TEA 21 reauthorization to continue to address basic public transportation infrastructure needs, which an AASHTO report concludes are \$44 billion a year.

BACKGROUND

Mr. Chairman, prior to and following September 11, 2001—the date of the most devastating terrorist attack in U.S. history—APTA has played a key role in addressing the safety and security issues of our country. American public transportation agencies have also taken significant measures to enhance their security and emergency preparedness efforts to adjust to society's new state of concern. Although agencies had a wide range of security initiatives in place at the time of the World Trade Center and Pentagon attacks and already had developed emergency response plans, the September 11 incidents focused, strengthened and prioritized security efforts throughout the industry.

Transit agencies have had a solid safety record and have been working for many years to enhance their system security and employee security training, partly responding to government standards, APTA guidelines, and by learning through the attacks on transit agencies abroad. For example, the 1995 sarin gas attack in the Tokyo subway system caused U.S. transit properties managing tunnels and underground transit stations to go on high alert. The San Francisco Bay Area Rapid Transit District, for instance, responded to the possible threat of chemical weapons attacks by sending a police team to Fort McClellan, Alabama, to learn response tactics from U.S. Army chemical weapons experts.

In the months following the September 11 terrorist attacks, transit agencies of all sizes worked to identify where they might be vulnerable to attacks and increased their security expenses for both operations and capital costs. The agencies subsequently upgraded and strengthened their

emergency response and security plans and procedures, taking steps to protect transit infrastructure and patrons and increase transit security presence while giving riders a sense of security.

Some initiatives around the country include:

- Increased surveillance via closed circuit TV.
- Increased training for employees.
- Hired more police, K-9 units added.
- Chemical detection systems being tested.
- Infrastructure design to eliminate hiding places.
- Drills are routinely held with first responders.
- Encouraging riders to be vigilant for suspicious activities or items.

After September 11, many transit organizations worked to prevent unauthorized entry into transit facilities. The need for employees and passengers to stay alert and report suspicious occurrences became a key goal of many agencies. These efforts are paying off. While many transit agencies are more secure than prior to September 11, more needs to be done.

Since the attacks, APTA and the Federal Transit Administration have emphasized the need for effective transit security and emergency preparedness. FTA has sent security resource toolkits to transit agencies; completed security-vulnerability assessments of the nation's largest transit systems; and provided technical support and grants of up to \$50,000 to fund agency emergency drills.

FTA continues to provide emergency preparedness and security forums nationwide. In emphasizing the importance of enhancing transit security, FTA Administrator Jennifer L. Dorn noted that thousands of lives were spared on September 11 in New York City and Washington "because of the quick action of first responders and transit workers."

APTA has launched many additional efforts to further transit industry security and preparedness, collaborating with FTA in developing emergency preparedness forums, and sponsoring and organizing security-related conferences and workshops. Moreover, APTA developed a list of critical safety and security needs faced by the transit industry, which it has provided to the Department of Transportation and the U.S. Congress. Mr. Chairman, I would be pleased to submit this and other data discussed in my testimony for the record.

PUBLIC TRANSPORTATION INFORMATION SHARING ANALYSIS CENTER (ISAC)

Presidential Decision Directive Number 63 authorizes and encourages national critical infrastructures to develop and maintain ISACs as a means of strengthening security and protection against cyber and operations attacks. APTA is pleased to have been designated a Public Transportation Sector Coordinator by the U.S. Department of Transportation, and in that capacity has received a \$1.2 million grant from the Federal Transit Administration to establish a transit ISAC. APTA recently formalized an agreement with a private company to implement the ISAC and make it available to public transit systems around the country.

This ISAC for public transit provides a secure two-way reporting and analysis structure for the transmission of critical alerts and advisories as well as the collection, analysis and dissemination of security information from transit agencies. The public transit ISAC also provides a critical linkage between the transit industry, the U.S. Department of Transportation, the Transportation

Security Administration, and the Office of Homeland Security. A request for funding to continue this ISAC has been submitted to the Department of Homeland Security's Directorate of Information Analysis & Infrastructure Protection.

ONGOING TRANSIT SECURITY PROGRAMS

Mr. Chairman, while transit agencies have moved to a heightened level of security alertness, the leadership of APTA has been actively working with its strategic partners to develop a practical plan to address our industry's security and emergency preparedness needs. Shortly after the September 11 events, the APTA Executive Committee established a Security Task Force under the leadership of Washington Metro's CEO, Richard A. White. The APTA Security Task Force has established a security strategic plan that prioritizes direction for our initiatives. Among those initiatives, the Task Force serves as the steering group for determining security projects that are being implemented through over \$2 million in Transit Cooperative Research Project funding through the Transportation Research Board.

Through this funding, APTA held four transit security workshop forums for the larger transit systems with potentially greater risk exposure. These workshops provided confidential settings to enable sharing of security practices and applying methodologies to various scenarios. The outcomes from these workshops were made available in a controlled and confidential format to other transit agencies unable to attend the workshops. The workshops were held in New York, San Francisco, Atlanta, and Chicago.

In partnerships with the Transportation Research Board, the APTA Security Task Force has also established two TCRP Panels that identified and initiated specific projects developed to address *Preparedness/Detection/Response to Incidents* and *Prevention and Mitigation*. The Security Task Force emphasized the importance for the research projects to be operationally practical.

In addition to the TCRP funded efforts, a generic *Checklist For Transit Agency Review Of Emergency Response Planning And System Review* has been developed by APTA as a resource tool and is available on the APTA website. Also through the direction of the Security Task Force, APTA has reached out to other organizations and international transportation associations to formally engage in sharing information on our respective security programs and directions and to continually work towards raising the bar of safety and security effectiveness.

Within this concept of partnership and outreach, APTA also continues in its ongoing collaboration with the Federal Transit Administration to help in guiding and developing FTA programs. Among these are regional Emergency Preparedness and Security Planning Workshops that are currently being delivered through the Volpe Center and have been provided in numerous regions throughout the U.S. The primary focus of such workshops has been to assist particularly smaller transit systems in building effective emergency response plans with first responders and their regional offices of emergency management. Also within this partnership, APTA has assisted the FTA and the National Transit Institute in the design of a new program "Security Awareness Training for Frontline Employees and Supervisors." This program is now being provided by NTI to transit agencies throughout the nation.

Collaborative efforts between APTA, FTA, Volpe Center, and the National Transit Institute are also underway to establish a joint website that will specifically gather and disseminate effective transit practices with initial emphasis on safety and security.

As you may be aware, APTA has long-established Safety Audit Programs for Commuter Rail, Bus, and Rail Transit Operations. Within the scope of these programs are specific elements pertaining to *Emergency Response Planning and Training* as well as *Security Planning*. In keeping with our industry's increased emphasis on these areas, the APTA Safety Audit Programs have similarly been modified to place added attention to these critical elements.

APTA's Committee on Public Safety, continues to provide a most critical forum for transit security professionals to meet and share information, experiences and programs and to also provide valuable input to programs being developed by the FTA.

SECURITY INVESTMENT NEEDS

Mr. Chairman, after the awful events of 9/11, the transit industry invested some \$1.7 billion of its own revenues in enhanced security measures building on the industry's considerable efforts already in place. At the same time, our industry undertook a comprehensive review to determine how we could build upon our existing industry security practices. This included a range of activities, some of which I discussed earlier in my testimony, including research, best practices, education, information sharing in the industry, surveys and the like. As a result of those efforts we are now at a phase where we know what we can most effectively do in terms of creating a more secure environment for our riders and have accordingly identified critical security investment needs.

Our latest survey of public transportation security identified needs of at least \$5.2 billion in additional capital funding to maintain, modernize, and expand transit system security functions to meet increased security demands. Over \$800 million in increased operating costs for security personnel, training, technical support, and research and development have been identified, bringing total additional transit security funding needs to more than \$6 billion.

Responding transit agencies were asked to prioritize the uses for which they required additional federal investment for security needs. Priority examples of operational needs include:

- Funding current and additional transit agency and local law enforcement personnel.
- Funding for over-time costs and extra security personnel during heightened alert levels.
- Training for security personnel.
- Joint transit/law enforcement training.
- Security planning activities.
- Security training for other transit personnel.

Priority examples of security capital investment needs include:

- Radio communications systems.
- Security cameras on-board transit vehicles and in transit stations.
- Controlling access to transit facilities and secure areas.
- Automated vehicle locator systems.
- Security fencing around facilities.

Transit agencies with large rail operations also reported a priority need for federal capital funding for intrusion detection devices. To this extent, we are seeking \$2 billion in funding for transit security in the FY 2005 Homeland Security Appropriations bill. Within the \$2 billion in

funding, we are seeking \$1.2 billion for capital investments, and an immediate \$800,000 in operational expenses.

To date the DHS has allocated some \$115 million for public transportation security through its Office of Domestic Preparedness, and we appreciate this support from the Department. We trust that we can now begin to build on those initial investments and address the \$6 billion in critical needs the transit industry has identified. The Administration's FY 2005 budget, however, does not specifically call for investment in public transportation security. We think it should. Currently ODP grants for transit systems are made available through the states, which means that our transit systems do not have a direct relationship with DHS, and which also means that the process of getting the funds to the local transit systems can be lengthy.

In addition, States can take up to 20% of the grant funding, passing along the remaining 80% to the transit authorities. In that regard, we appreciate the efforts that ODP has recently taken to encourage States to pass-through most of that 20% funding to transit authorities, and to make the funds available as quickly as possible to public transit agencies. Through ODP, public transportation is also being provided with technical assistance in the form of comprehensive risk assessments. We encourage that this level of technical assistance be maintained.

Our nation's transit systems have a direct and cooperative working relationship with DOT's Federal Transit Administration which allocates federal capital investment quickly to the local level, and we believe this is an excellent model that we would like to see developed over time with the DHS. We stand ready to help in any way we can in that regard.

Mr. Chairman, we are also concerned about DHS's Passenger Rail Security Directives that took effect on May 23, 2004, imposing additional costs on our members without providing any federal funds to cover these costs. The measures instruct commuter, transit and inter-city passenger rail systems to comply with requirements that range from removing or replacing station trash cans to utilizing canine explosives detection teams to increasing personnel. At a time when transit systems are experiencing the impacts of the economic downturn when states and local governments have large shortfalls in the tax collections and budgets, new mandates such as these need to be supported with federal government resources. In addition, we believe that a more collaborative working relationship with TSA would see our industry being engaged more fully and at an earlier stage in TSA's planning and we seek your Subcommittee's support in that regard.

CONCLUSION

Mr. Chairman, in light of our nation's heightened security concerns post 9/11, we believe that increased federal investment in public transportation security by DHS is critical. The public transportation industry has made great strides in transit security improvements since 9/11 but much more needs to be done. We look forward to building on our cooperative working relationship with the Department of Homeland Security and Congress to begin to address these needs. We again thank you and the Subcommittee for allowing us to testify today and your commitment in the nation's transportation infrastructure, and look forward to working with you on safety and security issues.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Subcommittee on Highways, Transit and Pipelines

Hearing on Public Transportation Security

June 22, 2004

Testimony of Peter J. Pantuso
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Introduction

Mr. Chairman and members of the Subcommittee, my name is Peter J. Pantuso and I serve as the President and CEO of the American Bus Association.

First of all, Mr. Chairman please accept my "thanks" and that of the industry I represent for scheduling this hearing on public transportation security. The American Bus Association and its members take seriously the duty to provide bus passengers with safe and efficient transportation options at reasonable cost. And for the ABA, "safe" also means, "secure." Your leadership, Mr. Chairman and that of Committee Chairman Don Young, have allowed ABA members to continue to hope that the security of the bus industry will be maintained and strengthened. The ABA looks forward to continuing to work with you to strengthen the bus transportation system.

American Bus Association

The ABA is the trade association representing the private over-the-road bus industry. While the name "American Bus Association" may connote only transportation, indeed our reach is broader. ABA serves as the voice for almost 1,000 bus and tour operators but it represents a thousand hotel operators as well. In addition, individual tourist destinations, such as the Empire State Building in New York City; the Spy Museum in Washington and the Art Institute of Chicago are ABA members. Finally, ABA represents Convention and Visitors Bureaus (CVBs), bus manufacturers and companies that service the industry.

The ABA has 3400 members engaged in all manner of transportation, travel and tour services. In addition to the services noted above, our members are engaged in

commuter services, charter and tour operations, sightseeing and airport shuttle services throughout the nation. The private bus industry transports approximately 774 million passengers each year. A total that exceeds the number of passengers carried by the nation's airlines and rail service. In fact, the bus industry carries more people in two weeks than Amtrak carries in a year. Moreover, ABA members link some 5000 destinations in the United States as opposed to the airlines approximately five hundred destinations and Amtrak's fifty destinations.

The difference between the bus industry, the airlines and Amtrak is that ABA bus operators are largely, in big cities and rural areas, small businessmen and women -- small business people who operate with little or no subsidy from the federal government to support their day-to-day operations. And while the federal government is engaged in a massive effort to protect the airlines and Amtrak from further attacks, funds to aid the bus industry in the same effort have been, with one important exception, which I will explain shortly, lacking.

Bus Security

Since the attack on the United States on 9/11 the American Bus Association has been engaged in assessing the security needs of the bus industry. ABA bus operators have told us what they need to aid them in the protection of the industry. First, training is the highest priority. ABA members want to train their personnel, drivers, dispatchers, and mechanics, in the techniques of threat assessment, threat recognition and crisis management. Second, equipment is needed for the operators. Examples of such equipment are cell phones and other communications systems between drivers and "home base" and emergency first responders; driver shields; cameras for bus facilities and garages, equipment necessary to provide security "wanding" of bus passengers as well as funds to protect significant bus passenger terminals at destinations such as, the Port Authority Bus Terminal in New York City, Las Vegas, Nevada; Branson, Missouri.

Security would also be enhanced by intermodal passenger facilities. Such facilities allow passengers to access multiple transportation modes in one location. A recent bill introduced in the House as the Intermodal Facilities Act (HR 1384) is an example of a program to provide funds for such intermodal projects. This bill, introduced by a bipartisan group of T&I Committee members, and also a part of the Administration's SAFETEA transportation reauthorization bill, would provide "seed money" for localities to build intermodal facilities. While these facilities would aid the transportation of passengers by concentrating transportation modes they would also aid passenger security by allowing security agencies to concentrate their personnel at intermodal locations. The Senate version of the transportation reauthorization bill, S. 1072, does contain a provision establishing such a program and the bus industry continues to hope for its adoption in the conference report.

Need for Federal Funds

While our list of programs and funds for bus security is on balance fairly small, the need for such federal funds is large. This is because the bus industry for all of its reach and its passenger base receives little public money and as I have stated before, the industry is one of small businessmen and women. Indeed, the average ABA member has eight to ten motorcoaches. The two federal programs for which private bus operators are eligible are the so-called Section 5311(f) rural transportation fund which provides States with funds to subsidize intercity bus transportation and the ADA wheelchair accessibility fund which provides a small amount of money to allow private bus operators to place wheelchair lifts on buses. In the case of the section 5311(f) program the amount of funds available is limited to 15% of the Section 5311 rural transportation program. The wheelchair lift program is funded at seven million dollars. It is important to note that the cost of putting one wheelchair lift on a bus is between \$35,000 and \$40,000. As such many ABA members find themselves hard pressed to put wheelchair lifts on buses even at the current federal contribution level of 90% to bus operators fortunate to obtain a grant.

Committee Efforts

The cost of wheelchair lifts points up the necessity for federal security funds. The cost of security training and equipment is more expensive than that for wheelchair lifts and security training and security equipment requires periodic updating. Of course, this committee knows the costs of security. Over the past two Congresses it has worked with the ABA to provide the industry with funds for security. In 2002 the Committee reported, and the House approved, HR 3429. The bill provided \$99 million in grants to help bus operators improve security. Security improvements that were, and are, necessary in light of the fact that, in the words of Chairman Young: "during the past 80 years, 50% of international terrorist attacks have occurred on buses or in bus stations." The most recent example of the Committee's work is its reporting of HR 875. This bill also provides funds for bus security and provides these funds to aid in training, equipping and maintaining bus personnel and facilities for improved security. This year the Senate passed S. 929, a bill that also provides funds for bus security.

Each of these bills would provide funds through the Department of Homeland Security (DHS) to private bus operators for the purposes detailed above. DHS would distribute these funds pursuant to applications from bus operators. The applications would detail the amount requested, the purposes for the grant and the operational "footprint" of the bus operator. The purpose of all of these bills would be to offer the maximum amount of protection for the most number of passengers.

Appropriations Process

While the full Congress has yet to pass a comprehensive bus security bill the efforts just detailed are important because they have shown the way for the nation to improve bus security. The American Bus Association has also worked with the Appropriations committees in Congress to secure bus security funds. In the last two appropriations cycles we have garnered \$35 million for bus security. In 2003 TSA

distributed \$19.8 million of these funds to sixty bus operators and organizations, including the ABA. Another five million dollars was "reprogrammed" by the Transportation Security Administration (TSA) for airlines security. TSA has placed a notice in the Federal Register inviting eligible bus operators to apply for the remaining \$10 million dollars. The applications are due in early next month. Finally, ABA applauds the House and Senate Appropriations Committees for their recent approval of an additional \$10 million dollars for bus security in the FY 2005 Appropriations bills.

The Use of Security Funds

A copy of the list of bus operator grantees is appended to my testimony. Reference to this list will reassure the members of the Committee that the money is being put to good use. The ABA is using its grant money to provide security training materials and an instructional CD to bus operators. ABA in concert with the United Motorcoach Association began a "train the trainer" program in May. We conducted sessions in several locations providing information on threat assessment, threat recognition and crisis management. The program was well attended and has been successful. Fully 90% of the evaluations holding that the program was "excellent" or "very good."

In the realm of funding security related equipment Greyhound Lines, Inc. used its money to continue its efforts to increase passenger "wanding" in its larger terminals; increased the use of cameras at most terminals, increased guard personnel at terminals and developed a driver lateral shield with which Greyhound drivers can fend off attacks. Wisconsin Coach Lines used its grant to purchase screening equipment, e.g., metal detectors and handheld wandling devices. Several ABA members used grant money to begin the process of installing GPS tracking technology.

When I said that the Congressional efforts showed the "way to go" on this issue, it is literally true. The appropriations committees and the TSA used the bus security bills as a template for how the appropriated funds should be distributed and for what purposes. In a very real sense, the bus industry's efforts to improve security owe much to the Committee and its members.

Moreover, these efforts would not have been possible without federal funds. As bus operators are largely small business companies money for efforts to improve security prior to 9/11 were largely non-existent. After 9/11 and before the availability of federal security funds, few bus operators were able to fund such efforts without incurring increased costs. As one example, may I cite the efforts of C&J Trailways an ABA member based in New Hampshire, with operations up and down the East Coast. After 9/11, C&J Trailways instituted a program in which all tickets were sold in the passenger's name subject to positive identification. This alone required the addition of staff at company-operated terminals during peak traffic periods. For its part, after 9/11, Greyhound Lines increased passenger wandling, restricted seating on the front row of its motorcoaches, issued pre-programmed cell phones to all drivers and established a strict "zero tolerance" policy on aggressive behaviors or enroute disturbances.

Even with the ABA training program in place the security costs to the bus industry increases. C&J Trailways has expended over one hundred hours each year in employee training related to security. The collective cost for the provision of these services and training exceeds \$90,000 on an annualized basis. C&J Trailways did not receive any TSA funding for its security efforts. Prior to 9/11 Greyhound estimates that it was spending approximately five million dollars on security, after 9/11 its costs jumped to \$10 million dollars and even with its grant of nine million dollars in TSA security grant funds, it has spend an additional \$4.5 million dollars on security.

The Future

The security efforts and the costs listed above is testimony to the ongoing need for transportation security funding for the private bus industry. American Bus Association members speak now of the need for GPS systems, with "real time" information about their buses and personnel. They talk of the need for updating the training materials and the need for more "train the trainer" sessions, in more locations. They speak of the need for more equipment. Greyhound Lines is exploring the purchase of magnetometers to screen packages in its terminals. A step that bus terminals and destinations may soon require.

In addition, ABA's discussions with the TSA lead us to believe that the future will include an increased focus on the use of ISACs (Information Sharing and Analysis Centers). ISACs will entail the establishment of communications infrastructure to share time sensitive security information between industry and government agencies. If ISACs are to be required in the future, such an expensive undertaking is one that can only be accomplished by the government and is not an expense that can be borne by the private bus industry.

The need for more funds for bus security seems obvious given the sums spent to secure the airlines (in excess of \$15 billion) and Amtrak (\$5 billion). It appears that as we seek to "harden" transportation facilities, those who seek to do the United States harm will turn to less secure areas and facilities as targets. President Bush has said that the War on Terrorism "will not be won easily or quickly." As long as that is the case, we all must continue to expand and update the security of our transportation infrastructure and protect those 774 million passengers who ride our buses.

Conclusion

The American Bus Association looks forward to working with you, Mr. Chairman and the Committee to ensure that our transportation system, which is second to none in safety, reliability and low cost, retains that ranking when "security" is added to that list of duties.

Thank you for you time and I will be happy to answer any questions.

U. S. DEPARTMENT OF HOMELAND SECURITY
Transportation Security Administration

2003 Intercity Bus Grants

Bus Grant Recipient	City	State	Award	Project Priorities
Project Exploration, Inc. (dba American Explorer Motorcoach)	Gilbert	AZ	\$99,950	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Funds for training personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
Antelope Valley Bus, Inc.	Long Beach	CA	\$25,473	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Storer Transportation Service	Modesto	CA	\$44,434	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Grovesnor Bus Lines, Inc. (a Coach USA company)	San Francisco	CA	\$76,004	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials.
Orange Belt Stages	Visalia	CA	\$31,205	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for training personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
American Bus Association, Inc.	Washington	DC	\$773,614	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included. Finally, resources will be provided to conduct a security assessment and develop a plan to continue to improve intercity bus security.

P & S Transportation, Inc. (dba Coach USA of Orlando)	Orlando	FL	\$141,580	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for conducting a security assessment and developing a plan to meet security needs will also be included. A final grant priority is the purchase of screening equipment like metal detectors and handheld metal wand devices.
American Coach Lines	Noicross	GA	\$265,003	Major project priorities include funding for driver protections like driver shields or isolation booths. Funding is also included for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. A final grant priority is the purchase of screening equipment like metal detectors and handheld metal wand devices.
Windstar Lines Inc.	Carroll	GA	\$53,457	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Burlington Atage Lines, Ltd. (dba Burlington Trailways)	West Burlington	VA	\$172,815	Major project priorities include funding for driver protections like driver shields or isolation booths. Funding is also included for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Money for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection is also included. Finally, resources will be provided to conduct a security assessment and develop a plan to continue to improve intercity bus security.
Keeshin Charter Service, Inc. (a Coach USA Company)	Chicago	IL	\$51,278	Major project priorities include funding to conduct a security assessment and develop a plan to continue to improve intercity bus security. Money for training personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection is also included. A final grant priority is the purchase of screening equipment like metal detectors and handheld metal wand devices.
Tri-state Coach Lines (a Coach USA Company)	Gary	IN	\$37,000	Major project priorities include funding to conduct a security assessment and develop a plan to continue to improve intercity bus security.
Turner Coaches, Inc.	Terre Haute	IN	\$76,813	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.

Peter Pan Bus Lines, Inc.	Springfield	VA	\$1,173,875	Major project priorities include funding for driver protections like driver shields or isolation booths. Funding is also included for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Furthermore, resources will be provided to conduct a security assessment and develop a plan to continue to improve intercity bus security. A final grant priority is the purchase of screening equipment like metal detectors and handheld metal wand devices.
Eyre Bus Service, Inc.	Glenelg	MD	\$202,532	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Funding is also included for driver protections like driver shields or isolation booths.
Dillon's Bus Service, Inc. (a Coach USA Company)	Millersville	MD	\$135,950	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for conducting a security assessment and developing a plan to meet security needs will also be included. A final grant priority is the purchase of screening equipment like metal detectors and handheld metal wand devices.
Jefferson Partners LP (Jefferson Lines)	Minneapolis	MN	\$335,102	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Southern Coach Company (Coach USA)	Durham	NC	\$324,860	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Funding is also included for driver protections like driver shields or isolation booths, as well as security assessments that will identify vulnerabilities and develop plans to address them.
Carolina Coach Company, Inc. (dba Carolina Trailways)	Raleigh	NC	\$121,126	Major project priorities include funding for driver protections like driver shields or isolation booths.
Carolina Coach Company, Inc. (dba Carolina Trailways)	Raleigh	NC	\$120,805	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Concord Coach Lines, Inc.	Concord	NC	\$73,182	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.

Lakeland Bus Lines, Inc.	Dover	\$185,406	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included. A final grant priority is the purchase of screening equipment like metal detectors and handheld metal wand devices.
Olympia Trails (Coach USA)	Elizabeth	\$33,032	Major project priorities include conducting a security assessment and developing a plan to meet security needs.
Academy Express, LLC	Hoboken	\$582,386	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
International Bus Service (Coach USA)	Hoboken	\$22,319	Major project priorities include funding to conduct a security assessment and develop a plan to continue to improve intercity bus security.
Red & Tan Tours (Coach USA)	Jersey City	\$40,155	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
Hudson Transit (Coach USA)	Mahwah	\$56,026	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
Suburban Transit Corp. (Coach USA)	New Brunswick	\$77,589	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
New Jersey Transit Corporation	Newark	\$1,342,223	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Leisure Line (Coach USA)	Paramus	\$42,572	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.

Community Coach (Coach USA)	Passaic	NJ	\$15,891	Major project priorities include funding to conduct a security assessment and develop a plan to continue to improve intercity bus security.
Cape Transit Corp. (Coach USA)	Pleasantville	NJ	\$27,164	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
Rockland Coaches (Coach USA)	Westwood	NJ	\$29,461	Major project priorities include funding to conduct a security assessment and develop a plan to continue to improve intercity bus security.
Golden State Coaches (dba Frontier Tours)	Carson City	NV	\$224,923	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included. A final priority will be to conduct a security assessment and develop a plan to continue to improve intercity bus security.
K-T Contract Services, Inc. (A Coach USA Company)	North Las Vegas	NV	\$95,888	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Chenango Valley Bus	Birmingham	NV	\$12,908	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
Sunrise Coach Lines, Inc.	Greenport	NV	\$15,000	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
J&R Tours	Mt. Vernon	NV	\$38,809	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
J&R Tours	Mt. Vernon	NV	\$57,508	Major project priorities include improving physical security at facilities and infrastructure like parking areas, depots, and the perimeter around or inside the terminal itself. Funds will also be provided for operational security enhancements like surveillance, worker identification, and ticketing procedures.

Hampton Jitney, Inc.	Southampton		\$37,737	Major project priorities include improving operational security enhancements like surveillance, worker identification, and ticketing procedures.
Hampton Jitney, Inc.	Southampton		\$10,168	Major project priorities include improving operational security enhancements like surveillance, worker identification, and ticketing procedures.
The Branson Corporation (aka Brewster Charters)	Martinsburg	OB	\$33,168	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Funding is also included for driver protections like driver shields or isolation booths, as well as security assessments that will identify vulnerabilities and develop plans to address them. The final priority will be training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection.
September Winds Motor Coach, Inc.	Toledo	OB	\$11,250	Major project priorities include funding to conduct a security assessment and develop a plan to continue to improve intercity bus security.
Blue Star Charters & Tours, Inc	Portland	OB	\$9,900	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
A. C. Coach Operations, Inc. (Anderson Coach & Travel)	Greenville		\$161,792	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
Capitol Bus Company (dba Capitol Trailways)	Hamsburg		\$120,738	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Frank Martz Coach Co., Inc. (dba Martz Trailways)	Wilkes-Barre		\$60,235	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
Lancaster Tours, Inc.	Lancaster		\$22,423	Major project priorities include funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection.

Capital Bus Lines, Inc. (Capitol Bus Tours)	West Columbia	\$12,840,743	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Protecting driver: Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included. A final priority of the grant is funding for driver protections like driver shields or isolation booths.
American Tours Inc. (Coach USA - South Central Region)	Memphis	\$123,375	Protecting driver: Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included. A final priority of the grant is funding for driver protections like driver shields or isolation booths.
Coach USA Fun Time Tours (South Central Region)	Corpus Christi	\$29,863	Protecting driver: Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included. A final priority of the grant is funding for driver protections like driver shields or isolation booths.
Greyhound Lines, Inc.	Dallas	\$5,017,257	Major project priorities include funding for driver protections like driver shields or isolation booths.
Greyhound Lines, Inc.	Dallas	\$2,627,446	Major project priorities include the purchase of screening equipment like metal detectors and handheld metal wand devices.
Greyhound Lines, Inc.	Dallas	\$1,429,652	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Valley Transit Company, Inc.	Hartlingen	\$152,226	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications, or identification materials. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
EI Expresso Bus Company (Coach USA - South Central Region)	Houston	\$146,540	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Funding is also included for driver protections like driver shields or isolation booths, as well as security assessments that will identify vulnerabilities and develop plans to address them. The final priority will be training personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection.

Gulf Coast Transportation Company (Coach USA - South Central Region)	Houston		\$378,315	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Funding is also included for driver protections like driver shields or isolation booths.
TNM&O Coaches, Inc.	Lubbock		\$191,019	Major project priorities include funding for driver protections like driver shields or isolation booths.
TNM&O Coaches, Inc.	Lubbock		\$189,164	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Kerrville Bus Company (Coach USA - South Central Region)	San Antonio		\$593,659	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials. Funding is also included for driver protections like driver shields or isolation booths. The final priority will be training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection.
United Motorcoach Association	Alexandria		\$84,330	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.
Vermont Transit Company, Inc.	Burlington		\$102,243	Major project priorities include funding for driver protections like driver shields or isolation booths.
Vermont Transit Company, Inc.	Burlington		\$115,299	Major project priorities include funding for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Wickiser International Companies, Inc.	Ferndale		\$10,659	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included. A final grant priority is for monitoring, tracking & communication upgrades that may include GPS tracking technology, cellular communications or identification materials.
Boise-Winnemucca Stages, Inc. (subsidiary Northwestern Stage Lines, Inc.)	Spokane		\$15,748	Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included.

<p>Van Galder Bus Company (a Coach USA Company)</p>	<p>Janesville</p>	<p>WI</p>	<p>\$74,535</p>	<p>Major project priorities include conducting a security assessment and developing a plan to meet security needs. Money for the purchase of screening equipment like metal detectors and handheld metal wand devices is also included.</p>
<p>Wisconsin Coach Lines Group (a Coach USA Company)</p>	<p>Waukesha</p>	<p>WI</p>	<p>\$46,338</p>	<p>Major project priorities include conducting a security assessment and developing a plan to meet security needs. Funds for training industry personnel in recognizing and responding to criminal attacks and terrorist threats, evacuation procedures, passenger screening procedures, and baggage inspection are also included. A final grant priority is the purchase of screening equipment like metal detectors and handheld metal wand devices.</p>
<p>Total</p>			<p>\$19,800,007</p>	

STATEMENT OF RICHARD A. WHITE.
GENERAL MANAGER
AND
CHIEF EXECUTIVE OFFICER
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

SUBCOMMITTEE ON HIGHWAYS, TRANSIT AND PIPELINES
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
U.S. HOUSE OF REPRESENTATIVES

JUNE 22, 2004

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Chairman Petri and Members of the Committee, good morning and thank you for asking me to testify on WMATA's security initiatives and our interaction with the Federal agencies responsible for transit security. I am Richard White, General Manager and Chief Executive Officer of the Washington Metropolitan Area Transit Authority (WMATA).

Background

By way of background, WMATA was created in 1967 as an Interstate Compact agency through enactment of legislation by the U.S. Congress, and by the Commonwealth of Virginia, the State of Maryland, and the District of Columbia. The Metro System was designed to serve the constituencies of the National Capital Region, including employees of the federal government, the residents of the region, the citizens of our nation who come to Washington to do business with federal government, and the millions of people who visit from throughout the world.

Since the mid 1960's, there has been dramatic growth and change in the National Capital Region. As population and employment in this region has skyrocketed, the demands on and expectations of WMATA have also grown exponentially. Each day we provide on average over 1.1 million trips on our rail and bus systems, and more than 40 percent of the daily work trips to the core of the National Capital Region are delivered by mass transit service. In fact, two weeks ago during the week of remembrance ceremonies for President Reagan, rail ridership alone topped 850,000, a single day record. Nearly half of all Metrorail stations serve federal facilities, and federal workers constitute 47 percent of our daily customers who use the Metro system regularly to commute to their jobs.

WMATA Security Initiatives

As the largest transit provider for the National Capital Region, Metro takes its responsibility in homeland security with the seriousness it demands. WMATA applies a triad approach to transit security that involves a partnership among employees, customers and the transit police. Examples include public outreach campaigns, interactions with federal agencies such as DHS and FTA, training, and the application of technology.

WMATA has been hailed by some as a "national security asset" both for its efficient performance on that fateful day of September 11, 2001, and for its potential future role in serving the National Capital Region during a major regional incident or emergency situation. WMATA had spent considerable time and resources on emergency preparedness even before September 11th. In the aftermath of the 1995 nerve gas attack in the Tokyo subway, we began in partnership with the Departments of Energy, Transportation, Justice, and the National Laboratories to develop a chemical sensor detection system for use in a transit environment. Metro's chemical detection system,

which is now fully operational, has become a model for other transit agencies across the nation and around the world.

Also prior to 9/11, WMATA's transit police and safety departments had prepared System Safety and System Security Program Plans, established procedures and practices for activating our Emergency Operations Command Center, conducted annual counter-terrorism and explosive incident training for police and operations personnel, as well as providing a high level of interagency coordination and training programs and exercises with the many law enforcement and fire and emergency rescue agencies in the metropolitan area.

Since 9/11, WMATA has undertaken a number of additional actions to enhance our security and emergency preparedness. With funds made available by Congress and the Bush Administration after the attacks, WMATA undertook a number of initiatives, including:

- Advancing the chemical sensor detection system from the testing and pilot to the operational phase
- Installing intrusion detection capability and ID entry system at WMATA employee buildings, facilities, and stations
- Installing Automatic Vehicle Locators on Metrobuses
- Equipping 100 Metrobuses with digital cameras and recording capability
- Installing bomb containment trash cans
- Purchasing Personal Protective Equipment and additional K-9 teams for transit police and
- Initiating the installation of redundant of fiber optic infrastructure to ensure emergency communications.

The early warning data flowing from the chemical sensor detection system, commonly referred to as "PROTECT", is fully integrated into our Operations Control Center and the data and live images can also be accessed at safe zones for use by incident commanders responsible for responding to an event.

Two years ago, WMATA opened its Emergency Response Training Facility. The facility includes a full-scale replica of a subway tunnel, which was built to provide a realistic tunnel environment for fire, police, and emergency rescue services to train and hone their response skills. In two years, over 2,600 personnel and 17 local and national first response agencies have utilized the facility.

More recently, WMATA has taken additional actions in response to the terrorist attack on the passenger rail system in Madrid this past March, now commonly known as 3/11. These include:

- Purchasing additional explosive ordinance detection equipment
- Increasing frequency of station patrols by transit police special response teams (similar to SWAT teams) who patrol with specially trained explosive detection canines and machine guns

- Altering the way in which transit police are conducting sweeps and increased the number of police officers patrolling during rush hour and
- Increasing public address announcements to customers and reinforced security and safety procedures with employees to be attentive to their surroundings.

Our recent public outreach efforts include a campaign known as, “Is that your bag?,” which has been cited by Department of Homeland Security (DHS) Under Secretary Hutchinson as an effective tool for raising passenger awareness and involvement in the transit environment.

Regional Coordination

Considerable coordination and planning among all of the region’s state and local government players, as well as the private sector is necessary in order to ensure that WMATA’s own emergency preparations and security upgrades will provide benefits to the National Capital Region. Using the Metropolitan Washington Council of Governments (COG) as its primary coordinating body, the region has made significant progress on the issue of regional emergency response planning and coordination. Almost two years ago, COG adopted a Regional Emergency Coordination Plan (RECP) that was developed to provide a framework for assisting the local, state, federal, and private sector partners in coordinating their preparations for and response to a regional emergency. To facilitate the sharing of information and coordination, the plan identifies 15 regional emergency support functional areas, including transportation, which may be called into action during a regional emergency. The transportation emergency support function continues to work on refining the RECP in an effort to provide more specific guidance on emergency transportation protection measures, including evacuation planning.

The region also has in place the Regional Incident Communication and Coordination System (RICCS). The RICCS provides a system for COG members, states, the federal government, other public agencies, the private sector, schools, and volunteer organizations to collaborate in planning, communication, information sharing, and coordination of activities before, during, and after a regional incident or emergency. The RICCS can be activated by any partner within 30 minutes after a request is made. It was an especially useful coordination tool during last year’s two extreme weather events – the blizzard in February and hurricane in September.

WMATA’s Relationships with Federal Partners

WMATA has developed a strong working relationship with the federal agencies designated with transit security responsibilities. WMATA’s longest standing federal partnership on security issues is with the Federal Transit Administration (FTA). Even prior to September 11th, the FTA was an active participant in WMATA’s partnership with the federal government to develop and implement a chemical sensor detection program (PROTECT). The FTA continues to serve as the lead federal agency responsible for technology transfer benefits to other transit agencies resulting from the successful operation of PROTECT in the Metrorail system.

The FTA launched a series of new security initiatives following the tragic events of 9/11 that WMATA has been an active participant in. In the spring of 2002, FTA completed a security readiness assessment of WMATA. The assessment identified various vulnerabilities in our system, some of which we have been able to address through the funding initially provided after the September 11th attacks as outlined earlier in my testimony, but resource constraints have precluded us from fully addressing some of the key critical infrastructure protection needs identified in the assessment.

The FTA has also been an active participant in the American Public Transportation Association (APTA) Security Task Force which was created shortly after September 11th to address strategic policy direction and needs. As Chair of the Task Force, I can inform you that the success of our industry's security initiatives over the past two and a half years is a direct result of full partnership and mutual support between APTA and the FTA. In a related effort, the FTA has provided \$2 million for the Transit Cooperative Research Project funded through the Transportation Research Board in which the APTA Security Task Force serves as the steering group for determining project selection.

The FTA has also provided WMATA and other transit agencies technical assistance and support for continuity of operations planning (COOP), emergency drills, ongoing security forums and research coordinated through the Volpe Center, a checklist of recommended minimum security standards, and leading edge emergency training through the Transportation Safety Institute. On training, WMATA has provided the FTA with in-kind instructional support, which has provided benefits to other transit properties residing both in the United States and internationally. WMATA and the FTA, along with DHS, and the American Red Cross, also worked closely together on a national public outreach effort – **“Together We Prepare”** – designed to provide vital emergency preparedness information to millions of American citizens who ride the subways, commuter trains, and buses each day.

Within the Department of Homeland Security (DHS), WMATA and the National Capital Region as a whole has benefited from the creation of the Office of National Capital Region Coordination (ONCRC), which has proven to be particularly useful in helping to coordinate activities between the region and the federal government in areas such as intelligence sharing, decisions on federal closures, regional grant assistance, and emergency preparedness planning. We are pleased with Secretary Ridge's selection of Tom Lockwood, the newly appointed Director of ONCRC, who comes to the job with a strong familiarity of the region's emergency transportation challenges. WMATA also appreciates the work already performed by Michael Byrne and Ken Wall.

Since the creation of the Department of Homeland Security, the primary federal funding source for transit has been the Office of Domestic Preparedness (ODP). Through the ODP's Urban Area Security Initiative (UASI) Transit Grant Program, WMATA over the last two years has received a modest level of support - \$6.5 million - to begin addressing some of our most pressing outstanding security vulnerabilities. While

WMATA is appreciative of DHS's effort to create a grant program targeted specifically to transit, given the extent of already identified outstanding needs of WMATA and transit industry as a whole, we strongly urge Secretary Ridge to increase the magnitude of funds devoted to the program as well as flexibility in terms of the use of funds.

I will touch upon WMATA's outstanding security needs later in the testimony, but transit preparedness efforts would also be enhanced if the funds allocated UASI Transit Grant Program went directly to transit agencies rather than having to pass through the states, which creates an additional bureaucratic hurdle in getting the resources out where they are needed most. To date, funds not designated by ODP specifically for transit have not been flowing to our systems. WMATA and most other transit agencies, have not received funds from the other ODP state sponsored and Urban Area Security Initiative grant programs designed to enhance regional and local preparedness, including emergency transportation efforts.

WMATA has found ODP's technical assistance programs offered in tandem with the USAI grant program especially useful. We are one of the first transit systems in the country to take ODP up on its offer to provide transit agencies with a comprehensive security needs assessment of their entire system. The assessment will be completed in the next few weeks, and our top security and safety officials have been impressed with both the methodology and caliber of analysis performed by ODP's assessment team assigned to Metro. WMATA appreciates the willingness of the ODP to offer this valuable assessment tool to transit programs and hopes that Congress will continue to support ODP's technical assistance programs.

More recently, WMATA has started interacting with the Transportation Security Administration (TSA) on transit security matters. Starting in May, TSA initiated the first stage of the Transit and Rail Inspection Pilot (TRIP), which evaluated various explosives screening process on certain AMTRAK and MARC passenger operations at the New Carrollton, MD station. During this first pilot phase, Metro Transit Police made available on site K-9 and Explosive Ordinance Disposal officers to provide additional support in the event that an incident occurred while TSA was conducting the screening.

Also last month, TSA released a list of transportation security directives for all passenger rail systems, including transit. Most, if not all, of the directives put forth by TSA involve actions and requirements that WMATA is already undertaking. WMATA welcomes the opportunity to work with TSA on putting in place the inspection requirements associated with these directives, as well as ensuring that any evaluations performed by TSA on the WMATA system are not duplicative of efforts conducted by other DHS agencies and the FTA.

Given the amount of federal players involved in transit security, further clarification of roles and responsibilities in transit security matters between the Departments of Transportation and Homeland Security, as recommended in the recent March GAO report to the U.S. Senate Committee on Commerce, Science, and Transportation, would be beneficial to WMATA and the transit industry as a whole.

Other agencies within DHS that WMATA has briefed and developed working relationships with include the Science and Technology Directorate and the Information Analysis and Infrastructure Protection Directorate. Both Directorates expressed interest in and were briefed on the status of WMATA's chemical detection system, as well as near-term opportunities for enhancing our current bio-chem detection capabilities and the need for redundancy in critical operations control functions. Along similar lines, other Administration officials briefed on these topics include representatives from the White House Homeland Security Council and the Office of the Vice President. WMATA also has transit police officers who participate on the FBI's Joint Terrorism Task Force.

WMATA's Outstanding Security Needs

In my capacity as both the CEO of WMATA and the Chair of the APTA Security Task Force, I feel compelled to reinforce the request put forth by Bill Millar, the President of APTA, in his testimony for additional resources to address high priority transit security needs. As the recent attacks in Madrid and Moscow illustrate, transit systems continue to be a popular target of terrorists. It would be a national tragedy if we had to wait until another attack similar to Madrid occurred in the United States in order to commit the resources necessary to secure our transit systems.

In the last 2 years, DHS has spent over \$9 billion on aviation security and only \$115 million on transit security, yet transit carries 16 times more passengers per day. The transit community agrees with the DHS assessment that the measures needed for addressing transit security differ from aviation, but the actions necessary to make our rail systems more secure still requires a significant infusion of additional funds. The focus with aviation is strictly on deterrence – stopping an event from happening, but for transit deterrence is only one part of the strategy. Additional resources are also needed to mitigate the impact of a potential terrorist attack and hasten the recovery after an attack.

Last fall Metro launched its "Metro Matters" campaign to raise public awareness on the need for WMATA to address \$1.5 billion of unfunded urgent capital priorities over the next six years. Included in the overall figure is \$150 million to secure the overall investment by eliminating vulnerabilities in the WMATA operating system and improve Metro's ability to respond and recover during a regional emergency. WMATA's number one priority, based on the findings of the security assessment conducted by the FTA in 2002 and reinforced by the current DHS Office of Domestic Preparedness assessment to be completed by July, is the need for redundancy in key operations control functions. Due to the urgency of this matter, we have allocated all of our \$6.5 million UASI transit grant funding to address this vulnerability, but the funds provided through the UASI program do not provide enough resources and flexibility to adequately address the issue.

Other high priority security needs include enhancing current WMD detection capabilities, using WMATA as a test-bed for a WMD decontamination demonstration

program, upgrading the public address system at rail stations, additional training relating to managing transit emergencies, expansion of intrusion detection systems, additional anti-terror equipment for transit police, additional video cameras for buses, and other identified needs resulting from the current ODP assessment.

I want to thank you Mr. Chairman and the rest of the members of the Committee for the opportunity to present these remarks and for the support this Committee has provided to Metro over the years. I would be happy to answer any questions.

**Statement of the
NATIONAL SCHOOL TRANSPORTATION ASSOCIATION
for the record of the
U. S. House of Representatives
Committee on Transportation and Infrastructure
Subcommittee on Highways, Transit, and Pipelines
Hearing on Public Transportation Security
June 22, 2004**

The National School Transportation Association (NSTA) appreciates the opportunity to enter our remarks into the record of the subcommittee's hearing on public transportation security. We commend the Committee for their interest in expanding funding for security beyond the airlines and Amtrak, but are concerned that the largest mass transportation fleet in the country has been overlooked.

Each weekday more than 450,000 yellow school buses travel the nation's roads. Our fleet is 2.5 times the size of all other forms of mass transportation—transit, intercity buses, commercial airlines and rail—combined. During the school year we make more than 50 million passenger trips daily carrying the country's most vulnerable passengers—our children. Our exposure is far greater than public transportation's at 32 million trips daily, yet the school bus industry has received little attention and no funding at all from the Federal government.

School Buses and Terrorism

School buses have been targets of terrorists not only in countries such as Israel, Thailand, Yemen, and African countries, but also in Canada and the United States. So far, the attacks in this country have been domestic, but they illustrate the concerns of the industry—and indeed of the country.

- The most notorious case occurred 30 years ago when a gang of armed men hijacked a school bus in California, taking 26 children hostage. The men forced the children and their driver into a buried van and kept them underground for 16 hours, demanding \$5 million ransom.
- In 1995, a man claiming to have a bomb hijacked a school bus with eleven special needs children in Miami. Police killed the hijacker, who turned out to be unarmed.
- In 1996, a 15-year-old boy commandeered a school bus in Salt Lake City and killed the driver. He later killed himself after crashing into a home.
- In January 2002, a school bus driver in Pennsylvania abandoned his regular route and took thirteen children on an unauthorized trip to Washington DC. The

driver, armed with a rifle, eluded attempts to find the bus for six hours. Despite a massive search by police, the bus wasn't found until the hijacker turned himself in.

The Committee knows that buses are a common target of terrorists worldwide. Buses carrying children are particularly popular targets, for there is little that human beings fear more than a threat to their children. Despite the potential for devastating results if terrorists were systematically to target school buses in this country, the Federal government has not included school transportation in its efforts to provide a secure public transportation system.

School Buses and Security

Like public transit, school buses operate in an open environment. Routes are routinely published at the beginning of the school year and rarely change during the year. School buses make the same stops at the same time every day, making it very easy for anyone to intercept a bus. School bus stops are unprotected, and usually unattended by an adult.

School buses, by state law, cannot be locked when students are on board; therefore they are vulnerable to penetration by outsiders. School bus drivers have no shield, compartment, or other protection; since they, unlike public transit or intercity bus drivers, are responsible for their passengers, they cannot be isolated from them.

School bus operations vary greatly in their sophistication and their facilities, but the majority operate from unprotected bus yards, where prior to 9/11, the biggest concern was vandalism. The number of bus fleets that are grounded during the year by vandals indicates how vulnerable the industry is to terrorists.

In many communities across the country, school buses are the only form of mass transportation available for evacuation of large populations. Security of the school transportation system is important not only to protect the students who ride buses daily, but also to ensure that we are ready and able to respond to critical incidents elsewhere in our communities. Many fleets participate in emergency planning with local government for everything from police responses to nuclear plant evacuation planning. School buses from New York, New Jersey, and Connecticut played an important role in both evacuating people from the impact area in Manhattan on 9/11 and transporting critical workers into the area during the search and recover period. This is part of a long tradition of service in times of disaster, whether natural or manmade.

In the fall of 2002, NSTA conducted a survey to gauge how the industry had responded to the events of 9/11/2001. The results showed that the primary response of our members, private companies who provide school transportation under contract to public school districts, was to increase training for drivers in security awareness. Ninety percent reported two-way radio communications in their fleets, and about half have video cameras in some buses. But nearly all said there was no funding available for capital

investments such as fencing and lighting for bus yards or sophisticated tracking equipment for buses.

In the past two years, NSTA has worked with the Transportation Security Administration in trying to determine the security needs of the school bus industry. In 2003, we published "The top 25 Security Action Items for School Bus Operations" as a guide for our members and others in the industry to improve their operations. We collaborated with TSA on a brochure for school bus drivers, and we will soon post an alert status response plan on our website. In addition, many of our members have attended security forums at their own expense, and most are involved in their local emergency response planning activities.

Recently, the state of New Mexico published a training guide for school bus drivers, and some other states have begun to address security training for school bus operations. A few school districts scattered across the country have introduced GPS systems into their school buses, and some are upgrading communications. But as yet there is no consistent, coordinated effort to ensure the security of the nation's school transportation system.

School Buses and Funding

School transportation is funded almost entirely by state and local government. The Federal government provides no funding source for routine home-to-school transportation or school activity transportation. (In fiscal year 2003, the first federal funds became available for school buses when the Environmental Protection Agency provided

\$5 million for grants to reduce diesel emissions as part of their Clean School Bus USA program; another \$5 million was distributed in FY 2004.)

As state governments are decreasing expenditures, a larger burden falls on municipalities to support school transportation. Some school districts have turned to parents to pay part of the cost of busing their children, and some have wrestled with the possibility of discontinuing school bus transportation entirely—knowing that such a move would not only present a hardship for many families and increase traffic and pollution around schools, but more importantly, would put students at much greater risk as they find less safe ways to get to school.

In this economic climate, finding the means to make significant security improvements to school transportation systems is difficult if not impossible.

Congress acknowledged the importance of school transportation in HR 3162, the U.S.A. Patriot Act, by specifically including school buses in the definition of mass transportation. But even though all other forms of mass transportation—airlines, rail, transit and intercity buses—have received some Federal funding for security improvements, school transportation has received none.

This industry specializes in training. Driver training in particular is one of the highest priorities of every school bus operator, public or private. This emphasis on training is one of the reasons we continue to be the safest form of ground transportation. Our response to the need for greater security reflects that priority: we do what we know best. We develop training programs, we include security awareness and response in our regular safety classes, we work with law enforcement personnel to find effective ways to present the information. And we do it within current budgets, using the carriers' own funds.

But if we are to make significant improvements in school transportation security, we must go beyond training to capitol investments in facilities and equipment. Some of the priorities of the industry are:

- Professional security-vulnerability assessments
- Fencing, lockable gates, and lighting to secure bus facilities
- Video monitoring systems for buses, bus yards, and bus stops
- Communications equipment for small and rural school bus systems
- Vehicle locator systems
- FBI background checks for employees

In addition, TSA has invited NSTA to participate in ISAC (Information Sharing and Analysis Center), believing that it would benefit the industry and TSA. We cannot finance an expense of that size on our own; like APTA, we would need a Federal grant to establish an ISAC presence.

These are needs that neither school bus operators nor local boards of education can fund alone. If we are to provide security for the 25 million children transported on school buses daily, we must have help from the Federal government. As Mr. Luner testified before the Committee, "Without consistent application of reasonable and prudent security measures across modes, we risk creating weak links that may drive terrorism from one mode to another." The airline industry has received \$11 billion for security enhancements; Amtrak has received \$5 billion; the transit industry has received \$117 million; and the intercity bus industry has received \$35 million. The school transportation industry—providing over 10 billion passenger trips a year—has received nothing. We urge the Committee to ensure that the largest public transportation system in the country, the one that transports our children, is at least as secure as other ground transportation modes.

We look forward to working with the Committee in its continued efforts to provide all Americans with a safe, secure transportation environment.

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