Statement of
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Mr. Chairman and members of the Subcommittee, thank you for this opportunity to testify today on behalf of the Secretary of Transportation and the Federal Transit Administration (FTA). I am pleased to have this opportunity, with my colleague, William Fagan, Director of Security at the Federal Railroad Administration (FRA), to update you on transit and rail security training and the U. S. Department of Transportation's (DOT) initiatives in that area.

FTA and Transit Security

America's transit system is complex, dynamic, interconnected, and composed of over 6,000 local systems. By their nature, these systems--and the entire transit network--are open and accessible, and therefore difficult to secure. Each workday, transit and commuter rail systems move approximately 14 million passengers in the United States.

FTA, its Federal and state partners, and the transit industry have built a solid foundation for security in the years following the attacks of September 11, by focusing on three security priorities: public awareness, employee training, and emergency preparedness. FTA has designed its security training programs with the certainty that regardless of where an attack comes from or how it is devised, security training of employees and passenger awareness will always help to prevent or mitigate damage.

Since September 11, in our ongoing collaboration with partners at the National Transit Institute (NTI) of Rutgers University, the Transportation Safety Institute (TSI) of the Department of Transportation, and Johns Hopkins University (JHU), FTA has delivered security training to almost 80,000 transit employees nationwide. We have utilized an array of formats for security training, ranging from classroom instruction and roundtables to videos and toolkits, to suit the needs of each audience and to disseminate broadly our knowledge about security.

In September 2005, FTA and two agencies within the Department Homeland Security – the Transportation Security Administration (TSA) and the Office for Domestic Preparedness, now the Office of Grants and Training (G&T), signed the Public Transportation Security Annex to the Department of Transportation (DOT/Department of Homeland Security (DHS) Memorandum of Understanding (MOU) on security. The

annex identifies specific areas of coordination among the parties, including citizen awareness, training, exercises, risk assessments, and information sharing. To implement the Annex, the three agencies have developed a framework that leverages each agency's resources and capabilities.

With the Annex in place as a blueprint, FTA, TSA and G&T have established an Executive Steering Committee that interacts with DHS, DOT, and transit industry leaders. This committee oversees eight project management teams that spearhead the Annex's programs. Each of these programs advances one or more of FTA's three security priority areas, which again are public awareness, employee training, and emergency preparedness. We have been implementing the Annex energetically since its inception.

The "Training Team" looks specifically at how to develop new courses on timely, cutting-edge security topics such as strategic counter-terrorism, and biological and chemical threats. The Annex's "Safety and Security Roundtables" team also enhances security training. It works on direct outreach to the transit industry, and plans two educational events a year for the security chiefs of the 50 largest transit agencies. Transit security leaders have responded favorably to opportunities for peer-to-peer forums, and the security roundtables provide just that. The next roundtable, our third, will be held in December 2006 in Secaucus, New Jersey.

It is also worth noting that the Annex includes a team dedicated to the "Transit Watch" program, which is tantamount to a security training initiative that teaches transit passengers to become more mindful of their environment in the context of risks of the times for terrorism.

FTA, with our Federal partners at DHS, continues to work with Johns Hopkins, TSI, and NTI to deliver and develop security training programs.

Before I detail these course offerings, I would like to call your attention to a few highlights. First, FTA's course offerings are comprehensive and focus on all transit environments, including smaller agencies. Second, security training aims to disseminate the most current and up to date thinking on the most current and up to date threat information for the transit industry. Third, these courses cover a comprehensive range of topics that mesh with transit industry realities and needs. Finally, FTA's courses equip transit agencies to implement security training for all of their employees. This magnifies the impact of security training courses, as it encourages those we educate to educate, in turn, their peers and employees.

In partnership with JHU, FTA has already piloted and revised a two-day course on *Strategic Counter-Terrorism for Transit Managers.* This course provides counter-terrorism management training to transit police and security forces in a large enough number to ensure a core, consistent approach to security planning across transit agencies.

With JHU, FTA has also developed a *Strategic Curriculum Development Guidance Document*, which is an essential tool for *standardized*, high quality security training.

Finally, in conjunction with JHU, FTA is just now completing *the Security Training Assessment for Top 30 Transit Agencies*, and for *20 smaller agencies*. This assessment will help FTA and our partners in the Federal government identify security training gaps and needs in the industry. Usefully, it takes into account smaller agencies, whose requirements and characteristics often differ from those of larger urban systems.

FTA is working with NTI to deliver six security training initiatives for the transit industry:

The *System Security Awareness for Transportation Employees* training that FTA developed with NTI imparts basic security skills and is offered in the form of a four-hour class, DVD/video or employee handouts. FTA has also distributed over 4,200 copies of its system security awareness *Warning Signs* video, developed in collaboration with NTI. FTA is in the process of developing a parallel video targeted specifically to smaller transit agencies.

FTA has just developed a six-hour course on *Chemical/Biological and Explosive Incident Management for Operations Control Center Personnel.* This course has been developed and is currently being delivered to ten transit agencies in large metro areas; an additional 20 deliveries will be scheduled for 2007.

The *Terrorist Activity Recognition and Reaction* course draws on FTA's work with Israeli experts on passenger monitoring, and lessons learned from Israel's security experts. FTA has already reached 6,000 employees with this material. In the next quarter, FTA plans to complete two additional training initiatives with NTI. The first is an *Emergency Drills/ Exercise Guidance Document* for transit agencies. The second is a new training course that will help ensure that transit employees can use the *National Incident Management System for Transit* to collaborate effectively with emergency responders and services during an incident.

During 2006, FTA has collaborated with TSI to offer or develop six security training courses.

In June, FTA and TSI offered a *Crime Prevention through Environmental Design* course in El Paso, Texas; FTA is now developing a *Security Design* training course with TSI that achieves the same purpose but with the emphasis against terrorism.

From April to August of this year, FTA offered its *Transit System Security* course five times. This course encourages participants to develop and implement security policies in a uniform format. The FTA-TSI course in *Effectively Managing Transit Emergencies* also takes a broad perspective and teaches transit employees how to understand the emergency management concept.

Two additional courses train employees to handle specific kinds of security threats. FTA offered the *Threat Management and Emergency Response to Bus and Rail Hijackings* course eight times this year. It also offered a course in the *Transit Response to Weapons of Mass Destruction.*

TSI is in the process of updating and revising all of its courses so as to be in compliance with FTA and DHS requirements.

As this brief review illustrates, FTA has forged successful collaborations both within the Federal government, between the government and the transit industry, and with JHU, NTI and TSI, to develop and disseminate the latest security training and knowledge. FTA's work with these organizations and within the MOU Annex is the primary way that we influence security training practices in the transit industry.

FRA's Role in Railroad Security

FRA's primary mission is to promote the safety of the U.S. railroad industry. FRA's railroad safety mission necessarily includes its involvement in railroad security issues, and FRA works closely with TSA and the railroad industry on a daily basis in addressing railroad security issues.

The United States railroad network is a vital link in the Nation's transportation system and is critical to the economy, national defense, and public health. Amtrak and commuter railroads provide passenger rail service to more than 500 million passengers yearly. Freight railroads connect businesses with each other across the country and with markets overseas, moving 42 percent of all intercity freight, measured in ton-miles. Passenger and freight railroads operate over 170,000 route miles of track and employ over 227,000 workers.

FRA's involvement in railroad security predates the terrorist attacks on September 11, 2001. From 1997 through the enactment of the USA PATRIOT Improvement and Reauthorization Act of 2005 in March of this year, DOT worked closely with Congress to secure the enactment of Federal criminal legislation to more effectively deter and punish terrorist who attack railroads and mass transportation systems. In 1998, FRA issued regulations requiring passenger railroads to prepare and secure FRA approval of plans to address emergencies (such as security threats), conduct employee training on the plan, and conduct emergency simulations. This regulation is discussed in more detail below.

Since the terrorist atrocities on September 11, 2001, FRA has been actively engaged in the railroad industry's response to the terrorist threat. The railroads have developed their own security plans, and FRA has worked with the railroads, rail labor, and law enforcement personnel to develop the Railway Alert Network, which enables timely distribution of information and intelligence on security issues. Working with the FTA, we have participated in security risk assessments on commuter railroads, and we have conducted security risk assessments of Amtrak as well. FRA's security director works on

a daily basis to facilitate communications on security issues between government agencies and the railroad industry.

Freight Railroad Security

A special focus for FRA and DOT, collectively, is the security of hazmat transported by rail. A major initiative to improve hazmat security has been the Pipeline and Hazardous Materials Safety Administration's (PHMSA) March 2003 regulation requiring each shipper and carrier of significant quantities (amounts for which placards are required) of hazmat to adopt and comply with a security plan. Under the regulation, security plans must include an assessment of security risks and appropriate countermeasures or mitigation strategies, or both, to address those risks. The plans must, at a minimum, address three specific areas: the company personnel who prepare and handle hazmat shipments; unauthorized access to hazmat shipments or transport conveyances; and the security of hazmat shipped or transported by the company from its origin to its destination. To assist railroads that transport hazmat and shippers that offer hazmat for transportation by rail to comply with this regulation, particularly small- and medium-sized companies, FRA and PHMSA developed a program on how to write and implement security plans for their companies. FRA, PHMSA, and TSA have been working together on developing proposed revisions to the PHMSA rule.

FRA recognizes that railroad and shipper employees' awareness and understanding of the PHMSA regulation and procedures governing the safe and secure transportation of hazmat shipments are critical. Therefore, PHMSA's regulation provides for safety and security training for employees engaged in the transportation of hazmat. Specifically, every shipper and carrier of hazmat must give its employees training in awareness of risks associated with hazmat transportation and methods designed to enhance hazmat transportation security. In addition, every shipper and carrier required to have a security plan must give its employees in-depth security training concerning the company's security plan and its implementation. These training requirements are also recurrent; employees must receive the required training at least every three years. To date, FRA personnel have reviewed more than 6,105 security plans (including the plans for all Class I freight railroad carriers) and conducted 4,054 inspections for compliance with the security training requirements.

Further, as a result of extensive collaboration with the freight railroad industry, on June 23, 2006, DHS and DOT issued "Recommended Security Action Items for the Rail Transportation of Toxic Inhalation Hazard (TIH) Materials." The Action Items are based on lessons learned from an assessment of high-threat urban area rail corridors and from reviews of railroads' security plans. Implementation of the Action Items is expected to raise the security baseline for the transportation of TIH materials. We believe the Security Action Items are of great value and can be quickly implemented. They include regularly reinforcing security awareness and operational security concepts to all employees at all levels of the organization, training employees to recognize suspicious activity and report security concerns found during inspections of cars containing TIH materials, and other security training program elements. DOT and TSA are monitoring

implementation of the Action Items and, should they not be voluntarily adopted as expected, we will consider more formally instituting the Action Items.

While we must remain ever vigilant to secure hazmat shipments on our Nation's railroads, for the sake of railroad employees and the public whom we all serve, it bears emphasis that the vast majority of hazmat shipments arrive at their destinations safely; few tank cars have leaks or spills of any kind; fewer still are breached in an accident or incident. Considering just chlorine, for example, since 1965 (the earliest data available) there have been at least 2.2 million tank car shipments of chlorine–only 788 of which were involved in accidents (0.036 percent of all the shipments). Of those accidents, there were 11 instances of a catastrophic loss (i.e., a loss of all, or nearly all) of the chlorine lading (0.0005 percent of all the shipments). Of the 11 catastrophic losses, four resulted in fatalities (0.00018 percent of all the shipments). For all hazardous materials, in the 12 years from 1994 through 2005, hazardous materials released in railroad accidents resulted in a total of 14 fatalities. While one death is obviously too many, the record of transporting these commodities is very good.

Railroads have also voluntarily imposed their own, additional security requirements addressing the security of not only hazmat but of freight in general. The Nation's freight railroads have developed and put in place security plans based on comprehensive risk analyses and the national intelligence community's best practices. The Association of American Railroads (AAR) has established guidance for the major freight railroads in the form of a model strategic security plan. Further, the AAR and Class I railroads have been working with the National Transit Institute at Rutgers University to develop employee training modules for security. With FRA and TSA input, four video modules have been developed covering security awareness training. In particular, the video training modules help frontline employees identify potential security breaches, threats and risks and explain how they should report them. A fifth training module is being developed to address the notification of employees in a security incident and what they need to do under the railroad's security plan, such as moving cars to more secure areas. Notably, the training is intended for all railroad employees—not just those employees responsible for the transportation of hazmat. The video training modules will be made part of a training library for use in recurrent training, rules classes, training of new employees, and other training. The training modules will also continue to be shared with the smaller railroads.

Passenger Railroad Security

In the area of passenger railroad security, FRA requires railroads that operate intercity or commuter passenger train service or that host the operation of that service to adopt and comply with a written emergency preparedness plan approved by FRA. Each plan must address employee training and qualification. Crewmembers aboard a passenger train must be trained initially and then periodically every two years on the applicable plan provisions. At a minimum, training must include the following subjects: rail equipment familiarization; situational awareness; passenger evacuation; coordination of functions; and "hands-on" instruction concerning the location, function, and operation of on-board emergency equipment. Personnel of a control center (a central location on a railroad with

responsibility for directing the safe movement of trains) must also be trained initially and then periodically every two years on appropriate courses of action for potential emergency situations. This training must include dispatch territory familiarization and protocols governing internal communications between appropriate control center personnel whenever an imminent, potential emergency situation exists. Additionally, each railroad must establish and maintain a working relationship with emergency responders on its line by developing and making available a training program on the plan, inviting them to participate in emergency simulations, discussed more below, and by distributing updated plans to them, including documentation concerning the railroad's equipment, the physical characteristics of its line, necessary maps, and the position titles and telephone numbers of relevant railroad officers to contact. Further, railroads providing passenger service must periodically conduct full-scale passenger train emergency simulations and must conduct a debriefing and critique session after actual or simulated passenger train emergency situations. These requirements for full-scale simulations and for post-simulation and post-emergency debriefing help ensure that employees' abstract knowledge of emergency procedures is put into practice and then refined based on their collective experience.

Amtrak and commuter railroads have instituted their own security plans and conduct security training. FRA assisted Amtrak in the development of its security plan. Specifically, in coordination with Amtrak's Inspector General, FRA contracted with the RAND Corporation to conduct a systematic review and assessment of Amtrak's security posture, corporate strategic security planning, and programs focusing on the adequacy of preparedness for combating terrorist threats.

In partnership with FTA, FRA participated in security risk assessments on the ten largest commuter railroads and contributed the funding for security risk assessments on three of these railroads. FRA also participated in FTA's "best practices tool kit" initiative, contributing our knowledge of commuter rail operations, infrastructure, and organization to ensure that the recommended security enhancement measures were sound and feasible in a railroad environment. FRA staff worked closely with many of the railroads that receive FTA grant funding, to plan and assist in the development and implementation of security simulations and drills. FRA also devoted staff with both railroad knowledge and facilitation skills to the 17 FTA-sponsored workshops across the country (called "Connecting Communities") to bring together commuter railroads, emergency responders, and State and local government leaders so that they might better coordinate their security plans and emergency response efforts.

The American Public Transportation Association (APTA) is also leading commuter railroads in the development of industry standards for passenger rail security. This initiative is in addition to APTA's system safety audit program, to which most commuter railroads subscribe, and which includes security as an element of overall system safety.

Mr. Chairman and Members of the Subcommittee, be assured that the Department of Transportation will continue to strengthen transit and rail security. We look forward to continuing to work with Congress to advance the shared goal of protecting our transit and

rail infrastructure, and all that rides on it. I, and my colleagues, will be happy to answer any questions you may have.

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