



**STATEMENT OF
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**BEFORE THE
HOUSE COMMITTEE ON HOMELAND SECURITY
ON
RAIL AND TRANSIT SECURITY TRAINING**

September 28, 2006

Chairman Lungren, Ranking Member Sanchez, and Members of the Subcommittee, on behalf of the 31 member unions of the Transportation Trades Department, AFL-CIO (TTD), I want to thank you for the opportunity to testify today at this important hearing on security training for workers on our nation's railroads and public transportation systems.¹

TTD's member unions represent hundreds of thousands of bus, subway, light and heavy rail operators, clerks and maintenance employees at transit, commuter and freight rail systems across the country, as well as virtually all workforces at Amtrak. These workers are literally on the front lines of our battle to keep our transportation networks secure each and every day and no one is more vested in improving our lines of defense against those who wish our nation harm.

Five years have passed since the September 11, 2001 terrorist attacks on U.S. soil. In this five-year period alone, we have witnessed four brutal, deadly terrorist attacks on major transit systems in countries across the globe. The July, 2006 attacks in Mumbai, India claimed the lives of nearly 200 people and injured over 700 more. Last year, the London Underground and bus systems were rocked by a series of explosions in which 56 people died and over 700 were injured. In 2004, a bomb in a Moscow Metro rail car killed 39 people and wounded 129 others, and a coordinated series of detonations on four commuter trains in Madrid killed 191 victims and injured over 1,500 more.

It is difficult to believe, but these horrific annual wake-up calls have not been enough to spur this Administration to take action on transit and rail security. Obviously, public transit and rail systems are by their very nature attractive targets for terrorism – they move masses of people, are highly visible and exposed, and are integral to the smooth functioning of both communities and commerce. Yet the federal government still has not stepped in to provide the necessary funding, oversight, and guidance to ensure that railroads and transit systems address their immediate security needs.

¹ A complete list of unions affiliated with TTD is attached.

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Transportation labor has testified numerous times before Congress to chronicle the unacceptable security gaps that continue to exist in surface transportation. Staggering funding deficiencies are just the beginning – the fact that we spend \$9 per airline passenger but just one penny per rail and transit passenger on security is a frequently-quoted statistic, but it bears repeating. In addition, vulnerable targets have not been hardened, access control at key facilities is lacking, and security plans by railroads and transit systems have yet to be adopted and implemented with federal oversight. These and other shortfalls are well documented in the excellent report, *Detour Ahead: Critical Vulnerabilities in America's Rail and Mass Transit Security Programs*, produced by Ranking Member Thompson and others on this Committee.

Yet today I am here to focus on one fundamental aspect of enhancing security – employee training. Preparing hundreds of thousands of transit and rail workers in the event of a terrorist threat or attack within the U.S. is a vital component of surface transportation security. It is common sense that training each and every frontline employee is a highly effective way to secure and safeguard our transit and rail networks.

Not only do the men and women who work on buses, subways, and railways deserve to be prepared, worker training is also a sound investment of security dollars. With the proper training, frontline workers are well positioned to spot potential security breaches or other warning signs of a potential problem. As the eyes and ears of their workplaces, they are often the first to discover suspicious activities or threats, and are the first to receive reports from passengers. These employees need to know how to recognize a potential problem, what protocols to follow for reporting and responding to potential threats, and how to protect themselves and their passengers from harm.

In the event of an incident or attack, workers are the first on the scene – even before police, fire fighters, and emergency medical responders – and what they do in the first few minutes is crucial to minimizing destruction and loss of life. On the transit and passenger rail side, workers are often called upon to evacuate passengers away from an incident. On the freight railroads, workers are needed to help mitigate damage to facilities and equipment. Training will allow these workers to quickly and efficiently handle the security scenarios they confront on the job.

It is well documented that real security training works. According to a study by the Volpe Center, “probably the most significant factor in determining whether a transportation employee makes a helpful or harmful decision during an emergency is training. Trained and alert transportation professionals can make the difference between success and disaster.” Likewise, Rafi Ron, former Director of Security at Tel-Aviv Ben-Gurion International Airport has testified before Congress that “training provides the skills and confidence...to employees who are present at every point in the system. No one is in a better position to recognize irregularities on the ground than the people who regularly work there.” We could not agree more with these strong endorsements of training.

Even officials from the Federal Transit Administration (FTA) and the Transportation Security Administration (TSA) have testified before Congress on the need for and the inherent value of worker security training. In fact, I am sure that in their testimony here today you will hear those exact sentiments. Yet while statements and press releases from the Administration say all the right things, too little has been done to actually ensure that employees receive adequate security training. The problem is not that good training programs have not been developed. The problem is that if railroads and transit systems are not required to provide security training, it will not be universally implemented by systems across the country.

The National Transit Institute (NTI) has taken the lead in developing voluntary training courses and materials that teach workers to improve their ability to observe, recognize, and report suspicious objects and activities, to be more aware of pre-attack activities, and to spot the warning signs of potential threats. Tens of thousands of transit employees on various systems around the country have had access to some form of these training materials.

However, even this only represents approximately 30 percent of the transit industry's total workforce, according to testimony last July by Chris Kozub, Associate Director of Safety and Security at NTI. A recent survey of transit workers conducted by the Amalgamated Transit Union (ATU) also found that even five years after 9/11, approximately 60 percent of ATU members working for transit systems in the U.S. remain untrained. Even the best programs will have no effect – and will not enhance security – if they are not implemented and used to train all workers.

This low rate of training is even more staggering given that the NTI security training programs are available to transit agencies at no charge. Even with the existence of free programs that can be conducted on site and tailored to the needs of each agency, many transit systems continue to resist calls to train their employees because of the additional costs associated with keeping the buses and trains running during training sessions. Certainly, there are systems like WMATA here in Washington, D.C. and the Los Angeles Metro that have trained their frontline employees without a mandate in place, and we applaud these efforts. Unfortunately, they are clearly the exception rather than the rule. In fact, WMATA is a unique case because, as it is located in the nation's capitol, the system has received record amounts of funding from DHS for security enhancements. Experience dictates that leaving the choice up to industry does not lead to a sufficient number of workers being trained. Congress must step in and extend this crucial instruction to *all* transit workers.

On this point, I would like to note that this Committee included language requiring the Department of Homeland Security (DHS) to issue guidelines on rail and transit worker training during markup of the DHS reauthorization bill. While we support the inclusion of language in Section 903 of this bill (H.R. 5814), this provision falls short of requiring transit systems and railroads to conduct training. Instead, we urge the Committee to support an approach, such as the provision included in the security bill introduced by Ranking Member Thompson, Representative Loretta Sanchez and others (H.R. 5714) to mandate training. In addition, the Transportation and Infrastructure Committee has unanimously passed a transit security bill (H.R. 5808) that includes similar language requiring transit worker training.

The reality on the freight and passenger rail side is even more astounding, where workers are receiving virtually no security training. Rail workers continue to tell us that if they get any training at all, it consists of a pamphlet or a short video on suspicious packages that offers vague, and often conflicting, guidance. I have seen one of these videos and it does little to teach workers how to be more aware of their surroundings in and around rail cars, yards, and maintenance facilities or how to spot vulnerabilities – and certainly not what to do or who to communicate with about a security breach. The training materials are not tailored to any specific job responsibilities and are not designed to impart any specific skills – they simply tell workers to be vigilant. There is absolutely no way that this constitutes meaningful training.

Let me give you just one example I recently heard from one of our members about why security training – and treating workers as partners – is so critical. There have been several instances of bomb threats on Amtrak trains, during which crew members were instructed to remain on the trains without any information or knowledge of what was happening. Passengers were evacuated from the train and surrounding platforms while security forces conducted a sweep of the area. This is clearly unconscionable from a worker safety perspective. But more broadly, leaving these workers to fend for themselves without protocols to communicate with law enforcement personnel or without a way to provide assistance based on what they could have witnessed on the train also creates a huge disconnect in our efforts to strengthen the security of passenger rail.

We understand that Amtrak and the Association of American Railroads (AAR) have partnered with NTI and TSA to develop a computer-based, system security training program for all passenger and freight railroad employees. Amtrak has alleged that at least 10,000 employees had received this training as of the end of last year and that the intent was to have workers do this training at their worksites during layovers or after hours. Yet, I hear from our members at Amtrak that in most places, employees have absolutely no access to a computer, let alone the information of how to log in to the Amtrak intranet and receive training. Therefore, if they are even being given the information, workers are being asked to undergo training on their own initiative and on their own time. And despite the claims that workers had received training materials last year, most of our members received a pamphlet on system security awareness – but it was mailed to their homes just last week.

Freight railroad employees have had even less access to security training – despite what you may hear from my fellow panelist from the AAR. These employees work in tunnels, in unsecured yards, and perform critical maintenance at facilities without restricted access, yet they have not been told by their employers what protocols are in place should an incident or threat arise, or should they see something out of the ordinary. The lack of training for these employees is even more intolerable since there is absolutely no reason why the freight railroads cannot leverage the resources to provide real security training for its workers. Unlike public authorities that are dependent on government grants to implement training, these multi-billion dollar corporations that are awash in cash can certainly afford to continue to run the trains while paying for on-the-job training for its workforce

To the extent that the partnership with NTI improves training materials available to rail workers, we are clearly supportive. We caution, however, that computer-based training materials are a good supplement to, and not a substitute for, a live training course. Although an interactive computer program is better than being told to watch a video, this type of training does not provide workers with the opportunity to ask questions or actively apply the information to their particular workplaces. Security training cannot be a one-time, check-the-box exercise for employers. Workers cannot be expected to retain and apply skills which they were exposed to one time for the remainder of their work tenure and refresher materials are critical to make sure workers are most effective on the front lines.

More to the point, one only need look at what has happened on the transit side to know that even with the best programs available on the rail side, unless frontline employees are required by TSA to undergo training, there is little reason to believe that they will receive it. My members find it difficult to believe that the railroads, who have argued since 9/11 that mandatory training is too burdensome or that training is already being done and therefore no federal intervention is needed, have had a sudden change of heart. Instead, Congress must step in and instruct TSA to ensure that worker training actually gets done.

Finally, I would like to note that this Committee is on record in support of mandatory security training for port employees. Thanks to the leadership of Representatives Reichert and Pascrell, an amendment was adopted during full Committee consideration of the port security bill (H.R. 4954) to require DHS to develop guidelines for a port worker security training program. While the final conference report is being negotiated as I speak, we understand that worker training language, which was also included in the Senate bill, will be retained. Moreover, a Senate Commerce Committee rail security bill was included as an amendment to the port security bill during Senate floor consideration. This amendment also includes a worker training mandate for the rail sector. We strongly support the inclusion of training language for all workers – port, rail, and transit – in a final conference report on port security.

Arming frontline transportation employees with the knowledge of how to spot and react to potential threats and how to protect themselves, their passengers and their workplaces in the event of an emergency is a fundamental, common-sense security enhancement. Workers must be treated as partners in the battle to protect our vulnerable rail and public transit systems, and only through training will they be prepared to do so. I urge this Committee and this Congress to pass legislation requiring security training for rail and transit workers and to remain vigilant in overseeing that this requirement is fully implemented.

Thank you for the opportunity to share transportation labor's views today.

TTD MEMBER UNIONS

The following labor organizations are members of and represented by the TTD:

Air Line Pilots Association (ALPA)
Amalgamated Transit Union (ATU)
American Federation of State, County and Municipal Employees (AFSCME)
American Federation of Teachers (AFT)
Association of Flight Attendants-CWA (AFA-CWA)
American Train Dispatchers Association (ATDA)
Brotherhood of Railroad Signalmen (BRS)
Communications Workers of America (CWA)
International Association of Fire Fighters (IAFF)
International Association of Machinists and Aerospace Workers (IAM)
International Brotherhood of Boilermakers, Blacksmiths, Forgers and Helpers (IBB)
International Brotherhood of Electrical Workers (IBEW)
International Federation of Professional and Technical Engineers (IFPTE)
International Longshoremen's Association (ILA)
International Longshore and Warehouse Union (ILWU)
International Organization of Masters, Mates & Pilots, ILA (MM&P)
International Union of Operating Engineers (IUOE)
Laborers' International Union of North America (LIUNA)
Marine Engineers' Beneficial Association (MEBA)
National Air Traffic Controllers Association (NATCA)
National Association of Letter Carriers (NALC)
National Conference of Firemen and Oilers, SEIU (NCFO, SEIU)
National Federation of Public and Private Employees (NFOPAPE)
Office and Professional Employees International Union (OPEIU)
Professional Airways Systems Specialists (PASS)
Sheet Metal Workers International Association (SMWIA)
Transportation · Communications International Union (TCU)
Transport Workers Union of America (TWU)
United Mine Workers of America (UMWA)
*United Steel, Paper and Forestry, Rubber, Manufacturing, Energy,
Allied Industrial and Service Workers International Union (USW)*
United Transportation Union (UTU)