



United States Senate

Committee on Homeland Security and Governmental Affairs

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Statement of
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As Prepared for Delivery
See Something, Say Something, Do Something: Next Steps for Securing Rail and Transit

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It is a pleasure to welcome back Administrator Pistole to our committee. It has been almost a year since his confirmation, and I appreciate his commitment to strengthening the safety and security of our transportation infrastructure and travelers. I'm also happy to see Commissioner Boynton here from Connecticut to lend his perspective from the state level and Stephen Flynn, who has provided this Committee with his insight on homeland security issues in the past.

Today's hearing on rail and transit security is timely. Only a few days after our U.S. Navy SEALs killed Osama bin Laden, the Department of Homeland Security and the FBI released an alert about rail security. The information was dated from early last year and was not connected to any particular city or rail line; nevertheless, it demonstrated that mass transit remains a terrorist target.

Soon after 9/11, terrorists began targeting mass transit systems. On March 11, 2004, 10 bombs exploded on four commuter trains heading into central Madrid. The attacks left 191 people dead and 1,800 wounded in what is regarded as the worst Islamist terrorist attack in European history.

The U.S. has been subject to rail plots as well. Since 2004, the U.S. Government has thwarted five terrorist plots against our nation's transit and rail systems. Metro and subway stations in New York City, Washington, DC, and train tunnels between New York and New Jersey were the intended targets.

While improvements have been made since 9/11, the challenge of securing rail and mass transit systems is enormous. As CRS reported in February, passenger rail systems, primarily subway systems, carry "about five times" as many passengers each day as do airlines, over many thousands of miles of track, and serving hundreds of stations that are designed for easy access by passengers. The vast network and sheer volume of riders make it impractical to conduct airline-type screening.

Security at airports is now the responsibility of the federal government, but security at subway, bus, and rail stations is largely in the purview of mass transit providers in partnership with state and local governments.

It is vitally important that the federal government, in concert with local partners, help to ensure the transit providers and local officials have the equipment and training to plan for and respond to terrorist threats -- while ensuring taxpayer dollars are spent efficiently.

In addition, federal agencies must partner with state, and local law enforcement to develop a process to identify and report suspicious incidents and share that information nationally, so it can be analyzed to identify broader trends.

GAO recently reported that transit administrators and public transportation professionals currently receive security information from a variety of sources. Nearly 80 percent of respondents used five mechanisms or more to receive security information. Additionally, through interviews with public transit agencies of various sizes around the country, GAO identified at least 21 mechanisms through which these agencies received security-related information. DOT's Federal Transit Administration, TSA, the American Public Transportation Association, and public transit agency officials interviewed "expressed a desire to streamline information sharing to reduce the volume of overlapping information public transit agencies receive."

As we work to improve and streamline information sharing, we need to remember that an alert citizenry remains our first line of defense against terrorist attacks, whether at transportation hubs or city parks or Times Square.

A good example is how an alert street vendor, noticing smoke coming from a vehicle in Times Square, reported it to local law enforcement and thus helped to disrupt the attempted bombing. If not for this concerned citizen, the consequences could have been deadly.

In 2007, Senator Lieberman and I coauthored a law that made it easier for alert citizens to report suspicious activity in the transportation sector indicating potential terrorist behavior without the threat of frivolous lawsuits. This year, we reintroduced our "See Something, Say Something" legislation to expand those protections to reports of such behavior in all other sectors. I hope the Administration will endorse this legislation.

The world is a safer place without Osama bin Laden, but we are not yet safe. We are better prepared for terrorist attacks across all modes of transportation, but future attacks – at least attempts – are certain. The enemy continues to innovate and test our defenses.

Administrator Pistole and I recently spoke with the U.S. Chamber of Commerce about these challenges. We agree that one of our greatest assets in this effort is the spirit of innovation and flexibility that are fostered when we partner with state and local government, local law enforcement, and the private sector. We are able to benefit from their eyes, ears, and ideas.

I thank our witnesses for being here and look forward to our discussion.