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**before the**  
**United States Senate**  
**Homeland Security and Governmental Affairs**  
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Good morning, Chairman Lieberman, Ranking Member Collins, and distinguished Members of the Committee. I appreciate the opportunity to appear before you today to discuss the Transportation Security Administration's (TSA) surface transportation programs.

As you know, TSA's efforts in the surface transportation domain are undertaken to reduce security vulnerabilities and to strengthen resilience against terrorist attacks. In this domain, which includes mass transit systems, ferries, trucking, freight rail, and passenger rail, we work collaboratively with public and private sector partners to develop and to implement programs that promote commerce while enhancing security and mitigating the risk to our nation's transportation systems. We strive to maximize participation from state, local, tribal, and industry interests with a common goal of securing all modes of transportation.

***DHS's Mission to Prevent Terrorism and Enhance Security***

TSA secures and safeguards mass transit and railroad operations through a variety of programs. Many of these programs enhance security by addressing policy gaps, enhancing coordination, and maximizing the use of partner strengths and capabilities as addressed in the March 2010 Surface Transportation Security Priority Assessment. The primary mission of the Department of Homeland Security (DHS) – Preventing Terrorism and Enhancing Security – is strongly supported by TSA and is aligned with DHS's programmatic activities and organizational structure as found in the 2010 Quadrennial Homeland Security Review and corresponding Bottom-Up Review Report.

Due to the large populations and substantial infrastructure served by mass transit and national railroad systems, these networks remain a target for terrorist groups. Moreover, an open

architecture connecting millions of passengers in major metropolitan areas creates inherent potential security vulnerabilities. TSA thus employs advanced risk-based, intelligence-driven techniques to prevent terrorist attacks and to reduce the vulnerability of the nation's transportation systems to terrorism.

Recognizing that the risk from terrorism and other hazards to surface transportation demands a coordinated approach involving all sector partners and stakeholders, the federal government initiated a comprehensive review of U.S. surface transportation security efforts across all modes of surface transportation in 2009. The resulting Surface Transportation Security Priority Assessment (STSPA), released in April 2010, identified interagency priorities for the following four years and provided concrete recommendations on how to enhance security efforts and maximize the use of partnerships to optimize public safety, facilitate commerce, and strengthen the resiliency of the country's surface transportation system.

DHS has completed risk-based implementation plans for each of the 20 consensus recommendations of the STSPA, further addressing the potential risks to the surface transportation system and its four subsectors (mass transit and passenger rail, highways and motor carriers, freight rail, and pipelines). These plans focus on improving information sharing, increasing coordination among federal agencies involved in the transportation sector, and improving the effectiveness and efficiency of the grants process. As of May 2011, 10 recommendations have been fully implemented and the implementation of the others is underway.

### ***Collaboration with Federal, State, Local, Tribal, and Private Entities***

Over the past several years, DHS has been working to establish a new architecture in order to better defend against these evolving terrorist threats. This new architecture includes an emphasis on collaboration across government as well as in concert with private industry and the American public.

In 2005, DHS and the Department of Transportation (DOT) signed the Public Transportation Security Annex to the DHS/DOT Memorandum of Understanding (MOU). This agreement promotes security collaboration between federal, state, local, tribal, and private entities. To implement the Annex, TSA – in collaboration with DOT's Federal Transit Administration and the Federal Emergency Management Agency's Grant Programs Directorate – develops a framework to leverage each agency's unique resources and capabilities. The Annex

also identifies specific areas of coordination among the parties including citizen awareness, information sharing, security standards, data collection and analysis, and technical resource documents.

In 2010, in collaboration with the U.S. Department of Justice and Amtrak, TSA announced a significant step toward enhancing the security of the nation transportation infrastructure with the implementation of the Nationwide Suspicious Activity Reporting Initiative (NSI) capability throughout the entire Amtrak rail system. The NSI is a partnership among federal, state, and local law enforcement to establish a standard process for law enforcement to identify and report suspicious incidents or activity and share that information nationally so it can be analyzed to identify broader trends. Under this collaborative program, Amtrak officers are also utilizing an upgraded reporting system—made available by TSA—to refer suspicious activity reports to DHS and the Federal Bureau of Investigation (FBI) for analysis and follow-up.

DHS fosters regional security coordination and to integrate the spectrum of available resources for enhanced deterrent and response capabilities while empowering our state and local partners through training and exercise grant programs like the Department's Transit Security Grant Program. TSA works to improve security with security stakeholders outside of the federal government. Key partners include trade groups representing mass transit and passenger railroad interests and the mass transit and passenger railroad agencies as well as senior executives, law enforcement chiefs, and emergency responders. The sector partnership model under the National Infrastructure Protection Plan (NIPP) provides a strong framework for TSA to work with other federal, state, local, and private sector partners on critical infrastructure protection and resilience, especially in the area of surface transportation.

We are also making considerable progress engaging the public in transportation security. DHS launched the "If You See Something, Say Something<sup>TM</sup>" campaign last summer to raise public awareness of indicators of terrorism, crime and other threats, and emphasize the importance of reporting suspicious activity to law enforcement authorities. This campaign is being expanded to places where the NSI is being implemented, to ensure that calls to authorities will be handled appropriately, in an environment where privacy and civil liberties protections are in place. The NSI is currently active in 15 states (California, Florida, Georgia, Indiana, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, South Carolina, Tennessee,

Texas, Virginia, and Wisconsin) and 15 major cities (Boston, Cincinnati, Dallas, District of Columbia, Houston, Kansas City, MO, Las Vegas, Los Angeles, Miami, Milwaukee, Phoenix, Sacramento, San Diego, San Francisco, and Seattle).

To protect the public in this effort, TSA promulgated a final rule that strengthens the process by which individuals can report problems, deficiencies, or vulnerabilities related to transportation security including the security of aviation, commercial motor vehicles, maritime, pipelines, public transportation, and railroad carriers.<sup>1</sup> The rule establishes a mechanism by which an individual who makes such a report to the TSA Contact Center will receive either a written receipt or a call identification number. The receipt mechanism will allow individuals who spot deficiencies in security measures to have documentation in case they receive any retaliation for reporting their concerns to TSA.

### ***Using Intelligence to Improve Surface Transportation Security***

Information sharing is critical to getting resources and intelligence out of Washington, D.C. and into the hands of state and local law enforcement, giving those on the frontlines the tools they need to protect local communities. Timely, accurate intelligence and security information is provided by TSA to mass transit and passenger railroad agency officials through joint efforts among DHS Office of Intelligence and Analysis, TSA Office of Intelligence, and FBI classified intelligence and analysis briefings. Consumers of such information include mass transit and passenger railroad security directors and law enforcement chiefs in major metropolitan areas as well as Amtrak.

Intelligence products are provided to partners through TSA Mass Transit Security Awareness Messages as well as through the Joint Terrorism Task Force network's secure video teleconferencing system. TSA is constantly working with our partners to enhance the scope, accuracy, timeliness, and efficiency of information sharing in order to develop a comprehensive intelligence and security information sharing platform.

### ***Collaborative Risk Assessment Initiatives***

TSA is developing and fielding a risk assessment capability focused on individual mass transit and passenger railroad agencies, their regional security partners, and connecting and adjoining transportation systems. This effort aims to produce several risk and vulnerability assessment tools integrated into a single platform so that TSA and its component security

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<sup>1</sup> 76 Fed. Reg. 22625 (April 22, 2011).

partners in DHS can conduct joint assessments of mass transit and passenger railroad agencies, employing resources more efficiently and improving the audit process. In addition, structural vulnerability assessments are currently being conducted on the nation's most critical highway, bridge and tunnel infrastructure. These assessments, performed for TSA by the U.S. Army Corps of Engineers, are the most comprehensive assessments that have ever been performed.

By performing baseline and collaborative risk assessments in the mass transit and passenger railroad domains, TSA is able to engage state and local partners to identify ways to reduce vulnerabilities, assess risk, and improve security efforts. These assessments are conducted with emphasis on the 100 largest mass transit and passenger railroad systems in terms of passenger volume. This group accounts for over 80 percent of all users of public transportation.

TSA uses the Transportation Sector Security Risk Assessment (TSSRA) to evaluate threat, vulnerability, and potential consequences for more than 200 terrorist attack scenarios for mass transit and passenger railroads. TSSRAs rate threat capabilities and likelihood of execution as well as vulnerabilities of rail and bus systems and infrastructure while considering casualties, property damage, and impacts on the transportation network. TSA uses the assessments to inform mitigation priorities, both across the sector and by individual mode, for collaborative security strategies, program development, and resource allocations.

The Baseline Assessment for Security Enhancement (BASE) is a comprehensive security assessment program designed to evaluate 17 security and emergency management action items that form the foundation of an effective security program. BASE is intended to elevate the security posture and readiness throughout the mass transit and passenger railroad network by implementing and sustaining baseline security measures applicable to the operating environment and characteristics of mass transit systems and passenger railroads. TSA implements this continuous improvement process through its Transportation Security Inspectors, who conduct the assessments in partnership with the mass transit and passenger railroad agencies' security chiefs and directors. These evaluations have significantly contributed to an elevation in the mass transit and passenger railroad security posture.

### ***Promoting Surface Transportation Security***

In compliance with federal law, TSA has created the Intermodal Security Training and Exercise Program (I-STEP). I-STEP enhances the preparedness of our nation's surface-

transportation sector network with meaningful evaluations of prevention, preparedness, and ability to respond to terrorist-related incidents. TSA has assembled a team of federal agencies and commercial vendors to provide planning and strategic support as well as analytical and technical services for transportation security training and exercises under the I-STEP program.

Through outreach, TSA engages all modes of the intermodal transportation community to continuously improve security readiness. I-STEP offers an intermodal transportation-security training and exercise program for our nation's transportation network communities. The program improves the transportation industry's ability to prepare for and respond to a transportation security incident by increasing awareness, improving processes, creating partnerships, and delivering transportation network security training and exercises.

In addition to I-STEP, 25 Visible Intermodal Prevention and Response (VIPR) multi-modal teams are currently being operated by TSA while the FY 2012 budget request includes funding for 12 additional VIPR teams. These teams consist of personnel with expertise in inspection, behavior detection, security screening, and law enforcement for random, unpredictable deployments throughout the transportation sector to deter potential terrorist acts. Working alongside local law enforcement agencies throughout the transportation domain, TSA's VIPR teams enhance the agency's ability to leverage a variety of resources quickly in order to increase security in any mode of transportation anywhere in the country. TSA conducted more than 8,000 VIPR operations in the past 12 months, including more than 3,700 operations in mass transit and passenger railroad venues. VIPR operational plans are developed with a risk-based methodology in conjunction with local transportation security stakeholders and conducted jointly by TSA, local law enforcement, and transportation security resources.

TSA and the representatives of the Transit Policing and Security Peer Advisory Group work together to enhance coordination and deterrent effects of VIPR team operations. This cooperation has grown since the mutually agreed upon operating guidelines for "Effective Employment of Visible Intermodal Prevention and Response Teams in Mass Transit and Passenger Rail" were implemented in October 2007.

#### ***Advancing Security Initiatives through Federal Grants***

As I previously mentioned, DHS employs a comprehensive transportation security grant program (TSGP) to provide awards to eligible transit agencies to assist state and local governments in devising and implementing initiatives to improve security. The TSGP promotes

a sustainable, risk-based effort to protect critical surface transportation infrastructure and the traveling public from acts of terrorism. The program is the primary vehicle providing funding assistance for security enhancements to eligible domestic mass transit and passenger railroad agencies and employs risk-based prioritization for funding decisions.

In 2010, the TSGP provided \$273.4 million to the transit and passenger railroad industry and a total of \$1.6 billion since 2006. Similar, but smaller grant programs have supported over-the-road bus operations. Approximately \$175 million has been awarded through TSGP for operational deterrence activities, which include public awareness campaigns, training, drills, and exercises since FY 2006. TSGP funding also supports non-federal law enforcement positions for anti-terrorism activities. DHS has awarded \$29.9 million since FY 2006 for 60 canine teams and \$93.6 million for 304 officers to create 77 anti-terrorism teams. These officers enhance security, provide a visible deterrent and augment our nimble, risk-based approach to provide assistance where it can best be put to use. Transit, passenger railroad, and law enforcement agencies have also been provided TSGP funds to hire non-federal officers to serve as mobile explosives detection screeners. The officers for each of these teams are employees of the transit system/passenger railroad/law enforcement agency and are deployed according to security needs within the local transit or passenger railroad system.

In an effort to further harden critical surface transportation infrastructure, in 2010, TSA, in coordination with DOT and other DHS offices, developed and implemented the “National Strategy for Highway Bridge Security,” to conduct the most comprehensive structural security assessments to date on more than 60 of the nation’s most significant highway structures, including bridges, tunnels and terminals. DHS is making strides across the department to improve critical infrastructure protection activities. Grants have been used to support intrusion detection, physical hardening, and surveillance measures for underwater tunnels, bridges, and multi-user high-volume stations. The TSGP has funded \$155.2 million for underwater tunnel hardening, \$168.5 million for critical station physical security measures, and over \$28 million for suspension bridge hardening since FY 2006.

## **Conclusion**

Our goal at all times is to maximize transportation security to stay ahead of the evolving terrorist threat while protecting passengers’ privacy and facilitating the flow of legitimate commerce. TSA works collaboratively with industry partners to develop and implement

programs that promote commerce while enhancing security and mitigating the risk to our nation's transportation system. I want to thank the Committee for its continued assistance to TSA and for the opportunity to discuss the important issues related to surface transportation security. I am pleased to answer any questions you might have.