

Rail and Transit Security Must be a National Priority

Background Materials Prepared by the Office of Congresswoman Carolyn B. Maloney

Fully one-third of terrorist attacks worldwide target transportation systems, and public transit is the most frequent target.¹ Between 1997 and 2000, more than 195 terrorist attacks occurred on surface transportation systems worldwide.² Since the attacks of September 11, 2001, the U.S. Department of Transportation (DOT) and the Federal Bureau of Investigation (FBI) have warned transit and other railroad systems of possible terrorist strikes. In April 2003, such warnings were validated when it was revealed that Khalid Sheik Muhammed, one of Osama bin Laden's chief lieutenants, told his interrogators that al Qaeda had plans to attack the metro system in Washington, D.C.

The recent attacks in Madrid, Spain, the frequent bus bombings in Israel, and warnings of potential attacks require the Department of Homeland Security to make the protection of these systems a top priority. Unfortunately, there is not a single agency in charge of rail and/or transit security. Currently, the Transportation Security Administration (TSA) is formally responsible for the security of all modes of transportation and the Federal Transit Administration is in charge of federal operational oversight of transit. However, these agencies still do not even have a memo of understanding between them about how to develop a set of risk assessments and standards. It is unclear how responsibility for transit security will be divided between them.³

For this fiscal year, the TSA is currently spending \$4.5 billion for aviation security, while only \$65 million was dedicated to passenger rail or public transit security.⁴ In the Administration's fiscal year 2005 budget request, funding for anything other than aviation security is less than three percent – or only \$147 million – of TSA's total budget. Of this, no funds are requested specifically for passenger rail or transit security. This is troubling when you consider that passenger rail routes in the U.S carry 16 times more passengers than airlines every day. It is also troubling because Congress created the TSA to protect all modes of transportation. Yet, the GAO has stated that while TSA has "started development of overall intermodal transport security plan, [it] has not developed specific plans to address the security of individual surface transportation modes, including rail, and does not have time frames established for completing such an effort."⁵

Training

A recent survey the Amalgamated Transit Union conducted with their members showed that 80% of the respondents reported that they have not received any security training from their employer. Frontline rail and transit employees are the eyes and ears of every transit system. These employees, with the appropriate training can be crucial in deterring, diffusing and responding to security incidents that occur aboard their vehicles and within transit stations or facilities.

Rail travel is very porous, and it would be impossible to secure stations in the same manner as airport security without serious disruptions and changes to current systems. By training rail and transit employees we can at least allow them to be the eyes and ears of rail and transit facilities.

¹ Congressional Research Service, "Transit Security," memo to Homeland Security Committee Democratic staff, August 28, 2003.

² U. S. General Accounting Office, *Transportation Security: Federal Action Needed to Help Address Security Challenges*, GAO-03-843, (Washington, D.C.: GAO, June 2003), 7.

³ Congressional Research Service, "Transit Security," memo to Homeland Security Committee Democratic staff, August 28, 2003.

⁴ Amanda Ripley, "America's Risky Rails: Why the government is investing so much in airline security while leaving trains vulnerable," *Time*, March 22, 2004.

⁵ U. S. General Accounting Office, *Rail Safety and Security: Some Actions Already Taken to Enhance Rail Security, but Risk-based Plan Needed*, GAO-03-435, (Washington, D.C.: GAO, April 2003), 3.

Security awareness training materials have been developed by the National Transit Institute, in consultation with the Amalgamated Transit Union, and are available to transit systems free of charge. Unfortunately, however, many transit systems have not provided this training to their front-line employees. One reason for this is that despite the training materials being provided for free, transit systems may have to pay to customize the materials for their system, to rent classroom space and to pay employees for time spent in training. Because most federal transit grants may not be used for operating costs associated with training, employers have very limited resources with which to pay for these costs.

In addition to any training, rail and transit workers must be assured that they will have whistle-blower protections when they report potentially dangerous situations. Many rail and transit workers have complained that they suffer harassment and intimidation when they report accidents, injuries and other safety complaints. For their training to be effective, rail and transit workers need to have a working environment that allows them to use their training and report potential problems.

Protection of Key Infrastructure

Protecting and making key infrastructure harder targets must be a top priority. A national analysis of all key rail and transit infrastructure must be completed and key vulnerabilities must be addressed. Security enhancements to rail and transit systems must be geared toward protecting key infrastructure.

Remote Controlled Trains

Trained professionals have been taken off locomotives and replaced with remote control operations even in the instance of the transport of hazardous materials cargo. The units that control these trains are not required to be in a secure location and access to them is not logged.

Travel of Hazardous Chemicals through Population Areas

Currently, shipments of hazardous materials that could cause great threats to communities in the event of a terrorist attack or accident are traveling through population centers without a risk assessment on the routes they are taking. According to a Traffic World Article, the Naval Research Laboratory has modeled the devastation that could be caused by a terrorist attack on one tank car of chlorine. The Laboratory's model was done on Washington, D.C. It showed that if an attack took place, it would create a cloud of gas that would cover a 14 mile radius and 2.5 million people would be at risk. Trains carrying chlorine routinely travel on train tracks within four blocks of the Capitol Building. Concerns about an attack on chlorine tanks prompts officials to stop transport during major events such as the State of the Union Address.

Coordination

In 2003, the General Accounting Office (GAO) recommended that DHS's Transportation Security Administration (TSA) and the DOT "develop a risk-based plan that specifically addresses the security of the nation's rail infrastructure" and "establish time frames for implementing specific security actions."¹ Such a plan still has not been developed, and progress on this front has been limited because responsibilities for transit security are fragmented and confused. According to GAO, the roles and responsibilities of TSA and DOT "have yet to be clearly delineated, which creates the potential for duplicating and/or conflicting efforts

¹ U. S. General Accounting Office, *Rail Safety and Security: Some Actions Already Taken to Enhance Rail Security, but Risk-based Plan Needed*, GAO-03-435, (Washington, D.C.: GAO, April 2003), 33.

as both entities move forward with their security efforts.”² Further, “DOT and TSA have not yet formally defined their roles and responsibilities in securing all modes of transportation.”³ To address the problem, GAO recommended that DHS and DOT enter into a memorandum of agreement to “define and clarify each entity’s role and responsibilities in transportation security matters.”⁴ DHS and DOT disagreed with the recommendation and thus far have failed to clearly define their roles and responsibilities.⁵

Equipment and Technology

Many transit agencies tightened security in various ways following 9/11. “Transit agencies have placed surveillance equipment, alarms, or security personnel at access points to subway tunnels, bus yards, and other nonpublic places...” Chemical detection systems were installed in some subway stations in Washington, D.C. and Boston, and are planned for other subway systems as well. A recent survey of transit agencies indicated that the top three safety and security funding items are improved communications systems, surveillance equipment, and additional training.

Plan of Action

- Designate an office within the Department of Homeland Security to develop and implement best practices for passenger-rail and public-transit security
- Define and clarify the respective roles and responsibilities of the Department of Homeland Security and the Department of Transportation in security matters
- Provide security training for all rail and transit workers
- Place trained professional conductors and engineers at all times on trains carrying hazardous materials.
- Any remote that operates a train must be kept in a secure area and should be signed in and out
- Routes that bring hazardous materials through populations centers should be reexamined and alternate routes should be considered
- Investments need to be made in technology upgrades. Trains stations should be monitored by security cameras, trained dogs should be randomly searching stations and trains, and chemical and biological detectors should be installed at more train stations.
- The TSA is supposed to be in charge of all transportation and must dedicate more than 3% of its budget to non-airline security. Priorities are wrong when we ignore certain targets.

² U. S. General Accounting Office, *Transportation Security: Federal Action Needed to Help Address Security Challenges*, GAO-03-1154T (Washington, D.C.: GAO, September 9, 2003), 3.

³ U. S. General Accounting Office, *Transportation Security: Federal Action Needed to Help Address Security Challenges*, GAO-03-1154T (Washington, D.C.: GAO, September 9, 2003), 18.

⁴ U. S. General Accounting Office, *Transportation Security: Federal Action Needed to Help Address Security Challenges*, GAO-03-1154T (Washington, D.C.: GAO, September 9, 2003), executive summary.

⁵ U. S. General Accounting Office, *Transportation Security: Federal Action Needed to Help Address Security Challenges*, GAO-03-1154T (Washington, D.C.: GAO, September 9, 2003), executive summary.