

TESTIMONY OF

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BEFORE THE U. S. HOUSE OF REPRESENTATIVES

COMMITTEE ON HOMELAND SECURITY

**SUB-COMMITTEE ON TRANSPORTATION SECURITY
AND INFRASTRUCTURE PROTECTION**

**HEARING ON INDUSTRY PERSPECTIVES REGARDING THE AUTHORIZATION OF THE
TRANSPORTATION SECURITY ADMINISTRATION FOR
FY 2012 AND 2013**

JULY 12, 2011



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National Legislative Office
304 Pennsylvania Avenue, SE
Washington, DC 20003**

Chairman Rogers, Ranking Member Jackson Lee and Members of the Subcommittee, on behalf of the 85,000 members of the United Transportation Union (UTU) thank you for the opportunity to testify today at this important hearing on transportation security.

UTU represents thousands of transit and rail employees on our nation's freight and passenger rail systems, including Amtrak. Each and every day these workers are on the frontlines of the battle to keep our transportation networks secure. Our members are committed to work with their employers and our government to improve our lines of defense against those who wish our nation harm. UTU has offered to work with our nation's railroads on security training and have had positive discussions on possible joint partnerships.

A primary concern to our rail members is the lack of locks for doors and windows on locomotive cabs. On June 20, 2010, in New Orleans a conductor was shot to death and the locomotive engineer was injured during an armed invasion and robbery in their locomotive cab. The lack of a secure operating cab allowed that individual to easily enter the cab and commit this terrible crime. Also in 1998 a commuter train was hijacked when an intruder entered the unlocked locomotive cab. The locomotive engineer was held at gunpoint and the train was hijacked to Philadelphia. We believe it should be a requirement that all locomotives be equipped with locks for the doors and windows to prevent unauthorized entry into the operating compartment.

When windows and doors are closed and locked, the locomotive cab needs to be air conditioned. Certainly in cold weather operating crews will close the windows and doors; however, in hot weather without air conditioning, operating crews are forced to open the windows and doors, compromising their personal safety and that of others.

Currently there are no federal standards for equipping locomotives with air conditioning or for secure locks on doors and windows. We are pleased that the Federal Railroad Administration (FRA) is considering the issue of air conditioning in a pending rulemaking, but unfortunately requiring locomotive doors and windows to have locks is not part of that rulemaking.

In regards to bus operations, we recommend that bus terminals be secured with fencing, video surveillance, security personnel or a combination of all three. Many bus yards are not fenced and many that are do not have locked gates.

In regards to security training for employees, we need to adequately train hundreds of thousands of transit and rail workers across America so they are ready in the event of a terrorist threat or attack. Properly training frontline workers is vital to surface transportation security and is a cost-effective way to secure and safeguard our transit and rail networks.

In the event of an incident or attack, our members 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 freight railroads, workers are needed to help mitigate damage to facilities and equipment and alert first responders.

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 others from harm.

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. Yet too little has been done to actually ensure that employees receive adequate security training because railroads and transit systems are not currently required to provide adequate training.

This Committee worked diligently to address these concerns by including comprehensive security training in the 9/11 Commission Act. That legislation mandated that all frontline rail, transit and over-the-road bus employees undergo live training exercises, receive training on evacuation procedures and are instructed on crew and passenger communications and coordination. Unfortunately, these training mandates are nearly four years overdue. In fact, this administration has failed to issue a Notice of Proposed Rulemaking (NPRM) on these essential training issues. We believe this is unacceptable and further delay only perpetuates the existing dangers.

In many cases security training consists of a pamphlet or a short video. I worked as a railroad engineer on a large freight railroad for 30 years and my entire security training consisted of watching a 30 minute video in a cubical by myself. The video was well done and it urged me to report any suspicious activities and to be more aware of my surroundings. However, it was not tailored to my job responsibilities and I didn't learn any specific skills – I was simply instructed to be more vigilant. That video, while a good tool, did not constitute meaningful training.

In the railroad industry there are enormous amounts of operational testing that takes place, where supervisors spy on workers hoping to catch someone committing some petty infraction of the rules. We have had supervisors sneak around in camouflage clothing, use unusual vehicles and use other means to disguise their identity. Many of my co-workers didn't report suspicious activities because they believed that the person sneaking around was probably a supervisor.

Another concern to us is the way in which training in general has evolved away from the classroom and into the cubical. Where we once had discussions with instructors and co-workers, we now have hours in front of computer screens with no opportunity to interact and ask questions. This is tantamount to "training on your own." We need legitimate classroom training, using security professionals. While videos and computer-based training can be supplements, they are not a meaningful substitute for classroom training. Workers need the opportunity to ask questions about their particular workplaces and need training that is designed to fit their craft and work environment.

Security training should also be redundant, not be a one-time, check-the-box exercise for employers. Workers cannot be expected to retain and apply skills that they were exposed to only once. Regularly scheduled follow-up training is critical to make sure workers are effective on our nation's frontlines.

Some additional recommendations are:

The security of major rail terminals where chemicals are stored requires increased protection whether by additional fencing, video surveillance, security personnel or a combination all these tactics.

We recommend additional track inspections to verify the integrity of the right of way as a cost-effective way in which to protect our rail system.

We believe that the current FRA regulation on glazing standards provides an insufficient level of protection for crew members. Those standards require locomotive glass to withstand the ballistic impact of a .22 caliber lead bullet of 40 grains. This standard has been in effect for decades and is outdated. Most firearms far exceed this level of protection. While there are firearms that can penetrate almost any glass thickness, we don't believe that is a legitimate reason to do nothing. If a glazing is available that can protect operating employees from most of the firearms available to today, then Congress should require the installation of such glazing on locomotives.

In closing, workers must be treated as partners in the battle to protect our vulnerable rail and public transit systems, and through proper training they will be prepared to do so.

We appreciate this Committee's efforts to push for meaningful security initiatives. We strongly urge TSA to implement the training mandated in the 9/11 Act to ensure frontline workers are prepared to assist in the event of a transportation security incident.

Thank you for the opportunity to share the Untied Transportation Union's views.