

**Testimony
of**

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**“Protecting the Mass Transit Critical Infrastructure
in New York City and in the Nation”**

**Transportation Security and
Infrastructure Protection Subcommittee**

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Good Morning Chairwoman Jackson-Lee and members of the Committee. I thank you for the opportunity to speak before this committee on the extremely important issue of transportation security as it relates to mass transit systems in our great Nation.

As the Senior Vice President and Chief of Police of Houston METRO, the transit agency for the Houston region, I have first hand knowledge of the challenges of securing a transit system in a high-threat metropolitan area.

Let me start by saying that we in the transit industry applaud the efforts of the Transportation Security Administration (TSA) in working to secure the Nation's transportation systems in the various modes. Since the September 11 terrorist attacks, TSA has focused the bulk of its resources, including funding, technology, and programs, on securing our aviation systems. While this focus was understandable in light of the nature of the attacks, we believe that TSA must now invest in securing other modes of transportation, including our mass transit systems.

In 2007, the over 6,500 providers of public and community transportation services saw a ridership of 10.3 billion trips; the highest ridership level in 50 years according to the American Public Transportation Association (APTA). The number of people using public transportation has risen by 32 percent since 1995. Weekday boardings numbered 34 million compared to the 2 million daily domestic travelers using commercial aviation.

When you take these statistics, couple them with the fact that our transit systems are open to the public with many access points, and add the historical precedent of repeated attacks overseas on surface transit; one can clearly see that our transit systems, left unsecured, are viable and attractive targets for terrorists. This was evidenced in the attacks on the surface transportation systems in Madrid, London, and Mumbai. Transit agencies that have both rail and bus systems are particularly vulnerable to attack.

Transit agencies have worked closely with TSA to highlight the importance of transit security. Our efforts have resulted in establishment of the Transit Policing and Security Peer Advisory Group, the Transit Security Grant Program, and the current effort to train front-line employees. Also, the Transit Security and Safety Roundtable was established as a means for representatives of the 50 largest mass transit systems to share ideas and information, discuss security issues, and engage in collaborative efforts to secure our transit systems nationwide. This sharing of information and lessons learned ensures that we are doing the most that we can with the resources available. These programs are a good start; however, they fall short of addressing the bulk of the security needs of transit agencies and continue to leave our systems, particularly in high risk cities, vulnerable to attack.

The Transit Policing and Security Peer Advisory Group provides TSA with the experience and expertise of 15 transit Police Chiefs and Security Directors from systems across the Nation in addressing security concerns of transit systems. This group was instrumental in bringing about the accelerated front-line employee training effort that is currently underway.

The Transit Security Grant Program (TSGP) provides grants to the larger transit agencies to implement security programs and measures. This program, however, does not provide adequate funding for transit agencies to address their security needs. President Bush's FY 2009 budget only proposes \$175 million for transit security grants, compared to \$400 million provided by Congress in the FY 2008 Department of Homeland Security Appropriations legislation. It also falls far short of the \$750 million authorized for transit security in FY 2009 under the 9/11 Commission Recommendations Act of 2007.

In addition to the lack of funding, there are several other issues with the program that we believe should be addressed. First, despite Congress' direction to DHS to provide funding directly to transit agencies, TSGP funds are funneled through State Administrative Agencies (SAA's) thus creating delays in the receipt of these funds by the transit agencies. The direct awarding of these funds to transit agencies as is currently done with Federal Transit program funding would greatly improve the process and maximize the use of such funds. Second, the awarding of funds should be predicated on legitimate security exposure that is based on consequence, threat, and vulnerability; regardless of a transit agency's location, ridership, or Tier ranking. Third, transit agencies should be able to use the funds for operating expenses related to security efforts in addition to capital expenses. The Visual Intermodal Protection and Response (VIPR) team initiative is a good model for this concept. Agencies could use these funds for overtime and backfill in support of random and unpredictable patrols that would greatly improve the ability to deter and interrupt terrorist activities. The individual agencies know best what they need in order to secure their systems, and we believe that greater latitude should exist to leverage TSGP funds in furtherance of operational efforts in transit security. A major strength of the TSGP is the funding of training, drills, and exercises; the valuable tools that allow agencies to identify gaps, and prepare their employees to mitigate, prevent, and respond to the threat of terrorism. Vulnerability assessments must continue to be funded under TSGP as they compliment drills and exercises. Together they form a comprehensive approach to continual evaluation and improvement. These tools are essential in teaching our employees how to implement plans and procedures including how to respond to terrorist threats and actions.

The initiative that is currently underway to train front-line transit employees is a great example of how partnerships between TSA and local transit agencies can work in resolving transit security issues. Transit agencies nationwide realized a need to train their front-line employees on security awareness, behavior recognition, immediate emergency response and local emergency procedures. These agencies also realized that addressing this need would require reducing their current funding of on-going security efforts in order to cover the costs of overtime and backfill so that front line employees could get "out of the seat" for training. Local transit agencies worked with TSA and the Transit Policing and Security Peer Advisory Group to resolve these issues.

The effort resulted in additional funds that were granted during the FY 2007 TSGP. The granting of these funds was accelerated in order to allow the transit agencies to provide this much needed training in a timely manner to their most critical employees.

In closing, I would like to commend TSA for their efforts to implement programs to ensure that our nation's transportation network is safe and secure. I believe that transit agencies across the country stand ready to partner with TSA and Congress so that together we can secure this Country's public transportation systems in order to protect the passengers, employees, and public at large from the threat of terrorism.

I want to thank the Chairwoman and Committee members again for this opportunity to speak, and we stand ready to provide you with any additional information that you may need.

Thank you.