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CROSS-BORDER TRUCKING

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Statement of William Arrington General Manager, Highway and Motor Carrier Security United States Department of Homeland Security

Committee on House Homeland Security Subcommittee on Transportation Security and Infrastructure Protection

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Good afternoon Chairwoman Jackson Lee, Ranking Member Lungren, and members of the Subcommittee. Thank you for the opportunity to appear before you today to discuss TSA's highway security programs. As the General Manager of the Transportation Security Administration's (TSA) highway and motor carrier security programs, I am pleased to be here to discuss TSA's activities to protect highway operators and assets, regardless of their origin.

The Nation's Highway Transportation System is vast and interconnected, including 3.8 million miles of roadway; 582,000 bridges; and 54 tunnels of more than 500 meters in length. The highway system supports 86 percent of all of our citizens' personal travel, moves 80 percent of the Nation's freight by value, and serves as a key component in national defense mobility. Nevertheless, despite widespread redundancies, there are critical junctures with limited capacity for additional traffic, and freight volume is projected to double by 2020, stretching the Nation's ability to manage limited capacity and growing security concerns.

Trucks transport the majority of all of the goods in the United States. These shipments include agricultural goods, hazardous materials (HAZMAT), electronics, automotive and other products essential to our economy. The trucking industry is unique in that it is the only segment of the Highway Infrastructure and Motor Carrier Mode with complete intermodal supply chain relationships linking the Aviation, Maritime, Mass Transit, Passenger Rail, Freight Rail, and Pipeline modes. With widespread access to not only intermodal infrastructure, but also contact with large numbers of people and goods, it is important that coordination between trucking operation and other modes includes effective lines of communication and coordinated security measures to establish and maintain safe and secure transport of goods and people.

TSA makes no operational distinction between domestic and foreign trucking operators. Once a truck or other highway vehicle has crossed the border, completing all necessary safety and security checks required by the Department of Transportation and U.S. Customs and Border Protection, it poses and is subject to the same level of security risk and threat assessment as if it were a domestic vehicle. As a result, TSA's security planning and programs for the highway mode are designed to benefit all participants, regardless of their home

base.

Security Strategy

Highway infrastructure and motor carrier security is advanced by implementing layered security measures through transportation systems operations and management. Toward this end, the Department of Homeland Security (DHS), the Department of Transportation (DOT), State and local government entities, and private sector security partners continue to be committed to improving the Highway Transportation System. The security of the Highway Transportation System is a shared responsibility among Federal, State, and local governments and private stakeholders. Measures to secure the assets of the Highway Transportation System must be implemented in a way that balances cost, efficiency, and preservation of commerce in this Nation. Federal, State, local, and tribal government agencies, along with private stakeholders, will lead the national effort to maintain the capability to move freely and facilitate interstate commerce under all conditions. Vehicles that use the highways are potential targets and weapons that terrorists or criminals could use to attack critical infrastructure or other assets. The diversity of highway industries poses additional challenges to the effective integration of security into both large, complex operations and smaller owner/operator businesses. To address these security issues, it is important that the Federal Government continues to work effectively within established public-private partnerships, implementing a variety of programs to enhance the security of domestic highway operations.

Scope of the Mode

The trucking industry is made up of predominantly small private companies. Approximately 675,000 are interstate and 400,000 are intrastate companies. In addition to for-hire trucking, private truck operations are integral to other business operations, such as construction, agriculture, and the delivery of goods and services. Nearly 8 million large trucks are registered in the United States. While approximately 9.3 million truck drivers have commercial driver's licenses (CDLs), only 3.3 million are regarded as active. Vehicle configurations include tankers, dump trucks, intermodal containers, flatbeds, and specialty vehicles. The motorcoach industry is comprised of approximately 3,600 motorcoach companies, operating 39,000 motorcoaches that carry nearly 630 million passengers annually in the United States and Canada, traveling approximately 2.44 billion miles per year. The motorcoach industry, similar to the trucking component, also operates with multi-modal interconnectivity on a daily basis, providing passenger and limited freight service on a national level. Again, such open access requires coordinated safety and security efforts across modes.

The school transportation industry, which is comprised of approximately 460,000 schoolbuses, is the largest public fleet of vehicles in the United States. Each day, nearly 23.5 million minor students travel to approximately 14,000 public educational agencies nationwide. In the United States, schoolbuses travel 4 billion miles annually on fixed daily routes, as well as periodically conducting transportation to public venues. In accordance with Executive Order 13416, TSA's strategy for highway security includes four major elements: evaluation of current security practices and recommendations for improvement; robust information sharing with government and industry; enhanced cooperation with stakeholders; and technological research, development, testing and evaluation.

Evaluation and Recommendation

No overall security strategy can be successful without investigation of current security practices throughout the mode. As a result, TSA created the

Corporate Security Review (CSR) program. CSRs are conducted with organizations engaged in transportation by motor vehicle and those that maintain or operate key physical assets within the highway transportation community. They serve to evaluate and collect physical and operational preparedness information and critical asset and key point-of-contact lists; review emergency procedures and domain awareness training; and provide an opportunity to share industry best practices. To date, 96 CSRs have been conducted throughout the highway mode. Over the past year we have piloted our CSR program to our state partners. We trained 40 State of Missouri enforcement officers to conduct CSRs within their state, to date they have conducted over 1500 CSRs. We are now in the process of piloting the CSR program to TSA's Federal Security Directors (FSD) and plan to begin training with three airports in August.

Using the information collected through the CSR program, TSA is developing recommended Security Action Items (SAIs), voluntary practices designed to improve security for trucks carrying security-sensitive HAZMAT, motorcoaches and schoolbuses, and highway infrastructure. SAI development is being coordinated with the Department of Transportation's (DOT's) Federal Motor Carrier Safety Administration (FMCSA) and Pipeline and Hazardous Materials Safety Administration (PHMSA). TSA has worked to tie risk to the application of the SAIs through the development of lists of High Security Hazardous Materials and Sensitive Security Hazardous Materials. In this way, specific SAIs are applied to groupings of hazardous materials. TSA has been working with chemical manufacturers, shippers, and motor carriers along with the Highway Infrastructure and Motor Carrier Sector Coordinating Council (SCC) to obtain industry review and input on the SAIs prior to issuance. The SCC is a private organization created to coordinate infrastructure protection efforts with government stakeholders involved in the National Infrastructure Protection Plan process. SAIs, though voluntary, will allow TSA to communicate and formally share those security actions identified as key elements within an effective and layered approach to transportation security. Many of the applicable stakeholders are currently employing some of these security actions as evidenced by the results of the CSRs and other direct outreach to stakeholders. TSA is also working with trucking insurance underwriters to introduce SAIs and to inquire as to the role of the insurance industry in enhancing highway security. TSA and PHMSA have created an Annex to DHS/DOT Memorandum of Understanding to delineate clear lines of authority, promote communication between the agencies, and foster cooperation, and prevent duplication of effort in the area of hazardous material and pipeline transportation security.

Information Sharing

In order to facilitate direct contact with industry and government stakeholders, TSA has created two avenues to share information directly, through an Information Sharing and Analysis Center (**ISAC**), and the Homeland Security Information Network (HSIN). Using funds provided through the Trucking Security Grant Program, the American Trucking Associations (ATA) operates an **ISAC** for the highway mode in partnership with national and State trucking associations and conferences of the ATA Federation, as well as numerous other national highway transportation organizations in participating the Highway Watch Coalition for the benefit of the entire Highway Transportation System. The Highway **ISAC** works with both public and private stakeholders to collect, share, and analyze information that provides a security benefit for the entire mode. The **ISAC** disseminates information bulletins, alerts, and other security-related reports to stakeholders via e-mail. In addition to the Highway **ISAC**, the HSIN provides a secure, single-source, web-based information-sharing network to assist in the two-way communication of security-related information. The Highway and Motor

Carrier Infrastructure Protection Government Coordinating Council, made up of federal and state government entities, has created a Web portal on HSIN. In addition, the Highway SCC will be creating their own Web portal on HSIN to allow private sector stakeholders to engage in two-way communication with the public sector to share, review, discuss, and disseminate security information in an efficient and effective format.

Cooperation with Stakeholders

TSA continues to develop and enhance our connections to stakeholders for collaboration. We continue to administer the program to provide security threat assessments on drivers seeking to obtain, renew, or transfer a HAZMAT endorsement on their commercial drivers license (CDL); work to enhance training opportunities for workers throughout the sector; and provide the subject matter expertise necessary to administer the highway mode infrastructure protection grants.

In cooperation with state motor vehicle administrations, TSA continues to conduct security threat assessments on all applicants for hazardous materials endorsements (HME) to CDLs. Section 1012 of the USA PATRIOT Act of 2001 requires all commercial drivers seeking to apply for, renew, or transfer an HME on their State-issued CDL to undergo a "security threat assessment" to determine whether or not the individual poses a security risk. Individuals may be disqualified from holding an HME based on the assessment, which is comprised of an FBI fingerprint-based criminal history records check, an intelligence check, and legal status check. Drivers determined to be a security threat are prevented from receiving HMEs on their CDLs. To further enhance security, TSA is evaluating options to perform name-based screening of all CDL holders against the terrorist watch lists. These requirements apply to all drivers resident in the United States. For foreign drivers, as required by section 70105 of the Safe, Accountable, Flexible, Efficient, Transportation Equity Act, a Legacy for Users (SAFETEA-LU) (P.L. 109-59), drivers registered in Canada and Mexico wishing to transport explosives or other hazardous materials into the United States must undergo a similar background check to that required by the USA PATRIOT Act. As a result, TSA requires these drivers to participate in the Free and Secure Trade Program run by Customs and Border Protection, which provides the necessary background check. As suggested by the Committee, we are also continuing to evaluate the scope of the HME program to make improvements, including reviewing the materials covered by the HME regulation in cooperation with DOT, to determine materials that are security sensitive for future program improvements.

We also continue to work closely with industry stakeholders, and State, local, and tribal governments to enhance truck and motorcoach security awareness and training. Existing Federal site visit programs will be coordinated to enhance security awareness and training, and provide technical and threat information. This effort will build on existing complementary DHS and DOT efforts. The Federal Government will also provide assistance to the bus and motorcoach industries to develop and implement security plans and security training for employees. Enhancing programs that support law enforcement agencies, such as DOT's Trucks 'n Terrorism training and courses offered by the DHS's Federal Law Enforcement Training Center, will raise awareness of indicators of suspicious activities involving commercial motor vehicles.

TSA provides the subject matter expertise necessary to administer the highway portions of the Infrastructure Protection grant program, including the Trucking Security Program (TSP) and the Intercity Bus Security Grant Program (IBSGP). The TSP primarily sustains the Highway Watch program to enhance homeland security

through increased vigilance and awareness on our Nation's highways. In FY 2006 TSP awarded \$4,801,500 (out of a total appropriation of \$5 million) directly to Highway Watch. TSP seeks to assist all professionals and operating entities throughout the Highway Transportation System in obtaining training on security awareness, reporting suspicious incidents, and information analysis. The TSP awarded \$11.6 million in FY 2007. The mission of the IBSGP is to, through the distribution of grant money to eligible stakeholders, create a sustainable plan for protecting intercity bus systems and the traveling public from terrorism, especially from explosives and non-conventional threats that would cause major loss of life and severe disruption. The FY 2006 IBSGP awarded \$9.5 million, and the FY 2007 IBSGP awarded \$11.6 million. The President has requested \$9 million for the TSP and \$12 million for the IBSGP in FY 2008.

Research, Development, Testing and Evaluation

TSA is also sponsoring the evaluation of technology with security benefits to the highway mode, including the Truck Tracking Security Pilot. The ability to track trucks, especially those carrying certain HAZMAT, has potential security benefits. DOT's FMCSA conducted a tracking pilot and TSA is in the midst of conducting one. FMCSA conducted a 2-year national field operational study of existing technologies offering enhanced solutions to the security of motor carrier shipments of HAZMAT, which was completed in December 2004. The test evaluated the costs, benefits, and operational processes required for wireless communications systems, including global positioning system tracking and other technologies. The tested technologies performed well under operational conditions and showed promise for significantly reducing security vulnerabilities.

Building on FMCSA's efforts, TSA is testing near real-time tracking and identification systems, theft detection and alert systems, motor vehicle disabling systems, and systems to prevent unauthorized operation of trucks and unauthorized access to their cargos. As a result of this pilot, TSA will be able to evaluate such factors as the costs and benefits of the system; the ability to collect, display, and store information on shipments of high-risk materials by motor vehicle and/or trailer throughout the supply chain; and the capability of the system to resist accidental or unauthorized disabling. The operational phase of the pilot should conclude shortly, and once the results have been evaluated, TSA will consider the benefits to security that can be added by encouraging private industry to adopt widespread use of the technology.

Conclusion

In conclusion, it is important to keep in mind that a robust security system is multilayered. Regardless of the mode or facility, TSA relies on the interconnections and redundancies of the nation's transportation system to provide the layers necessary for a robust security system. Highway security does not start and stop with the vehicles themselves. The program relies on everything from intelligence gathering overseas, to border security, to the awareness and vigilance of the truckers themselves.

Thank you for the opportunity to appear here today. I would be pleased to answer any questions you may have.

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TESTIMONY-BY: WILLIAM ARRINGTON, GENERAL MANAGER

AFFILIATION: UNITED STATES DEPARTMENT OF HOMELAND SECURITY

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