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WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY: IS THERE A SECURITY GAP?

HEARING

BEFORE THE

SUBCOMMITTEE ON HEALTH CARE, DISTRICT OF COLUMBIA, CENSUS AND THE NATIONAL ARCHIVES

OF THE

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

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WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY: IS THERE A SECURITY GAP?

FRIDAY, JUNE 24, 2011

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HEALTH CARE, DISTRICT OF COLUMBIA, CENSUS AND THE NATIONAL ARCHIVES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:30 a.m., in room 2247, Rayburn House Office Building, Hon. Trey Gowdy (chairman of the subcommittee) presiding.

Present: Representatives Gowdy, Gosar, Davis, Norton, Clay, Murphy, and Cummings (ex-officio).

Also present: Representative Connolly.

Staff present: Ali Ahmad, communications advisor; Michael R. Bebeau, assistant clerk; Howard A. Denis, senior counsel; James Robertson, professional staff member; Peter Warren, legislative policy director; Ronald Allen, minority staff assistant; Jaron Bourke, minority director of administration; Yvette Cravins, minority counsel; Paul Kincaid, minority press secretary; Lucinda Lessley, minority policy director; and William Miles, minority professional staff member.

Mr. GOWDY. The committee will come to order.

This is a hearing on the Washington Metropolitan Area Transit Authority: Is there a security gap?

I want to welcome our witnesses. I do not have much of an opening statement. I am primarily here to listen.

I want to thank our witnesses again, especially our witnesses in public safety and law enforcement, because I realize you have competing priorities. So thank you for being here.

Public safety is the preeminent responsibility of the Federal Government. As such, we're here today to examine the security of our Nation's largest transit systems—one of our largest Nation's transit systems—the Washington Area Metropolitan Transit Authority. Whether you're a Washington resident or a visitor from the Fourth Congressional District in South Carolina, it's important that you not only feel safe but that you actually are safe.

So I thank our distinguished panel of witnesses and, just a point of personal privilege, whenever I see uniforms I want to thank both the chiefs for your public service. I have a special place in my heart for law enforcement and public safety officers. So thank you.

With that, I would recognize the gentleman from Illinois, the ranking member, Mr. Davis.

Mr. DAVIS. Thank you very much, Mr. Chairman. Thank you very much for holding this hearing.

I, too, would like to welcome the witnesses and thank them for coming.

The events of September 11, 2001, brought the attention of transportation security and terrorism to prominence. Subsequent attacks in Moscow, London, and Madrid have further highlighted terrorism as a global threat to public transit.

Transit security is especially challenging due primarily to the very nature of the business. It's open, accessible to the public, with predictable routes and fixed access points; and, more importantly, it's the transportation of choice for the masses in urban and metropolitan areas.

Further, transit officials cannot employ many of the strategies used in aviation. Transit does not allow the conventional security methods of X-ray machines, metal detectors, and pre-screening of passengers.

I do not envy the balancing act that must take place ensuring the safety, accessibility, and convenience of the transit system, while also maintaining the attractiveness and reliability of the system. But it must be done and done well. So when people choose public transit they should receive both a high degree of safety and security, as well as convenience, all at an affordable cost.

Today's hearing will look at all of these issues but none more than security. The operation of a secure transit environment that spans multiple jurisdictions geographically and that must integrate the specialties of multiple law enforcement agency depends upon interagency and jurisdictional coordination and cooperation. That can be hard to do without practice, superior communication, and rigorous oversight. I am interested today in learning from these witnesses just how they have accomplished and improved these tasks.

WMATA, similar to transit systems across the country, are constantly evaluating and evolving with new procedures, techniques, and systems to increase security. Even in my home city of Chicago, the Chicago Transit Authority recently announced this week new security initiatives, a doubling of the amount of all-angle security cameras across the rail system. Hopefully, this type of initiative deters crime as well as decreases opportunities for domestic or international terrorists to attack our country.

WMATA, I am certain, has similar sources. So I am very interested in today's topic and greatly anticipate the testimony we will hear.

Transit security is a timely and necessary topic. So I thank you, Mr. Chairman, and again I thank the witnesses for coming and for their participation.

I yield back.

[The prepared statement of Hon. Danny K. Davis follows:]

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Opening Statement
Rep. Danny K. Davis, Ranking Member

Subcommittee on Health Care, District of Columbia, Census, and National Archives
Hearing on "Washington Metropolitan Area Transit
Authority: Is there a Security Gap"

June 23, 2011

Thank you, Chairman Gowdy for holding this hearing on WMATA transit security. The events of September 11th, 2001, brought the issue of transportation security and terrorism to prominence. Subsequent attacks in Moscow, London and Madrid have further highlighted terrorism as a global threat to public transit. Transit security is especially challenging, due primarily to the very nature of the business. It's open, accessible to the public, with predictable routes and fixed access points. And more importantly, it's the transportation of choice for the masses in urban and metropolitan areas.

Further, transit officials cannot employ many of the security strategies used in aviation. Transit does not allow the conventional security methods of x-ray machines, metal detectors, and prescreening of passengers.

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WMATA, similar to transit systems across the country are constantly evaluating and evolving new procedures, techniques and systems to increase security. Even in my home city of Chicago, CTA recently announced this week new security initiatives- a doubling of the amount

of all- angle security cameras across the rail system. Hopefully, this type of initiative deters crime, as well as decreases opportunities for domestic or international terrorists to attack our country. WMATA, I am certain, has similar resources. So, I am very interested in today's topic and greatly anticipate the testimony we will hear. Transit security is a timely and necessary topic. Thank you, Mr. Chairman.

Mr. GOWDY. The chair would now recognize the ranking member of the full committee, the gentleman from Maryland, Mr. Cummings.

Mr. CUMMINGS. I want to thank you very much, Mr. Chairman, for calling this hearing.

As a member of both the Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure, I know how critical the Metro system is to the Federal Government and to the entire metropolitan Washington region. As a youngster who depended on the bus to take me to a better school on the other side of Baltimore, I also know how critical public transit is to, as the Metro says, opening doors.

I appreciate the opportunity today's hearing provides to consider security on the Metro system. This system serves 86 stations and carries more than half a million passengers every day. Given their openness, transit systems are inherently vulnerable to a variety of potential security threats. This is particularly true of the Washington Metro, which is such a visible part of our Nation's capital infrastructure. It is critical that we understand the full range of threats confronting Metro, as well as any gaps that may exist in metro's defenses.

Effective security on the Metro requires a system to counter a threat to terrorism. But it also requires a system to protect the passengers and system operators from other possible threats. I'm deeply troubled by reports of violence against Metro bus drivers, and I want to understand what can be done to ensure driver safety.

Given the threats that Metro and all transit systems in our Nation face, it is inexplicable to me that the House appropriation for the Department of Homeland Security for fiscal year 2012, which provided funding for transit security programs, was less than half of the administration's request.

The Republican leadership in the House has also proposed deep cuts across the board to other transportation programs.

According to the Congressional Budget Office, maintaining the current funding baseline over the next 6 years for highway and transit programs will require $331 billion. The Republican budget would provide only $219 billion, cutting the investments in highway and transit programs by more than $100 billion.

We simply cannot maintain our competitiveness as a Nation by failing to make investments that enable us to build, maintain, and protect our essential transportation infrastructure.

And so, Mr. Chairman, I look forward to the testimony of our witnesses. I join you, Mr. Chairman, as you salute our public employees and those in uniform; and that's very refreshing, because I know you mean it. I've said it many times. So many times we've heard our public employees are not treated very fairly, and I was very glad to hear you say what you said. Because they do so much. They are the glue that keeps our Nation together, keeps our cities and our States together.

So, again, I thank you; and, with that, I yield back.

[The prepared statement of Hon. Elijah E. Cummings follows:]

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Opening Statement
Rep. Elijah E. Cummings, Ranking Member
Committee on Oversight and Government Reform

Subcommittee on Health Care, District of Columbia, Census and National Archives
Hearing on "Washington Metropolitan Area Transit Authority: Is There a Security Gap?"

June 24, 2011

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It is critical that we understand the full range of threats confronting Metro, as well as any gaps that may exist in Metro's defenses.

Effective security on the Metro requires the system to counter threats of terrorism, but it also requires the system to protect passengers and system operators from other possible threats. I am deeply troubled by reports of violence against Metro bus drivers, and I want to understand what can be done to ensure drivers' safety.

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We simply cannot maintain our competitiveness as a nation by failing to make investments that enable us to build, maintain, and protect our essential transportation infrastructure.

Contact: Ashley Etienne, Communications Director, (202) 226-5181.

Mr. GOWDY. I thank the gentleman from Maryland.

Members may have 7 days to submit opening statements and extraneous material for the record.

We will now welcome our first panel of witnesses.

I will introduce you from my left to right, your right to left. I'll introduce you at the same time, and then we'll recognize you in that order for your 5-minute opening statement.

Mr. Richard Sarles is the general manager and chief executive officer of the WMATA. Chief Michael Taborn is the Chief of the Metro Transit Police Department. Cathy Lanier is the Chief of the Metropolitan Police Department. Mr. Anthony Griffin is the county executive for the Fairfax County Government.

Pursuant to committee rules, all witnesses must be sworn in before they testify. So I would respectfully ask you to please rise, and I will administer an oath.

[Witnesses sworn.]

Mr. GOWDY. Let the record reflect all the witnesses answered in the affirmative.

You may be seated.

Many of you are more familiar with this process than I am, so you should see a panel of lights. I am always reluctant to tell anyone who has a weapon or access to a weapon that they have to stop talking, but you will notice the green, yellow, and red, and you may do with that what you would traditionally do if you were driving with those.

Mr. Sarles.

STATEMENTS OF RICHARD SARLES, GENERAL MANAGER AND CHIEF EXECUTIVE OFFICER, WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY; CHIEF MICHAEL TABORN, METRO TRANSIT POLICE DIVISION; CHIEF CATHY LANIER, METROPOLITAN POLICE DEPARTMENT; AND ANTHONY GRIFFIN, COUNTY EXECUTIVE, FAIRFAX COUNTY GOVERNMENT

STATEMENT OF RICHARD SARLES

Mr. SARLES. Good morning, Mr. Chairman, Ranking Member Davis, and members of the subcommittee. Thank you for the opportunity to testify today.

I am Richard Sarles, general manager and CEO of the Washington Metropolitan Area Transit Authority [WMATA or Metro]. Accompanying me today is Metropolitan Transit Police Department Chief Michael Taborn.

I am pleased to be here today to provide you with an update on the progress we are making at Metro in a number of critical areas, including safety, security, and returning our system to a state of good repair. I will begin by providing a short overview of Metro for those Members who are not familiar with the system or new to the committee.

WMATA was created in 1967 through an interstate compact between the Commonwealth of Virginia, the State of Maryland, and the District of Columbia and approved by the U.S. Congress. Metro provides 1.2 million trips a day and is the second largest rail transit system and the sixth largest bus system in the United States.

Americans from all over the Nation depend on the system when visiting the capital and attending large national events. This unique role is why Metro is often referred to as "America's subway." When your constituents visit Capitol Hill, Metro rail provides safe and affordable transportation to see our Nation's Capitol and visit your offices.

Metro is also a critical Homeland Security asset and has demonstrated multiple times how important the system is in a time of crisis, such as evacuation for major weather events and national emergencies like 9/11. In particular, the Metro system is vitally important to getting Federal employees to our defense agencies such as the Pentagon and Department of Homeland Security. Approximately 40 percent of Metro's peak period customers are Federal employees.

The Washington region was recently ranked the second-most congested in the country. Without a doubt, we would be number aye if not for the estimated half a million automobiles that Metro rail and Metro bus take off the system. Whether you ride Metro rail or drive your car, you benefit from system.

Metro also serves as a key driver of the economy, supporting both public and private investment and has spurred over $37 billion in economic development at or adjacent to Metro property. In these difficult economic times, that development serves as a valuable source of revenue for our State and local partners.

Now let me turn to Metro security preparedness.

Metro rail is by design an open system, as was mentioned earlier, which provides unique challenges when it comes to securing against potential threats. By design, it does not lend itself to an airport-style security system. Securing our system starts with an up-to-date threat assessment, helping us determine how to most effectively use our personnel and resources and to prioritize our actions to best combat terrorism.

Another important component of our security program is working each day in collaboration with the three jurisdictions and more than 40 law enforcement agencies in the National Capital Region, which enables us to share vital information and, when needed, added support for our security efforts.

I want to thank both the Federal Bureau of Investigation and the Transportation Security Administration and our local partner, Chief Lanier, for their support of Metro's homeland security program.

In addition to working to prevent acts of terrorism, we also have to have in place plans to help us quickly respond in the event of incidents like September 11th or an attack on our system. In his testimony, Chief Taborn will provide you with even more detail on how Metro police works to keep Metro secure. But I'd like to briefly touch on the topic of safety.

Safety is our top priority at Metro. While serving as interim general manager and as now as the permanent CEO for the past 5 months, my personal goal has been to make sure that every employee at Metro puts safety first.

Over the past 12 months, we have made great strides in addressing the recommendations of the NTSB and other agencies following the 2009 Fort Totten incident. The first billion dollars of our 6-

year, $5 billion capital rebuilding program is dedicated to addressing those NTSB recommendations.

I want to especially recognize this committee for playing a key role in helping to rebuild Metro. Under the leadership of then-committee-chair Tom Davis in 2008, Congress passed a 10-year, $1.5 billion authorization, the Passenger Rail Investment and Improvement Act [PRIIA], to address the capital needs of the WMATA system. The annual $150 million appropriations is the funding commitment Congress made in PRIIA as the Federal partner, matched by WMATA's jurisdictional partners—Washington, DC, Maryland, and Virginia—for a total of $300 million a year. The $300 million represents almost 40 percent of our capital budget.

Last year, in large measure due to the efforts of the Metro congressional delegation, we received $150 million in PRIIA funding. Without PRIIA, the progress we have made will be at grave risk. In fact, we would slide backward.

What will happen if we do not receive our Federal funding in fiscal year 2012? Let me be clear on this point. Safety will come first. We will use whatever funds we have available to assure that the system is safe. Everything else will be on the table.

Unfortunately, our customers, your constituents, will bear the burden of cuts through more frequent train delays, less reliable trains and buses, deteriorated station conditions, longer lines, and delayed customer information. If our efforts are interrupted due to a lack of funding, it would ultimately affect both the safety and reliability of the system.

Every day at Metro, we are making progress, but we have a long way to go. However, with the continued support of our customers, our jurisdictional partners, and congress, we will get there.

Thank you again for the opportunity to testify, and I would be pleased to answer any questions.

[The prepared statement of Mr. Sarles follows:]

Testimony of Richard Sarles, General Manager/Chief Executive Officer
And Michael Taborn, Chief, Metropolitan Transit Police Department
Washington Metropolitan Area Transit Authority
Before the Subcommittee on Health Care, District of Columbia, Census and National Archives under the Committee on Oversight and Government Reform
U.S. House of Representatives
June 24, 2011

Mr. Chairman, Ranking Member Davis, and members of the Subcommittee, thank you for the opportunity to testify today. I am Richard Sarles, General Manager and Chief Executive Officer of the Washington Metropolitan Area Transit Authority, known as WMATA or Metro. Accompanying me today is Metro Transit Police Department, Chief Michael Taborn.

Overview of Metro

I will begin by providing a short overview of Metro for those members who are not familiar with the system or are new to the Committee.

WMATA was created in 1967 through an Interstate Compact between the Commonwealth of Virginia, the State of Maryland, and the District of Columbia, and approved by the U.S. Congress. WMATA operates the second largest rail system and the sixth largest bus system in the United States. Metro is critical to the economic vitality of the National Capitol region providing 1.2 million trips a day, much of it to carry customers to and from work.

Americans throughout the nation depend on the system when visiting the capital--attending large national events, such as the Cherry Blossom Festival and Presidential Inaugurations. This unique role is why Metro is often referred to as "America's Subway". When your constituents visit Capitol Hill, Metrorail provides safe and affordable transportation to see our Nation's Capitol and visit your office.

Metro is also a critical Homeland Security asset and has demonstrated multiple times how important the system is in a time of crisis, such as evacuation for weather events and national emergencies like 9/11. The system is at the center of regional evacuation plans.

More than half of Metrorail stations serve federal facilities and approximately 40 percent of Metro's peak period customers are federal employees. In particular, the Metro system is vitally important in providing transportation for federal employees to our defense agencies, such as the Pentagon and Department of Homeland Security.

On a daily basis the Metrorail and bus system are estimated to remove over 500,000 automobiles from the region's congested roads and highways, recently ranked the second most congested in the country.

Metro also serves as a key driver of the economy, supporting both private and public sector employment and has spurred over $37 billion in economic development at or adjacent to Metro property.

Security

Let me now turn to the reason for the hearing today – addressing security preparedness of the Metrorail system.

On June 4, 1976, President Ford signed into law a bill passed by Congress authorizing the establishment of the Metro Transit Police Department (MTPD). The MTPD is the only tri-jurisdictional police department in the United States, operating in the District of Columbia, the Commonwealth of Virginia and the State of Maryland. The Department has an authorized strength of 450 sworn officers, 153 special police officers, 13 emergency management personnel and 35 civilian personnel. MTPD police officers have law enforcement jurisdiction and arrest powers throughout a 1,500 square mile Transit Zone, and have jurisdiction for crimes that occur in or against Metrobus, Metrorail and all Transit Authority facilities. Uniformed and plainclothes officers ride Metrobuses and patrol Metrorail trains, stations, and parking lots.

Washington Metro is by design an "open" transit system. The majority of mass transit systems in the United States are open systems and most transit properties take a layered approach to protecting customers, employees and safeguarding infrastructure.

A critical tool needed to support our security program is an up-to-date threat and vulnerability assessment. Generally, a threat and vulnerability assessment is conducted every one to three years, as threats and tactics used by terrorists constantly change. The threat assessment helps us adjust our response and improve our ability to combat criminal and potential terrorist activity.

An additional tool we utilize to prioritize our resources is the safety and security audits done by the Tri-State Oversight Committee (TOC) and Transportation Security Administration (TSA).

The MTPD continually monitors changing crime trends, explores innovative ways to deploy officers and utilizes technology and environmental design to deter crime in the Transit Zone. Recent international events have underscored the necessity of increased vigilance to protect transit riders, employees and infrastructure against terrorist attacks. There are a finite number of men and women patrolling the Metrobus and Metrorail systems at any given moment. Deployment resources vary and are often dependent upon the day of the week, and even the time of day. For continued safety and security, it is imperative that we develop strategies to effectively address terrorist threats and combat criminal activity in collaboration with local, state and Federal partners within the National Capital Region.

Along with regional partnerships, the MTPD actively participates with safety and security police chiefs and directors from the nation's 60 largest transit agencies in planning and roundtable events to discuss key counter-terrorism and safety decisions pertaining to the protection of transit passengers, personnel, and infrastructure. Chief Taborn has been asked to participate as a subject matter expert in a joint task force, sponsored by the TSA, to evaluate training requirements in compliance with Section 1408 of the Implementing Recommendations of the 9/11 Commission Act of 2007, which identifies specific security training elements for transportation front-line employees.

Metro's approach to protect our riders involves a partnership between employees, customers, the transit police, other public safety departments in the region, and the federal government. It's a strategic approach that merges the application of technology with enhanced operational awareness, and puts an emphasis on training, public awareness outreach efforts, emergency preparedness efforts, and the use of various security assessments that take into consideration the unique designs of our transit system.

The Metro Transit Police Department (MTPD) collaborates with over forty (40) federal, state and local law enforcement agencies within the National Capital Region (NCR). Through the Washington Council of Governments (COG) Police Chiefs Committee, the MTPD meets regularly to address current and emerging law enforcement issues and trends and to exchange information and ideas about the

delivery of public safety. Further, the committee facilitates appropriate dialogue to enhance regional security and anti-terrorism efforts and plans for safe and effective transportation of millions of passengers to national level events such as the Inauguration of the President of the United States, July 4th Fireworks, National Cherry Blossom Festival, Marine Corps Marathon and sports and entertainment events.

To help coordinate law enforcement efforts with our Federal partners, a representative of the MTPD is assigned to the FBI Local Joint Terrorism Task Force (JTTF), thereby keeping our MTPD up-to-date with security related information within the National Capital Region. The MTPD also has a member assigned to the National Joint Terrorism Task Force (NJTTF), who gathers information on a national level and shares it directly with the Chief of Police. Additionally, an officer is assigned to the Washington Regional Threat and Analysis Center (WRTAC) providing daily information to the entire department on breaking incidents, officer safety concerns, and other critical information.

The Metro Transit Police have taken aggressive steps to combat the threat of terrorism and have partnered with Federal agencies such as the Federal Transit Administration (FTA) and the Transportation Security Administration (TSA) to assimilate national-level security efforts into WMATA security enhancements. Officers use a variety of high visibility uniform patrol techniques, technology, equipment and national security initiatives to assist in preventing terrorism.

WMATA's Security Inspection Program (SIP) was launched in December 2010, and employs tactics also used in transportation environments to effectively prevent terrorist activity. Security screenings are part of our continued commitment to ensuring the safety and well-being of our customers and employees, a commitment that requires a continuously changing law enforcement posture and deployment of best practices. The SIP program is modeled after successful programs currently in use by other transit properties across the United States, including those in New Jersey, New York City, and Boston that use modern scanning technology and non-intrusive screenings. Carry-on items are generally not opened and physically inspected unless the initial screening indicates a need for further inspection. The amount of time the actual screening takes is very brief and allows customers to move through the screening point very quickly. The purpose of the screening is to detect any explosive material and prevent it from being brought into the Metro system.

In 2009, WMATA's Anti-Terrorism Team (ATT) was created through the Transit Security Grant Program (TSGP). The team is composed of 20 sworn police officers who provide high visibility patrols focused on protecting transportation patrons and employees. The ATT teams work closely with Federal Air Marshals and the TSA to develop new strategies and techniques for combating acts of terror. Team deployment objectives include: identification of system vulnerabilities, high visibility patrol, surveillance and/or counter-surveillance operations, and investigation of suspicious activities, persons or packages. Through the grant program funding, ATT members

participate in national training germane to the detection and disruption of terrorism threats.

The Authority has made great strides in the utilization of technology to harden WMATA's infrastructure. Physical security enhancements include lighting, fencing, access control, intrusion detection systems, bollards and guard booths at rail and bus facilities. Camera systems are installed inside rail stations and buses and at various locations protecting infrastructure such as bridges, tunnel portals, and underwater crossings. Other technologies in current use are radiological pagers, license plate readers, and bomb resistant trash cans. Federal grants have supported many of the past, present and future efforts to harden and improve existing infrastructure and obtain capital related assets to combat terrorism in the bus and rail system during in a very challenging budget period at Metro.

The Program Response Options and Technology Enhancement for Chemical Terrorism (PROTECT) system is capable of detecting selected groups of chemical warfare agents (CWA) within a pre-determined threshold at Metro Stations. Simply put, PROTECT and its command and control software offers information to chemical incident operational disciplines to make more informed response decisions. PROTECT information alerts the transit authority that an attack has occurred, directs them to Standard Operating Procedures, allows them to make life-saving decisions and to alert fire, police and other WMATA departments. A unique PROTECT feature is the interface of an activated sensor with pan, tilt, zoom CCTV which allows our Rail

Operations Control Center (ROCC) supervisors to confirm the release of chemical weapons by immediately viewing human actions (reactions), which speeds the decision making process, thus saving time and thereby saving lives. Incident Commanders know what chemical is detected, its release site(s), its concentration and its predicted above and below ground spread.

Metro currently has 7078 closed circuit cameras; 5,576 associated with the bus fleet, 1,111 dedicated to the rail system, and 391 monitoring WMATA's other infrastructure. Of the 7078 cameras, 5,754 are operational (81.3%). MTPD has begun the process of identifying the locations of non-operational cameras as a first step in improving CCTV capabilities throughout the system. Homeland security grant funds have been received to purchase new cameras, focused on the entrances of each of the 86 Metro stations. Also, the new 7000 series rail cars will come equipped with built in cameras enabling the first CCTV capability inside rail cars.

MTPD officers monitor radios for incident dispatches and are able to be the eyes of the MTPD prior to the arrival of units on the ground. Even when crime victims are unable to provide a description of a suspect or the direction of the suspect's flight, officers assigned to this unit are specially trained to be able to give better look-out information to responding units as well as information on suspect movements that has been instrumental in combating crime in the system. WMATA is in the process of assessing current video capabilities, identifying improvements to camera functionality and image quality, video retention time and system integration.

On any given day, WMATA patrons hear a variety of safety and security related messages including announcements by the MTPD Chief of Police, and by Department of Homeland Security's Secretary Janet Napolitano, whose announcement seeks the assistance of transit riders in identifying suspicious persons or packages in the nationally recognized, "If You See Something, Say Something" campaign. Transit riders also witness high visibility patrol efforts, such as Blue TIDE (Terrorism Identification and Deterrence Effort), an initiative developed by MTPD to raise awareness and remind the public to report any suspicious behavior to the police. Officers from various agencies participate and distribute to customers crime tips on how to protect themselves and their property while traveling in the Metro system. Another collaboration effort, Operation RAILSAFE (Regional Alliance Including Local, State and Federal Effort), enhances security particularly around holidays along the Northeast Corridor with national and international participation.

Since 2006, Congress has appropriated approximately $1.6 billion in Transit Security Grant Program (TSGP) funds to help local transit authorities, such as Metro, to train personnel, participate in exercises, raise public awareness, protect critical infrastructure, and otherwise improve the security of transit systems. Security of mass transit and passenger rail systems largely falls to local authorities. Since the program was authorized in section 1406 of the 9/11 Act, TSGP funding has become the primary mechanism used by the Federal government to help Metro cover the costs associated with critical transit security programs and projects.

To date (FY06-FY10 grant cycles), Metro has received a total of $108,645,901 in TSGP funds and has expended approximately $23,983,707 (22.1%). The remaining funds are fully obligated against ongoing security projects. The following is a list of reasons why the dollars take a significant time to expend:

- Significant Time to Award Grants from DHS – For FY06 through FY08 grant cycles, an average of 16 ½ months had expired within the projects' period of performance prior to even receiving a direct award/sub grant from DHS. Such lengthy time frames have caused projects to require a redesign and re-approval due to significant changes in the technology being utilized within this timeframe.
- Significant timeframes for with Environmental Planning and Historical Preservation (EHP) Approval - Federal environmental and historic preservation laws and Executive Orders provide the basis and direction for the implementation of federal environmental and historic preservation review requirements for grant funded projects. Prior to beginning a project, an EHP must be performed by WMATA and submitted to FEMA for approval. FEMA's approval process has taken upwards to 10 months. During this waiting period, there may be changes within the design of a project. Even the slightest change within the design will force Metro to resubmit for re-approval. Failure to comply with these laws could result denial of reimbursement.

- DHS' Dual Management Process - Responsibility for administering TSGP funding has changed numerous times within DHS since 2003.
- Timeframes associated with Resource Constraints - During periods of waiting for grant awards, resources and staff have to be diverted to other projects. When funds finally arrive there may not be sufficient staff to complete the projects in the allotted timeframe.

DHS and TSA grants provide MTPD with funding to address the potential threats our officers deal with everyday. Within the last six months alone, Metro Transit Police has received over 339 calls for service involving a suspicious person, package, bomb threat or similar event. Within 2010 Metro Transit Police responded to approximately 59,700 calls for service. To identify trends or hot spots where criminal activity is occurring, MTPD adopted and formulated MetroStat. MetroStat is similar to CompStat that is used by many large city police departments. Based on the information we receive through MetroStat, police resources are redeployed and reallocated. Our public education campaign and new crime prevention tips displayed in the metro system provide customers with information about steps they can take to ensure their safety. Finally, we have added signage within the bus and rail system on how to contact the MTPD in an emergency.

When I appeared before the Oversight and Government Reform Committee last year, I reported on our progress against our six month plan to move Metro forward

to improve safety, service reliability, and our financial stability. Today I want to update you on our continued progress.

Safety

Safety is our first priority at Metro. My number one goal since I was hired first as interim general manager and for the past five months, in my permanent role as CEO has been to assure that every employee at Metro puts safety first. We have undertaken a $5 billion, 6-year capital program to improve safety and reliability for our customers and move the system to a critically needed state of good repair.

Over the last 12 months, we have closed more than 100 corrective action items identified by the National Transportation Safety Board, the Federal Transit Administration Audit, Internal Safety Audits, Tri-State Oversight Committee, Office of the Inspector General audits and VTX report on escalators and elevators status.

We have ordered and will begin to take delivery of new rails cars in 2013 to replace the 1000 series cars involved in the Fort Totten accident. The new cars, which are being built in Lincoln, Nebraska, will have state of the art crash worthiness protection.

Among our milestones of the last year, we have installed 148 of 178 total guarded #8 turnouts on the Metrorail system and we are on schedule to complete the remaining 30 by mid-2012.

In 2010 we completed the installation of rollback protection on all of our 1000 series rail cars. Our 2000 and 3000 series cars have also received rollback protection as part of their rehabilitation. We have been working on our 4000 series cars and expect to complete the installation by August of this year.

To enhance the safety of our Metrobus system and to provide an additional training tool, WMATA installed the DriveCam system in our entire bus fleet in the latter half of 2010. This system records 12 seconds of video and audio when the bus is found to be out of parameters, which are pre-set. This two-camera system clearly shows activity in front of the bus and the actions of the bus operator. In the event of hard braking, moving too fast through a turn or being hit or hitting an object, a DriveCam clip is initiated. These clips are reviewed by DriveCam staff and returned to the direct supervisor within 24 hours. The clips are an excellent tool to assist in defending the actions of operators to avoid situations and to assist in coaching operators in better driving techniques.

We are working to fix our escalators and elevators, which is important for both customer service and safety. We have 588 escalators on the system, many over 30 years old (which is the life span of an escalator if properly maintained) made by various companies, some of which are no longer in business, making parts difficult to obtain. Since the beginning of 2011, on average 14% of our escalators were not running – over half were turned off intentionally to modernize, inspect and make them

safe. As part of our rebuilding program, Metro is investing $148 million to rehabilitate and replace 153 escalators.

We are taking advantage of improvements in technology and developed the Safety Measurement System (SMS), which is a web-based tool to allow for communication of safety-related information and tracking across departments.

Our rebuilding program dedicates the first one billion dollars of our capital program to NTSB recommended safety work. These crucial investments are not only making an immediate difference to our current riders, but going forward they will also provide needed support for the Dulles extension. Washington Metro is only a two track system, which requires us to temporarily shut down stations or "single" track through our stations in order to get all the work needed done in a timely manner. Last week, I announced that we are changing our approach to scheduled construction outages to both accelerate our project schedules – which will allow us to complete NTSB work sooner and minimize the inconvenience to our customers – especially during weekend travel.

Training

Another critical component of our safety initiatives is training. We have strengthened our safety department – In April 2010 the WMATA Board of Directors hired James Dougherty as Chief Safety Officer, reporting directly to me. Since joining Metro, he has strengthened the safety team by increasing the safety staff by 27

positions for a total of 59. The Safety Department is staffed by highly skilled individuals with diverse backgrounds and over 230 years of safety experience. We have hired expert transportation safety professionals, along with rail operations and emergency management professionals, with decades of experience. We developed a new Roadway Worker Protection manual based on industry best practices. In fact, although Metro is not subject to Federal Railroad Administration regulation, we based the program on that standard, and we are proud that our program has been recognized as a model for the Transit industry. I am pleased to report that more than 4,200 Metro employees have received RWP training, including our track workers, train operators, inspectors – virtually everyone in the rail operations and construction area – including me and Chief Taborn.

However, safety requires constant vigilance, and training will continue for new hires and contractors, and be refreshed for current employees.

Safety Culture

Safety culture improvements are sometimes hard to define, because culture change is the result of the cumulative impact of many actions, and it takes place gradually.

We have undertaken multiple initiatives that show a shift in the way Metro is embracing safety – from our new Board Safety Committee, and its policies and engagement -- to our Memorandum of Understanding and close work with the Tri-

State Oversight Committee, to our 15 safety officers who have gotten out of their offices and into the field to establish a true partnership with our rail operations personnel.

Tangible evidence of a new safety culture includes the development of new System Safety Program Plan that guides procedures at Metro to ensure we are fully compliant with all FTA and OSHA regulations.

It includes the actions of the local safety committees, area safety committees, departmental safety committees, and the executive safety committee – all of which have been established to address worker safety concerns and advance a safety first culture. Tangible evidence includes the positive feedback from employees about the *Lessons Learned* circular we distribute to alert employees regarding potential safety hazards. It includes the Champions of Safety employee recognition program that highlights safety success. And it includes the Vital Signs report we put in place to monitor safety metrics and improve transparency.

We have established a safety hotline and safety email address through which employees are encouraged to report safety concerns, anonymously if desired. Also, the Metro Board approved Metro's revised whistleblower protection policy to encourage employees to raise safety-related concerns. We have also started working with our largest Union, Local 689, to develop a non-punitive program to report near misses.

Service Reliability

The quality of our customers' experience is the key to the continued success of our system. We are taking steps to improve the on-time performance of all of our modes -- Metrorail, Metrobus, and MetroAccess – and as I mentioned earlier, the availability of our elevators and escalators which have a very direct impact on the quality of our customers' trips.

We have also refocused on the service we directly provide customers. In May, 2010 Metro implemented a new biennial recertification process for station managers. The two-day curriculum, with practical and written exams, includes elements such as dealing with difficult customers, emergency response training, first aid and CPR. We have also implemented revised 30-, 60-, and 90-day training performance reviews for newly certified train operators and station managers to ensure that they are meeting our standards for safe operations and customer service and to provide us with an on-going source of review regarding the effectiveness of our training programs.

New performance measurement tools have been developed, including web-based dashboards, a monthly vital signs report of key performance indicators, and an annual performance report to assess what is working well, what is not, and why. The first Vital Signs Report was presented to the Board on June 10, 2010 and monthly reports are posted on the internet to foster increased accountability and transparency.

For Metrobus the delivery of 148 new buses was completed earlier this year, including 48 funded by Stimulus funds. Currently, 152 additional buses are on order, of which 11 have arrived, and all are expected before the end of 2011. Each new bus replaces a bus that has been in service for a minimum of 15 years and has operated over 550,000 miles. With this aggressive replacement program, the rehabilitation of 100 buses per year and a high priority on regular maintenance programs, the bus fleet's Mean Distance between Failures has increased 27% in FY 2011 over FY 2010 to where a bus averages 7,661 miles between breakdowns.

We have also reorganized our bus transportation division, retrained operators and supervisors, and increased supervision of street operations to better monitor and address service reliability issues. We have implemented NextBus, which provides customers with real-time bus arrival information by phone or online, and have created a new on-line service disruption notification for bus customers.

For MetroAccess drivers, we have successfully implemented a new interactive training curriculum that has yielded greater consistency across the workforce in terms of mastery of defensive driving principles and policy knowledge. Promotional campaigns have heightened driver awareness to safety hazards, which has led to improved overall safety performance. Also, MetroAccess road supervisors have completed coursework in accident investigation techniques provided by Metro's safety department.

Financial Stability

Our FY 12 budget approved yesterday by our Board of Directors focuses on the rebuilding our 35-year old system from the inside and out. WMATA has launched the largest Capital improvement program since original construction – as I mentioned earlier, $5 billion over six years with the first $1 billion dedicated to addressing critical safety recommendations of the National Transportation Safety Board, our highest priority.

Accordingly, our multi-year capital program properly focuses on advancing more than 100 projects to rehabilitate and improve today's infrastructure and equipment.

While doing more, we are simultaneously becoming more resource efficient. Over the last three years, Metro has implemented $165 Million in business efficiencies through consolidations, suspending non-essential programs and automating certain functions. And in FY 12, through additional contributions from all three jurisdictional partners, we have closed our budget shortfall, without another fare increase or significant services changes.

Conclusion

In closing, let me tell you why I am particularly pleased to be before the Committee today. This Committee has played a key role in helping to rebuild Metro.

In 2008, lead by the former Chairman of this Committee, Tom Davis, Congress passed a 10-year, $1.5 billion dollar authorization, the Passenger Rail Investment and Improvement Act (PRIIA) to address the capital needs of the WMATA system. The annual $150 million appropriation is the funding commitment Congress made in PRIIA, as the federal partner, matched by WMATA's jurisdictional partners Washington, D.C., Maryland and Virginia for a total of $300 million a year. The funding represents nearly 40% of WMATA's critical capital budget needed to maintain a safe and reliable system used by Americans from all over our country.

Every day at Metro we are making progress, but we have a long way to go. However, with the continued support of our customers, our jurisdictional partners and Congress, we will get there.

Mr. GOWDY. Thank you, Mr. Sarles.
Chief Taborn.

STATEMENT OF CHIEF MICHAEL TABORN

Chief TABORN. Good morning, Mr. Chairman, Ranking Member Davis, and members of the subcommittee. I, too, thank you for the opportunity to come here to testify today.

I am Michael Taborn, Chief of the Metro Transit Police for the Washington Metropolitan Area Transit Authority [WMATA or Metro]. Mr. Sarles has provided an overview of Metro, and I would like to provide additional details of our security program.

On June 4, 1976, President Gerald Ford signed into law a bill passed by Congress authorizing the establishment of the Metro Transit Police [MTPD]. The MTPD is the only tri-jurisdictional police department in the United States, operating in the District of Colombia, the Commonwealth of Virginia, and the State of Maryland. The department has an authorized strength of 450 sworn officers, 153 special police officers, 13 emergency management personnel, and 35 civilian personnel.

The department police officers have law enforcement jurisdictions and arrest powers throughout the 1,500 square miles within the transit zone and responsible for crimes that occur in, on, or against the Metro, Metro rail, and all transit facilities. The Transit Police is a full-time, 24/7 law enforcement agency.

Within the last year, Metro Transit Police has received approximately 60,000 calls for service and approximately 339 of those calls we received just in the last 6 months that involve suspicious persons, packages, bomb threats, or similar events. Patrol officer are deployed throughout the system with duties that are most clearly associated with traditional police work. The department's largest contingent is comprised of foot patrol officers, followed by mobile patrol, Metro bus enforcement, criminal investigations, and special operations.

A year ago, Metro Transit Police created the "Metrostat" to identify crime trends and hotspots which allows us to strategically deploy our staff and resources most effectively. Using the Metrostat information, patrol commanders establish crime reduction objectives for their districts, monitor statistics, and intelligence, and then apply patrol tactics and/or specialized equipment to address those identified needs.

To be most effective in responding to and preventing crime, we enlist the help of other regional law enforcement agencies and our own customers. Officers attend community meetings, promote public awareness campaigns, and often distribute crime prevention literature. The MTPD works aggressively with regional police departments, such as Chief Lanier's, local schools, and youth organizations to prevent youth disorder in the system.

With respect to our security mission, as Mr. Sarles mentioned, Metro, like the majority of mass transit systems in the United States, is by design an open system. Security strategies are complex and multi-layered. The Transit Police utilize many tools, supported by a variety of local, State, and Federal agencies to ensure our security strategies and policies facilitate accurate and timely operational readiness to any identified threat or vulnerability.

Our overall strategy security approach combines the use of technology with enhanced operational awareness and puts an emphasis on training, public awareness outreach efforts, emergency preparedness, and the use of various security assessments that take into consideration the unique designs of our transit system.

Through the Washington Metropolitan Area Council of Government's Police Chief Subcommittee, the MTP meets regularly with, again, over 40 law enforcement law enforcement agencies in the National Capital Region to address current and emergency law enforcement issues and tends to exchange information and ideas about the delivery of public safety.

Further, the committee facilitates appropriate dialog to enhance regional security and antiterrorism efforts and plans for the safe and effective transportation of millions of passengers to the national level events such as the inauguration of the President of the United States, July 4th Fireworks, National Cherry Blossom Festivals, Marine Corps marathons, and sports and entertainment events.

To help coordinate law enforcement efforts with our Federal partners, the Metro Transit Police has an officer assigned to the FBI's local Joint Terrorism Task Force, the National Joint Terrorism Task Force, with Chief Lanier's Washington Regional Threat and Analysis Center, and the Transit Police have taken aggressive steps to combat the threat of terrorism and partner with the Federal Transit Administration and the Transportation Security Administration.

Officers use a variety of high visibility uniformed patrol techniques, technology, equipment, and national security initiatives to assist in preventing terrorism. WMATA's Security Inspection Program was launched in December 2010, which is a tactic also used in transportation environments to effectively target prevention of terrorist activity, a step which is modeled after successful programs currently in use by transit properties in the United States, including those in New Jersey, New York, and Boston. The purpose of the screening is to detect any explosive material and to prevent it from being brought into the Metro system.

In 2009, WMATA's Anti-Terrorism Team, ATT, was created through a transit security grant. The team is comprised of 20 sworn police officers who provide high visibility patrols, focus on protecting transportation patrons and employees. The ATT team works closely with the Federal air marshals and the Transportation Security Administration to develop new strategies and techniques for combating acts of terror. Team deployment objectives include identification of system vulnerabilities, high visibility patrol, surveillance and countersurveillance operations, and investigation of suspicious activity, persons, or packages.

The Authority has made great strides in the utilization of technology to harden WMATA's infrastructure, physical security enhancements including lighting sensing, access control, intrusion detection systems—as well as bus facilities. The Program of Response Options and Technology Enhancements for Chemical/Biological Terrorism [PROTECT] system, is capable of detecting selected groups of chemical warfare agents within a predetermined threshold at Metro stations. Simply put, PROTECT and its command and

control software offers information to chemical incident operations disciplines to make more informed response decisions.

Currently, we have over 7,000 cameras throughout the system. Eighty-one percent of those cameras are operational.

We also use customer communications in our stations, vehicles, and facilities to raise awareness and remind the public to report any suspicious behavior to the police. On any given day, WMATA patrons hear a variety of safety and security related messages, including announcements by myself and by Department of Homeland Security Secretary Janet Napolitano, whose announcement seeks the assistance of transit riders in identifying suspicious persons or packages in the nationally recognized "If You See Something, Say Something" campaign.

Transit riders also witness high-visibility patrols in collaboration with many local, State, and Federal partners.

Since 2006, Congress has appropriated approximately $1.6 billion in transit security grant funds to help local transit authority such as Metro to get trained personnel, participate in exercises, and raise public awareness and protect critical infrastructure.

The remaining funds are fully obligated in the sense that we have received, to date, $108 million in transit security grant funds.

In my written testimony, we have provided detailed information on the challenges faced in spending those dollars as quickly as possible. We're working internally at Metro to expedite those processes.

In addition, we have provided bipartisan leadership of the House and Senate Homeland Security Committee input on what changes need to be made in the legislation that created the grant program to streamline DHS grant programs.

Thank you again for the opportunity to provide you this overview of our efforts to keep Metro safe and secure, and I will be pleased to answer your questions.

Mr. GOWDY. Thank you, Chief Taborn.

Chief Lanier.

STATEMENT OF CHIEF CATHY LANIER

Chief LANIER. Good morning, Chairman Gowdy, members of the committee, Congresswoman Norton, and staff.

I appreciate the opportunity to present the statement on behalf of the Metropolitan Police Department on our collaborative efforts with our Federal, State, and local partners to address the security in our Metro system.

Today, I'll provide an overview of how MPD works with Metro on not only homeland security issues but also highlight the joint efforts that we have to address crime and public safety. It's relevant to all of us.

Obviously, mass transportation is one of the most attractive targets for anyone wanting to disrupt a major city. The TSA's Office of Intelligence concurs that mass transit and passenger rail systems are viable targets for a terrorist attack. An attack on a passenger rail system would garner attention not only because of the damage and casualties but also because it could disrupt daily operations of a major metropolitan area for an extended period of time.

As rail systems are easily accessible to the public and difficult to secure, they are extremely vulnerable to attacks, as we have seen overseas. Since 2004, there have been four major attacks on mass transit, in Moscow, Mumbai, London, and Madrid, with almost 500 total fatalities and more than 3,000 people injured. Given the possibility of an attack on Metro and the impact it would have on the District and the entire region, it is important to review how authorities in the National Capital Region work together to safeguard the transit system.

Clearly, all of the law enforcement agencies in this region play a critical role in securing our transit and rail systems. Although we are often thought of as first responders, our most critical role is prevention through detection and deterrence. Through a robust Suspicious Activity Reporting, we are uniquely positioned to detect and prevent terrorist incidents right here at home. Information provided by local police and, very often, the community, if discovered early and matched with the right intelligence, can help detect, disrupt, and prevent a terrorist plot.

Recognizing that information sharing is critical in both preempting and responding to an attack, MPD maintains daily contact with Metro Transit and Amtrak police in our fusion center through the intelligence analysts that are collocated to other partners around the region.

In addition to tracking operational law enforcement activity and identifying emerging threats in the fusion center, MPD is also engaged in the Homeland Security's pilot project of the Trap Wire, a predictive software system. This system supports the use of our suspicious activity reporting to detect patterns of pre-attack surveillance and logistical planning.

Beyond that, the flow of information among Federal, State, and local partners through our Joint Terrorism Task Force is excellent in the Nation's capital. Our agencies have worked together for many years sharing information and coordinating responses to a variety of situations and the many special events that take place in the Nation's capital.

In addition to the pre-established relationships to the members of the task force, the areas chiefs of police meet on a monthly basis to address regional issues, including rail safety, through the council of governments.

MPD also facilitates a weekly intelligence meeting with a number of our key partners that include Metro Transit, the FBI, the Secret Service, the U.S. Capitol Police, the U.S. Park Police, Amtrak police, as well as D.C. Fire and EMS. These meetings provide a forum for us to share critical information about sensitive law enforcement operations as well as classified intelligence.

As real-time information is critical in the event of a major incident, the MPD is in the process of integrating real-time computer aided dispatch information with not only Metro Transit Police but other law enforcement agencies around the region to enhance our situational awareness.

From an operational perspective, the MPD actively participates in Metro Transit's Terrorism Identification and Deterrence Effort, or Blue TIDE, through coordinated patrols in and around Metro stations. As a part of these patrols, MPD's bomb units conducts

regular sweeps to detect explosive materials, including unattended packages which have the potential to store IEDs.

MPD also participates in similar programs on Operation Rail Safe, which provides enhanced patrols in and around our commuter rail posts.

With so many police departments working in the region, coordinated information sharing and response planning is essential. Even beyond the National Capital Region, MPD has been participating in the Northeast Corridor Coalition since 2005. This consortium of police and transit agencies works together to enhance security planning and programming along the Amtrak rail between Washington, DC, and Boston. This training includes response for active shooter scenarios as well as chemical, biological, radiological, nuclear, or explosive attacks.

MPD and Metro Transit have a strong relationship that is grounded in a history of mutual support. From sharing crime information around Metro platforms to responding to events occurring in a transit system, our overlapping jurisdictions that require efficiency in collaborative responsibilities.

For major events occurring in the District of Columbia, WMATA has been quick to offer services such as buses for cooling centers, blockades, and transportation. During the school year, Metro Transit Police participate in a daily conference call with MPD to ensure situational awareness regarding the safe transport of our students after school.

MPD also assists—has assisted Metro in metering large crowds at busy stations like Gallery Place, providing traffic control during incidents, and coordinating criminal investigations.

While all of the joint exercises and coordinated efforts have worked well to build relationships and enhance operational effectiveness, the best example of our joint efforts occurred on June 22, 2009, when nine people were killed as a result of a collision on Metro's Red Line. This tragic incident required the coordinated response of numerous agencies. The District's Fire and EMS quickly coordinated the unified command, which delineated the roles in response of all of the responding agencies. The quick response and communications between law enforcement and first responders led to the determination very quickly that the event was not related to a crime or an act of terrorism. MPD immediately set up our Joint Operations Command Center to serve as an area command for police resources, and practiced protocols were quickly implemented. Security perimeters were established on the scene to identify responders and restrict unauthorized personnel, and a rotation schedule was established to ensure relief of personnel. This was a 3-day operation.

Radio communications and external communications with the media operated in strict accordance with the National Incident Management System and Incident Command System procedures. This incident exemplified proficient efforts of our responding agencies in dealing with disasters of this magnitude.

Ultimately, while much collaboration has and continues to take place, it is imperative that relevant partner agencies continue to train, exercise, and share information on a daily basis in order to

effectively respond to any future scenario. I can assure you that the MPD remains committed to this process.

Once again, I appreciate the opportunity to participate in the hearing today. I'll be happy to take any questions.

[The prepared statement of Chief Lanier follows:]

Chairman Gowdy, members of the Committee, staff and guests – thank you for the opportunity to present this statement on the Metropolitan Police Department's collaborative efforts with our federal, state and local partners to address security in our Metro System.

Mass transportation is an attractive target for anyone wanting to disrupt a major city. The Transportation Security Administration's Office of Intelligence (TSA-OI) concurs that mass transit and passenger rail systems could be viable targets for a terrorist attack. An attack on a passenger rail system would garner attention not only because of the damage and casualties, but also because it could also disrupt the daily operations of a major metropolitan area. As rail systems are easily accessible to the public and difficult to secure, they are also vulnerable to attacks, as we have seen in attacks overseas. Since 2004, there have been four major attacks on mass transit, in Moscow, Mumbai, London, and Madrid, with almost 500 total fatalities and more than 3,000 people injured. Given the possibility of attack on Metro, and the impact it would have on the District and the entire region, it is important to review how authorities in National Capital Region works together to safeguard the transit system.

Given this backdrop, it is clear that local law enforcement plays a critical role in homeland security efforts. In addition to being first responders, through a robust Suspicious Activity Reporting (SAR) Program, we are also first *preventers,* who are uniquely positioned to detect and prevent terrorist incidents right here at home. Information provided by local police – if discovered early and matched with the right intelligence - can help detect, disrupt and prevent a terrorist plot. As information sharing is critical in both preempting and responding to an attack, the MPD maintains daily contact with both the Metro Transit Police and the Amtrak Police Intelligence Analysts through the Washington Regional Threat Analysis Center (WRTAC). In addition to tracking operational law enforcement activity and identifying emerging threats through the WRTAC, the MPD is also engaged in the Department of Homeland Security's pilot project of the TrapWire predictive software system, which allows us to use Suspicious Activity Reports to detect patterns of pre-attack surveillance and logistical planning.

In the National Capital Region, the flow of information among federal, state and local partners through our Joint Terrorism Task Force (JTTF) is excellent. Our agencies have worked together for years sharing information and coordinating responses to a variety of situations and the many special events that take place in our Nation's Capital. In addition to the pre-established relationships of the members of the task force, the area Chiefs of Police meet on a monthly basis to address regional issues, including rail safety, through the Council of Governments. The MPD also facilitates weekly meetings with a number of our key partners, including the Metro Transit Police Department, Federal Bureau of Investigation, United States Capitol Police, United States Park Police, Amtrak Police Department, United States Secret Service, and the District of Columbia Fire and Emergency Medical Services Department. These meetings provide a forum for our partner agencies to share information about sensitive law enforcement operations as well as classified intelligence.

As real time information is critical in the event of a major incident, the MPD is currently working to establish agreements with Metro Transit Police and law enforcement agencies in bordering jurisdictions to share real-time computer aided dispatch information, which will enhance situational awareness. From an operational perspective, the MPD actively supports the

Metro Transit Police Departments Blue TIDE (Terrorism Identification and Deterrence Effort) initiative through coordinated patrols in and around Metro Stations. As part of these patrols, MPD's Explosive Ordnance Disposal Unit (EOD) teams conduct regular sweeps to detect explosive materials, including unattended packages which have the potential to store Improvised Explosive Devices (IEDs). MPD also participates in the multi-agency "Operation Rail Safe Initiative," which provides for enhanced patrols in and around commuter rail hubs.

Immediate and seamless communication between the Metropolitan Police, Metro Transit Police and the many other agencies in the National Capital Region is essential for operational readiness and response. The Metro Transit Police and MPD have had direct radio interoperability for seven years. Officers assigned to both agencies can use their handheld or car radios to communicate with their counterparts without a Dispatcher facilitating the connection. This saves valuable time in critical situations and could ultimately save lives. Overall, the District's radio system is designed with the necessary signal penetration to allow our members to maintain contact with both the District Dispatcher and Metro Transit if and when they enter a Metro Station.

With a myriad of police departments working in the region, coordinated information sharing and response planning is essential, Even beyond the National Capital Region, the MPD has been participating in the Northeast Corridor Coalition since 2005. This consortium of police and transit agencies works together to enhance security planning and programming along the AMTRAK rail line between Washington, DC, New York, Boston and points in between. This planning includes response for active shooter scenarios as well as chemical, biological, radiological, nuclear or explosive attacks. From a DC specific perspective, the MPD is part of the District of Columbia Emergency Preparedness Council (EPC). Coordinated through the District's Homeland Security and Emergency Management Agency (HSEMA), it is the principal body that addresses planning and implementation efforts identified in the District Response Plan (DRP) that establishes the framework for the District's response to, recovery from, and mitigation of all hazards.

The Metropolitan Police Department and Metro Transit Police have a strong relationship grounded in a history of mutual support. From sharing crime information around metro platforms to responding to events occurring on the Transit system, our overlapping jurisdictions require efficacy in our collaborative responsibilities. For major events occurring in the District of Columbia, WMATA has been quick to offer services such as buses for cooling centers, blockades and transportation. During the school year, Metro Police also participate in daily conference calls with MPD to ensure situational awareness regarding safe transport of students after school. MPD members are used to assist in metering crowds at crowded stations, providing traffic control during incidents, and coordinating on criminal investigations with mutual interest to our agencies.

While all of the joint exercises and coordinated efforts have worked well to build relationships and enhance operational effectiveness, the best example of our joint efforts and capabilities came on June 22, 2009, when nine people were killed as a result of a collision on Metro's Red Line. This tragic incident required the coordinated response of numerous agencies. The District of Columbia Fire and Emergency Medical Services Department coordinated Incident Command and effectively established a Unified Command, which delineated the roles of responding

agencies. The quick response and communication between law enforcement and first responders led to a determination that the event was not related to a crime or terrorism. The MPD immediately stood up our Joint Operations Command Center (JOCC) to serve as area command for police resources and practiced protocols were implemented.

Security perimeters were established on the scene to identify responders and to restrict unauthorized personnel and a rotation schedule was established to ensure the relief of essential personnel. Radio communications and external communications with the media operated in strict accordance with National Incident Management System (NIMS) and Incident Command System (ICS) procedures. While areas were identified for improvement, this incident exemplified the proficient efforts of the responding agencies in dealing with a disaster of this magnitude.

Ultimately, while much collaboration has and continues to take place, it is imperative that relevant partner agencies continue to train, exercise, drill and share information on a regular basis in order to effectively respond to any future scenario. I can assure you that the MPD remains committed to this process. Thank you again for the opportunity to appear before you today.

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Mr. GOWDY. Thank you, Chief Lanier.
Mr. Griffin.

STATEMENT OF ANTHONY GRIFFIN

Mr. GRIFFIN. Good morning, Mr. Chairman, ranking member, members of the subcommittee. I am Anthony H. Griffin, county executive, Fairfax County, VA, a position that I have had the privilege of holding since January 2000.

I appreciate the opportunity to speak to you today on the security challenges facing the Washington Metropolitan Area Transit Authority, otherwise referred to as WMATA. My comments are formed from two perspectives: first, as CEO of the largest jurisdiction in the region by population and as Director of Emergency Management as set by the Code of Virginia; second, as co-chair of the decisionmaking process for the National Capital Region since the inception of the Urban Area Security Initiative grants until the conclusion of 2010, or seven grant cycles. Additionally, I served as chair of the Chief Administrative Officers Committee of the Metropolitan Washington Council of Governments, otherwise referred to as COG, for 10 years.

Based on my own experience, the five existing rail stations in Fairfax County, a shared bus facility, and having consulted with my police and fire chiefs, I can say that the relationship between Fairfax County and WMATA from a public safety perspective is very strong. WMATA is an active participant with the Chiefs' Committee at COG and is present when security issues are discussed on a regional basis.

On a police operational level, collaboration and coordination is good, whether with a specific District station or with the County's specialty units, such as SWAT, K–9, or EOD, when there is a need for a station sweep or for high visibility.

WMATA regularly communicates fire systems status updates and when there are upgrades to equipment or modifications to stations. Fairfax County has regularly participated in large-scale multi-jurisdictional exercises with WMATA, with a focus on rail security and safety.

In summary, there is a strong professional relationship between WMATA and the County's public safety agencies, and I personally have worked well with the senior management of WMATA.

As previously noted, WMATA is an active participant when discussing how preparedness in the National Capital Region can be improved, and the grant process has been a major facilitator. It has been accepted by the participants that transportation is a key issue when considering threats and mitigation. Rail facilities and stations are recognized as potential targets, and rail is integral to being able to move a significant percentage of the region's population during a time of crisis.

WMATA has access to other Federal grant programs specifically oriented to transit security and safety. However, the CAOs—or the chief administrative officers—and the Senior Policy Group—representatives from the Governors—have agreed that WMATA should be a funding recipient because its security requirements exceeded its normal resources. Consequently, in addition to the NCR localities receiving and managing subgrants, WMATA was allocated

funds for specific projects which would enhance its security and its ability to respond to emergencies. I have attached a list of the projects and the amount of money assigned.

Is there a security gap? In my experience with public safety, there are never enough resources, whether it is with my own agencies or with WMATA. My job, and our jobs, is to prioritize the risk and manage the resources available to the greatest effect and benefit.

In my opinion, based on my exposure to the subject and WMATA, I believe that WMATA has done a good job with the resources available but that if there were more resources available, it would help narrow the gap. I should note there will always be a gap, but I believe continued vigilance and effort will tilt the odds in favor of WMATA and the public safety agencies.

Mr. Chairman, thank you for the privilege to speak. I will be pleased to respond to the committee's questions.

[The prepared statement of Mr. Griffin follows:]

Good morning Mr. Chairman, Mr. Ranking Member, and Members of the Subcommittee. I am Anthony H. Griffin, County Executive, Fairfax County, Virginia, a position that I have had the privilege of holding since January, 2000.

I appreciate the opportunity to speak to you today on the security challenges facing the Washington Metropolitan Area Transit Authority otherwise referred to as WMATA. My comments are formed from two perspectives. First, as CEO of the largest jurisdiction in the region by population and as Director of Emergency Management as set by the Code of Virginia. Second, as co-chair of the decision making process for the National Capital Region (NCR) since the inception of the Urban Area Security Initiative (UASI) grants until the conclusion of 2010, or seven grant cycles. Additionally, I served as Chair of the Chief Administrative Officers Committee at the Metropolitan Washington Council of Governments, otherwise referred to as COG, for ten years.

Based on my own experience, the five existing rail stations in the County and a shared bus facility, and having consulted with my Police and Fire Chiefs, I can say that the relationship between Fairfax County and WMATA from a public safety perspective is very strong. WMATA is an active participant with the Chiefs' Committee at COG and is present when security issues are discussed on a regional basis. On a police operational level, collaboration and coordination is good whether with a specific district station or with the County's specialty units, such as SWAT, K-9 or EOD units, when there is a need for a station sweep or for high visibility. WMATA regularly communicates fire systems status updates and when there are upgrades to equipment or modifications to stations. Fairfax County has regularly participated in large scale multi-jurisdictional exercises with WMATA with a focus on rail security and safety. In summary, there is a strong professional relationship between WMATA and the County's public safety agencies and I, personally, have worked well with the senior management of WMATA.

As previously noted, WMATA is an active participant when discussing how preparedness in the NCR can be improved and the UASI grant process has been a major facilitator. It has been accepted by the participants that transportation is a key issue when considering threats and mitigation. Rail facilities and stations are recognized as potential targets, and rail is integral to being able to move a significant percentage of the region's population during a time of crisis. WMATA has access to other federal grant programs specifically oriented to transit security and safety, however, the CAOs and the Senior Policy Group (SPG, the governors' representatives), have agreed that WMATA should be a funding recipient because its security requirements exceeded its normal resources. Consequently in addition to NCR localities receiving and managing subgrants, WMATA was allocated funds for specific projects which would enhance its security and its ability to respond to emergencies. I have attached a list of the projects and the amount of money assigned.

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Mr. Chairman, thank you for the privilege to speak. I will be pleased to respond to the committee's questions.

Attachments: List of UASI Grant Funded Projects
Anthony H. Griffin's biographical summary

Mr. GOWDY. Thank you, Mr. Griffin.

At this point, the chair will recognize the ranking member of the subcommittee, the gentleman from Illinois, Mr. Davis.

Mr. DAVIS. Thank you very much, Mr. Chairman; and, again, I want to thank all of the witnesses.

Chief Taborn, WMATA's security program consistently ranks among the top 20 percent of transit systems nationwide as measured by TSA inspectors using the Baseline Assessment and Security Enhancement program, BASE. However, I know that items such as fully operational cameras at all stops are still lacking. So could you discuss some security needs that might exist on challenges that you think need some additional attention?

Mr. TABORN. Well, thank you very much, sir. We are very grateful for the Federal Government, the Department of Homeland Security, TSA, the Federal Transit Administration, for all of the support they've provided to Metro through the course of many years.

Many of those items that you talked about, cameras, we have a 35-year old system, and it wasn't until 10 years ago when our second police officer was killed in the line of duty that those cameras did not have the capability of recording. As we have gone through the years, we have sought out grants to enhance our camera capabilities, and those are the steps that we are taking now. We have cameras that recently, through the UASI process, have identified the 86 Metro rail stations, so we'll have the opportunity through sharing with jurisdictional partners to see those types of things. But we are in the process of working with the general manager and the new leadership to seek funds to provide more cameras in our systems. We know that cameras aren't always the solution, but they aid in investigations or telling us what's going on in any particular period of time.

Mr. DAVIS. Thank you very much.

I know that you were instrumental in the development of the transit security protection measures that has been adopted nationwide. Can you tell us about the anti-terrorism training that your office received and how often are these drills conducted?

Mr. TABORN. Again, as a response to the events of 9/11, initially before the birth of Department of Homeland Security there was a $23.5 million Department of Defense grant that was given to the Federal Transit Administration to go out and do an assessment of transit properties all over the United States. Part of that involved three basic premises: enhance employee training, emergency preparedness, and public awareness; and part of that training was a spin-off from that terrorist activity recognition and reaction program that was given to transit agencies across the country, the BAT, Behavioral Assessment Training program. That was spearheaded by the Transportation Security Administration, and it affords not only police officers but front-line employees what to look for from a terrorist standpoint.

And so, as typified by the events in Time Square where a person saw something and said something, those are the types of things that we encourage both our employees as well as our riders to report something that may not be a big deal but may be the key to investigate crimes. So training is something that continues to happen.

TSA has a very good training program. The National Transit Institute, through funding from FTA, has a great training program. And it's getting this type of training to transit agencies across the country.

Mr. DAVIS. And how often is that used?

Mr. TABORN. We provide training every year. We're in the process now of providing training to all of our front-line employees, over 7,000 employees, for Metro emergency response training to familiarize them not only with terrorist tactics but what to do in the case of an emergency. So that training is ongoing. As new people come on in the department, come on to the agency, we do a repetitive requirement to provide their training.

Mr. CONNOLLY. Would the chairman yield for a unanimous consent request?

Mr. GOWDY. Yes.

Mr. CONNOLLY. Thank you, Mr. Chairman.

I am not a member of the subcommittee, but I am a member of the full committee. I have a statement I would like to enter into the record as a long-time supporter of Metro expressing my support for management endeavors to enhance public safety and to encourage the Federal Government to do its fair share in support of the same.

Mr. GOWDY. Without objection, and thank you for being here. We are delighted to have you with the subcommittee.

Mr. CONNOLLY. I thank the chair.

[The prepared statement of Hon. Gerald E. Connolly follows:]

Statement of Gerald E. Connolly

District of Columbia Subcommittee

June 24th, 2011

Chairman Gowdy, I appreciate the opportunity to address the importance of Metro to the federal government, including its role in security of the National Capital Region. Metro has the second highest ridership of America's 27 large systems, a remarkable accomplishment considering how new it is. New York was building subways in the late 1800's, whereas we didn't get started planning Metro until the 1960's. When we embarked on this project, President Johnson declared that this transit system is "essential for the continued and effective performance of the functions of the government of the United States." It is even more essential today, as our region has no more room to expand road capacity and relies on transit both to move people and protect air quality.

Unfortunately, as the federal government has become more reliant on Metrorail it has shifted an increasingly large cost burden onto area residents. When we started building Metrorail, the federal government paid 80% of capital costs. In sharp contrast, the federal government will pay less than 16% of the capital costs of extending rail to Dulles Airport. Although Congress began appropriating $150 million in annual matching funding last year, this will only begin to address Metrorail's capital needs and is insufficient to fully address the system's safety issues.

As the Federal Transit Authority noted in its safety audit of Metro, there are numerous safety staff vacancies, including for the Tri-State Oversight Committee, which is supposed to monitor Metro safety. WMATA has cut hundreds of staff positions while raising fares and cutting service. In fact, Metro has the highest fare box recovery of any large transit system in the nation. Many stations and sections of track are badly deteriorated and need to be replaced, which costs money. The local taxpayers who subsidize WMATA cannot afford to pay for the safety investments we need without federal participation. Since 40% of rush hour riders are federal employees and the 16 million annual visitors to the nation's capital rely on Metrorail, the federal government has a responsibility to help fund the operation of Metrorail.

Despite the recent accidents, Metrorail and transit in general is far safer than driving. Nationally, the fatality rate on roads is twice as high per mile travelled as on transit like Metrorail, so any service cuts for transit will only force our region's commuters onto less safe modes of transportation. While it is clear that there can be improvements to WMATA's management, it is equally clear that hiring enough safety staff, replacing old rails and unsafe Metro cars will cost money. These are essential investments for the federal government. As WMATA's General Manager, the Chairman of the Board of Directors, the President of the Amalgamated Transit union local, and the Vice Chairman of the Rider's Advisory Council stated at an Oversight and

Reform Committee hearing, now is the time for the federal government to start investing in Metrorail's operations.

The primary purpose of today's hearing is to address Metro safety. Simply implementing the National Transportation Safety Board's recommendations will cost over $1 billion dollars. Moreover, it is not practical to cut other operational costs to invest in safety. Deferring maintenance on escalators, for examples, risks breakdowns and would dramatically reduce overall system capacity, forcing people to use less safe modes of transportation like driving. In addition to maintaining peak capacity for commuting rush hours, it is essential that Metro be able to assist with evacuation operations. Unfortunately, it simply is not possible to evacuate as many people as necessary from D.C. in the event of a terrorist attack. If we really wanted to be prepared for an attack we would need to expand Metro capacity leaving the urban core, including expanded track capacity crossing the Potomac, and we would need a robust plan to close portions of roads to private traffic in order to make them available for dedicated bus fleets. Without giving away too much information to the enemy, this would be an appropriate inquiry for interested members of this committee, working in concert with the Administration and Metro.

In closing, I would hope that we would remember Jeanette Stewart. She was a constituent of mine, and an able Metro conductor. She died in the line of duty in June of 2009 when her train's automatic braking system failed and it rear-ended another train on the red line. She died courageously, manually applying the brakes to slow the train down. Her actions undoubtedly saved dozens of lives by preventing any more 30 year old Series-1000 cars from folding like an accordion. Unfortunately, a dearth of investment in Metro caused both the track malfunction and was directly responsible for the failure to replace Series 1000 cars with safer models that protect passengers in the event of an accident. It can be tempting for politicians to place the blame for such a tragedy on Metro management, unions, or other scapegoats. I hope that we would not succumb to such temptation, and instead acknowledge our own failure to maintain a system on which the federal government is dependent. Republican Congressman Tom Davis—my predecessor—took the critical first step of establishing $150 million annual federal capital funding, to be matched by local funding, during his final term in office. With a 35 year old system, we have to build on that legacy and invest the money that is necessary to make this system safe and ensure that it functions as part of our region's emergency evacuation plans. That starts with completing the NTSB's recommended safety improvements, and if the federal government fails to pay our part of that $1 billion bill then we will have failed to learn from the tragedy on the Red Line.

Mr. GOWDY. To our witnesses, our guests, and my colleagues, who are probably aware, if not more aware than I am, votes have been called. I think it is a very short series.

Here's the pledge I will make to you. We will sprint to the Capitol to vote. We may walk briskly. We will go as quickly as we can to the Capitol and vote, because we want to be good stewards of your time. I am coming back the second I cast my vote. I know that other colleagues will as well. This is a very important hearing.

So Mr. Davis has graciously offered to buy any of you drinks or something to eat if you want it during the break. We're going to come back. If it happens again, I won't make you do it again. But if you would indulge us to go vote, come back, I would be very grateful; and if it happens again I won't ask you to do it again.

So we will be in recess pending votes. Thank you.

[Recess.]

Mr. GOWDY. Welcome back. On behalf of all of us, thank you, the witnesses, for your indulgence.

I recognize the gentleman from Arizona, Dr. Gosar.

Mr. GOSAR. Thank you, Mr. Chairman.

I have just got some background checks or questions, Mr. Sarles.

When we're looking at doing background checks, do we also do—what kind of protocol do we have for monitoring our force periodically?

I think one of the things we've learned in some of our Homeland Security issues is that we may have had somebody come by, come through and have a different background than they profess to be. What kind of progress do we have for monitoring particularly like maintenance, all of our different types of employees?

Mr. SARLES. Basically, when they're hired, we have background checks.

With regard to bus operators, we do checks on driver CDLs to make sure that they continue to maintain their license.

Also, with regard—we have a lot of contractors working on the sites, so we have checks on that that we do. It's basically every 2 years—every year background checks on them. So that's the extent that we do it today.

Mr. GOSAR. Is that mandatory by compliance from the contractor head—or is there random review?

Chief, you can answer as well.

Chief TABORN. Many of the guidelines and recommended practices that came by way of either TSA or FTA talks about background checks. It's something that's not mandatory, but we embrace that, and we do it on a yearly basis for all contractors, bus operators, as indicated by Mr. Sarles, or train operators, their driver's license, their criminal records. We want to check that to make sure that they're don't have a criminal charge or traffic violations that prevents them from delivering good-quality service.

Mr. GOSAR. I know that when we reviewed TSA we had some concerns about some of the folks in delivery, maintenance, that aspect, because we've got a number of access points that don't really—we're more reactive than we're proactive. And I want to know more about where you would go with that.

Chief TABORN. Again, probably the whole universe of operation, 8,000 employees, we on a—probably every 2 weeks, do a records check so we know if someone is wanted for a particular crime.

As part of their employment—initial employment, they go back and they look at 10 years. But on a consistent basis we run the checks of our employees, both traffic and criminal, probably about every 2 to 3 weeks.

Mr. GOSAR. Do we review how the systems actually work themselves and how people can infiltrate a system? I guess just more review.

As a business owner, there's always—you know, we have an employee, we bring them in, we always have a 6-month review. Sometimes we'll actually have another review from another employee. You know, those kind of things for monitoring. Because just a background check is not going to catch everything.

Chief TABORN. Well, from the standpoint of our contract, we do it on a yearly basis for our employees. As I indicated, about every 3 weeks we do a check. Sometimes, depending upon the jurisdiction, if they left this area, we don't to do a nationwide check. We do the jurisdictional check in Maryland, and Virginia, and District of Columbia or if, in fact, they live in Pennsylvania, something like that.

Mr. GOSAR. And a protocol if you have suspicious activity. What would be your normal protocol if you had somebody with suspicious activity? Or a warning light?

Chief TABORN. Again, we partner with the FBI Joint Terrorism Task Force. So if there is any suspicious activity that arises to that level that sort of borders on terrorism, we will immediately let them know.

Again, we have a person, the same as Cathy Lanier, and track it, and that information is put in there. So if there is a possibility that there is a hit or somebody has additional information, we all in law enforcement would know about it.

Mr. GOSAR. And, last question, how do we involve the public? How do we go about improving that relationship? Because the public—I mean, we can't catch everything. We need the public's insight here. How do we keep them involved and constantly take their proactive ideas?

Chief TABORN. Good. If you go back, the basis of the "See Something, Say Something" had its birth in Transit Watch and was similar to Neighborhood Watch where messages were—things were delivered to transit properties. New York took "If You See Something, Say Something." Others adopted "Is That Your Bag" or "See It, Say It." So those were slogans that sort of embraced the public into the security in protecting themselves while they were in public transportation.

And there are a host of initiatives. I think I was with Chief Lanier when Secretary Napolitano launched the "See Something, Say Something." Because it has application not just in transit but in all types of sectors. So if we say something suspicious, we want to notify the authorities so actions can be taken.

Mr. GOSAR. Thank you.

Mr. GOWDY. The chair would recognize the gentlelady from the District of Columbia, Ms. Holmes-Norton.

Ms. NORTON. I thank you Mr. Chairman. I want to thank all of the witnesses for your very helpful testimony.

I especially want to thank you, Chairman Gowdy, for today's hearing on a matter of great importance to the Federal Government because of the importance of WMATA to the Federal Government.

I am not sure all of us were here, but in the winter of 2009 and 2010 the Federal Government itself shut down. The major reason was because WMATA shut down.

And I think it was 2008 Congress did something with respect to WMATA it would never do for any other regional or local system. It authorized $1.5 billion of capital repairs of WMATA. This was done when my good friends on the other side were in charge.

I do want to read what this committee said at the time, at least in part. "Metro bus and rail service plays an indispensable role in the day-to-day operations of the Federal Government." And then the committee went on to speak of private citizens who have business with the government who depended upon WMATA, about the matters of State, and concluded, thus, Metro is a national asset in which all Americans have an interest.

Well, the Congress did come to that conclusion, and it's interesting that we had difficulty getting the funds out. We got the first $150,000 installment only after nine people were killed in the tragic Metro accident, as it turns out about 2 years ago this week.

Now, you have indicated, Mr. Sarles, that you did not receive the $150,000 this year—that would be the third installment—that you would not let safety slip and that you would take everything else away or as much of it as you could in order to keep the Metro safe. And I am sure you would. But I am not sure the committee understands what you are doing and what we mean by "keep it safe."

Would you be able, for example, to keep on track for the repairs and rehabilitation necessary to make this a safe line? For example, the accident involved cars from the 1970's, which were obsolete but which you have no alternative but to use. So you are still using, are you not, the 1970's vintage cars where virtually all of those who died were killed? And what are you going to do? What would be your priorities? Would you be able to be on track if we pulled all the funds away? Describe to us what the work is all about.

Mr. SARLES. With regard to the $150 million a year, that, matched with the local contribution of $150 million, is $300 million a year, which is nearly 40 percent of our budget. If we lost that, we would, as I said, cause us to slide backward. We would still proceed with the purchase of those cars for replacement.

Ms. NORTON. How many of those have you purchased?

Mr. SARLES. There's 300 cars to be replaced. Those are the oldest cars.

Ms. NORTON. How many have been purchased so far?

Mr. SARLES. We placed the order for the 300 plus some other cars——

Ms. NORTON. So none of those cars have been replaced as of yet.

Mr. SARLES. No. They are being designed right now with the manufacturer Kawasaki in Nebraska, and then we start taking delivery in of them in 2013.

But if we lost 40 percent of our capital budget, we would still operate safely. That doesn't mean we would operate reliably. For instance, we would not be able to do the track reconstruction. We're dealing with tracks, rails that are 30, 35 years old. We would not replace them. What happens when you don't replace them is you have to operate at slower speeds. So it would slow down the system.

You would also—we would find ourselves doing a lot more daily inspections and finding problems, which would mean there would be interruptions during even the peak period if we have to go in and make the quick fix to keep the railroad running.

The same thing is true with buses. We have been able to, over the last several years, buy enough buses to get the bus system in shape, at least with regard to the age of the buses. We would have to stop buying those.

As a result, the buses would get older and older, and they would break down, and the service that we provide to our bus customers would deteriorate. When you don't do the reconstruction, it means that you have more breakdowns, you operate more slowly. Because, in order to keep it safe—and, ultimately, we've seen tragically what has happened when there wasn't enough funding for the system.

Mr. GOWDY. I thank the gentlelady from the District of Columbia.

The chair at the point would recognize the gentleman from Missouri, Mr. Clay.

Mr. CLAY. Thank you so much, Mr. Chairman; and I thank the witnesses for their appearance today.

Chief Taborn, news reports have highlighted an increase in crime at the Prince George's County Metro stops. In fact, 6 of the top 10 Metro stations with the highest crime rates in the D.C. metropolitan area were in Prince George's County. Can you detail what is being done to curb this crime?

Chief TABORN. Sure. In the 86 stations, we have many stations that are end-of-the-line stations; and that's where we have the larger parking facilities, whether it is garages or parking lots. Seventy-five percent of the crimes that occur on the Metro are crimes against property. So whether it's stealing the GPS, the catalytic converter, or seeing change and breaking the window and stealing that, those are the types of crimes that we see most in the outlying jurisdictions and in particular Prince George's County.

What we've done is work with Interim Chief Magaw and reached out to his department, Prince George's County. The general manager met back in April with 17 of the local jurisdictional law enforcement leaders or their representatives and talked about the crimes in and around the entire jurisdiction and specifically those that we had seen an elevation in crime; and we got a commitment from those chiefs to do as much as they possibly could do.

One of the solutions was to provide them with a SmarTrip card so their officers on patrol, as they go into the parking lot, they could go, wherever they are doing patrol, have access to that. And when you increase the visibility of law enforcement, there is a probability that those people who are committing those crimes will be reduced.

We also have, as Chief Lanier indicated, Blue TIDE, where we partner on a quarterly basis with law enforcement throughout the National Capital Region and show a combined effort, whether it's in Montgomery County, Prince George's County, the District of Columbia, and we show that we are there to support and those types of efforts are those that we advocate and jointly participate in collaborations.

Mr. CLAY. Thank you for that response.

Chief Lanier, I want to say it was last year at the L'Enfant Station, or one of the southwest stations, there was a group of young people that were attacking passengers, and of course the public saw some of the disturbing video. Has that been curtailed as far as these roving groups of young people that attack passengers indiscriminately?

Chief LANIER. I can speak to the cases that I am aware of that have occurred at the entrance of the Metros and around the Metros; and, yes, we have been very successful.

Gallery Place was another place where we saw large groups of young people who came down, particularly evenings and weekends, that were creating all kinds of havoc around the train. We worked jointly with Metro to put together kind of a crowd metering system, an experience we learned in some of the larger special events here, to kind of separate and meter those groups into the transit stations a little bit carefully to keep those groups that are looking to start trouble with other groups separated, and that really has made a big difference, and particularly around the Gallery Place Metro.

I know we have still had some disturbing incidents, though. There is a lot of young people that come from all over the region that just are using the Metro as a way to carry out their bad behavior.

Mr. CLAY. And have there been arrests made from officers witnessing some of this activity? Are you all looking at video?

Chief LANIER. I would have to defer to Chief Taborn.

Chief TABORN. The case that you are making reference to that happened at L'Enfant Plaza, we did in fact arrest the young lady, a female approximately 15 years of age. She was found guilty, and she was sentenced.

We have other situations where we utilize the videos or any type of information that is provided to us and we do a concerted effort to investigate all of the sources. We visited many schools that these young people were attending; and, based upon that type of collaboration with the Metropolitan Police Department, we were able to identify this young lady and she subsequently admitted her involvement in this. And, again, she was sentenced.

Mr. CLAY. Thank you both for your responses.

Mr. Chairman, I yield back.

Mr. GOWDY. One of the core functions of Federal Government, obviously, is national security and national defense. One of the core functions of State government, at least in my State, education is in the Constitution, and public safety is near and dear to my heart as well, and it is also a core function of government.

I feel the pain of the budget debates. I can tell you in South Carolina, being married to a public schoolteacher, it was tough last year watching our friends be furloughed; and as a prosecutor hav-

ing to furlough your employees in your office for 5 to 7 days without pay and then watch your sheriff have to furlough deputies, it is tough. Because if you can't spend money on public safety and national security, it makes you wonder where you are spending money.

But at some point after the debate is over about our fiscal straits, you all still have to do the job. So I guess what I am asking is, aside from the resources which my colleagues have so aptly and ably asked you about, aside from the resources, is there anything else Congress can do, is there anything else we can do to help you do your jobs better? I understand the budget part and the finance part. Is there anything else we can do?

Chief LANIER. Well, everything kind of centers around finances, unfortunately.

I will just say from my perspective, I have been here 21 years in Washington, DC, so I have been here throughout Metro's development and watching the population in Washington, DC, and the region continue to grow and watching the shifts in economic development and the crime patterns that go along with that. Crime patterns traditionally follow transportation, whether it be major roadways or trains or what it is.

We have been really successful driving crime down in the city. Unfortunately, our success is creating issues for Metro. Because when you are really successful at pushing the kind of hard-core, committed folks, people who are committed to crime, they are going to go the easiest place to carry out their crimes and get away. And Metro makes it difficult to police.

I can't imagine how Chief Taborn does his job with the size of the force he has. I was at the Pentagon last week with a chief over there. The Pentagon Force Protection Uniformed Police Department has 850 officers. They are not subject to the volume of 911 calls. They are not subject to the—typically, the ridership on Metro is almost the population of the District of Columbia. I can't imagine how Chief Taborn polices that Metro. It is geography that moves. It is very difficult.

So I don't know what always is the politically correct thing to say when we are here testifying, but I know that he being probably won't say it, but I will say it for him. I think he needs more police officers. I really, really do. We work together, and we try and help with that challenge, but police officers in those train stations and on those platforms not only make people feel a lot safer but they will be safer. So that's my two cents.

Mr. GOWDY. Chief Taborn, Chief Lanier, this is such a different world that we are living in, at least those of us up here who grew up in different times. One of the beautiful things about summertime in Washington is the influx of young people, either working in my colleagues' offices or working for committees or just visiting the Nation's capital. And you stop and think what this current crop of young people have seen, from Colombine, to Timothy McVeigh, to 9–11, to shootings in schools. It is a world that I didn't grow up in. I grew up with the garden variety of stealing and shoplifting and that kind of crime. It is a different world.

My colleagues have addressed the national security part. For the garden-variety assaults—and you mentioned property damage—are

you getting the prosecutorial support that you want? Are the crimes being taken seriously? And I say that with some trepidation as a former prosecutor as to what the answer may be. Is safety that doesn't amount to something cataclysmic and horrible being taken seriously, in your judgment?

Chief TABORN. I think, in response to your question, those crimes involving crimes against persons, we do get a lot of support. Other crimes that may involved fare evasion, disorderly conduct, spitting, drinking, eating, doing a lot of the smaller things, our offices make the stop, they write the citation, they go to court, and, more often than not, those cases are not prosecuted.

So what that does in operating under constraints with the budget is we pay overtime when we send an officer to court. So when there is no follow-up—and we have not even talked about the juveniles. Because juveniles, you either issue them a warning citation or you do a custodial arrest. They now know that there is not going to necessarily be follow-up if you issue them a citation. So that is an area that we could see some improvement in.

We would also like to improve the grant process to assist us with getting dollars back into the transit security grant program and to look at the flexibility of those grants. We know that the Department of Homeland Security focuses on terrorism, but many of the crimes that happen in the subway, we may not be able to get funding to attack that. But if we attack the regular day-to-day crime, the spin-off is it makes it difficult for a terrorist to commit any other crime.

So the funding of an explosive K–9 is an example. That will be funded, but a regular patrol dog will not be funded. So we often ask and we will be asking TSA next week when we meet with the top 50 transit chiefs in Denver to see if, in fact, there is some flexibility in the grant so that we cover the whole universe of security.

Mr. GOWDY. Thank you, Chief.

To my colleagues, given the seriousness of the issue and the fact that our witnesses were gracious enough to wait on us, if anyone interested in I guess we'll call it a lightning round to ask a couple of follow-up questions, please proceed.

The gentleman from Illinois, Mr. Davis.

Mr. DAVIS. Thank you, Mr. Chairman. I thank you for your indulgence.

I have just one question. I would like to do a little follow-up on the whole question of background checks. I would like to ask a hypothetical question.

Basically, because I am concerned that we don't deny individuals the opportunity to reenter the work force or to regain acceptance back into society after they have been convicted of criminal violations, if a person had gotten caught with enough marijuana 13 years ago to be arrested and convicted, come back under the 10-year rule, depending on what the transgression may have been, would that person be eligible for employment with the agency?

Mr. SARLES. I really have to get back to you on that, the specific answer on that. We try to balance what the crimes were against what the person is being asked to do. So I would have to get back to you with a more specific answer on that.

[The information referred to follows:]

[NOTE.—The information referred to was not provided to the subcommittee.]

Mr. DAVIS. Thank you very much. I would appreciate that.

Because I have run into so many instances where there was blanket denial. And then, when you do a little checking, you find out that the individual may have done something and that he or she would actually pose no threat at all to anything. But their record is there, and they are denied an opportunity. So I would very much appreciate an answer to that question.

Thank you very much.

Mr. GOWDY. Mr. Clay.

Mr. CLAY. No further questions.

Ms. NORTON. Mr. Chairman, just one question. I would be remiss if I didn't ask it. After all, this is a committee consisting of members from throughout the country.

My question really has to do with the effect of the Red Line Metro crash on other parts of the country. Most of us did not know—I don't believe I knew until the crash—that there were no national rail standards. I was astonished, because I am accustomed to safety standards in every other mode of transportation. No one would think of getting on an airplane if they thought that every city could do its own standards. It is the very essence of interstate commerce. Obviously, these trains don't always go across State lines the way that ours do.

But Congress, in the wake of this historic crash that so alarmed the country, many of us introduced a bill, and it is reintroduced this year, that would require the Department of Transportation to develop national rail standards. Now local jurisdictions could have their own standards if those standards were consistent with national standards. They wouldn't have to be enforced by the Department of Transportation, or they could ask the Department of Transportation to take on that task.

I ask this question, Mr. Sarles, because we are fortunate that you have led two major transit systems. I would like to know whether you think national rail standards would help improve the safety of Metro and other rail transit agencies around the country; and if so, how and why?

Mr. SARLES. In fact, in my last position we ran commuter rail which is governed by Federal regulation, the FRA. I welcome that. I think it is good to have national standards.

Ms. NORTON. So commuter rail here in the district?

Mr. SARLES. A commuter rail here would have FRA regulation.

Ms. NORTON. So they would be governed by national standards?

Mr. SARLES. Right.

Ms. NORTON. You are from New Jersey?

Mr. SARLES. From New Jersey, right.

Ms. NORTON. So part of what you had jurisdiction over was governed by national standards.

Mr. SARLES. Right.

Ms. NORTON. How did you do the rest?

Mr. SARLES. Well, we had a State oversight commission or committee which oversaw the light rail lines. We worked well with them.

I will say that, as an operator, the primary responsibility for safety rests with us. But it is excellent to have oversight, because you never see everything.

Ms. NORTON. Well, you have some oversight.

Mr. SARLES. Yes.

Ms. NORTON. But you don't have the same standards, though, so you can have apparently a very low standard in one part of the country and a high standard in another.

Mr. SARLES. And that is why I think Federal Government involvement in terms of making sure that, even if the State agencies are doing it as an oversight, that there is some overlaying uniform set of criteria so that everyone lives up to the same standards I think is a good idea.

Ms. NORTON. Could I ask—I was astonished that bus drivers, Chief Taborn, were being attacked apparently often enough so that a job action was threatened and that the attacks may be over fares. Could you explain what prompts these attacks and what you are doing to protect our bus drivers?

Chief TABORN. Sure. So far this year there have been approximately 22 to 25 assaults on bus operators. They span from either spitting upon a bus operator, throwing a cup of water upon a bus driver, assaults with a weapon.

The case that we had last week out at Capitol Heights was a mother who had a stroller and wanted to bring the stroller on. It is the policy of WMATA that you fold your stroller up for safety reasons. She didn't want to do that. She decided to spit in the face of the bus operator and subsequently punched her. So that was a situation that happened.

Most of the assaults stem from fare cases, people who don't want to pay the fare. And one would conclude that the bus operator probably has the most difficult job in transportation. They have to ask for a fare, deal with people who may not care for them, and then drive the bus while they are sitting behind them. So, oftentimes, they may be the subject of assaults.

So we have been working with the various unions to come up with a way that we can——

Ms. NORTON. Are there more officers on the buses? Our chief spoke about how you need more officers. But when you see something like that happen, how does a bus driver know that he is going to go out and he is going to get home in the evening?

Mr. SARLES. One of the other things that we are looking at is how to protect the bus drivers. You can't have a police officer on every bus.

Ms. NORTON. No, you can't.

Mr. SARLES. So we have been working with the union to come up with a shield that would separate the bus driver from the passengers. It is one way to provide protection to them.

Ms. NORTON. I regret that that has to be done, but you can't ask somebody to drive a bus if you are going to be assaulted, and you don't know who is going to get on your bus and do so.

Thank you.

Mr. GOWDY. The gentleman from Missouri.

Mr. CLAY. Just real quickly, I won't take the entire 5 minutes.

Chief Taborn or Mr. Griffin, in fiscal year 2011, Congress appropriated $2.2 billion for a FEMA State and local program which include the Transit Security Grant Program and the Urban Area Security Initiative. For fiscal year 2012, President Obama requested $3.8 billion for the State and local programs. Earlier this month, the House passed the fiscal year 2012 Department of Homeland Security appropriations bill which provides $1 billion for State and local programs, or $2.8 billion below the President's request and $1.2 billion below fiscal year 2011.

Chief Taborn, how would substantial cuts to the Transit Security Grant Program affect Metro's ability to prevent a terrorist attack?

Chief TABORN. Well, any cuts in grants would have an impact, but we cannot just think about this transit agency. There are about 6,000 transit agencies across the country, many who are larger and who are in metropolitan areas, and we can't selfishly want to make sure that we get all of the funds. So the decision as to how they go about assigning the grants based upon the risks and the assessments is a difficult one. But many of the programs that we want to move forward that are based upon assessments that have been conducted on our system would sort of fall by the wayside. So, you know, we would encourage the funding of those programs to the highest level.

Mr. CLAY. Thank you.

Mr. Griffin, how would substantial cuts to the Urban Area Security Initiative affect the National Capital Region's ability to prevent a terrorist attack, including against Metro?

Mr. GRIFFIN. It certainly would make it a greater challenge.

Given my experience over the years, I have cautioned the decisionmakers on two issues. One, I think it is advisable to use the grants to the extent possible on one-time acquisition, more capital oriented, so that if the grant goes away you still have the capital and you are not building in operational requirements.

The second guideline that I have advocated is that we should not initiate any program with the UASI funding that we are not willing as local governments to sustain, and that has been a tough message and not one that has always been adhered to. But the reality of it is, for the process that we have just completed, there was an 18 percent reduction in UASI funding, and that was handled primarily by Homeland Security by eliminating funding for the second-tier UASI-eligible communities so that the first-tier communities could continue to receive the funding they had received the previous year.

I would forecast that funding is going to continue to decline, and we have to embrace our decisionmaking that leads to continuing programs that we can sustain at the local level once the funding disappears.

Mr. CLAY. And the Washington Metro area is second tier or first?

Mr. GRIFFIN. We are first tier. We rank fourth in terms of the amount of funds received behind New York City first, Los Angeles second, Chicago third, D.C. fourth.

Mr. CLAY. Thank you.

Mr. Chairman, I yield back.

Mr. GOWDY. The gentleman from Illinois.

Mr. DAVIS. Thank you very much, Mr. Chairman, and this is certainly my last question.

Mr. Griffin, the Transit First Coalition has called on WMATA's board of directors and member jurisdictions to look at alternatives to cutting services, knowing that something has to occur. Are there any other options that you might be thinking of that would provide the opportunity to not cut services but continue to provide those that are obviously greatly needed?

Mr. GRIFFIN. I can only speak from the perspective of Fairfax County. In Virginia, a substantial amount of the operational funding, the operational subsidy that is provided to WMATA, is actually provided by the local jurisdictions; and so it is a significant consideration.

When I prepare a budget for my board of supervisors, we have over the years continued to support WMATA and have paid the county's share for both operational and for capital. We see that as a very valuable investment. We do have to balance that against all of the other activities that we have within the county.

I am not advocating that we give more, necessarily. What we do is we take a balanced look at what our requirements are and what is desirable in the way of service provided by WMATA. That is not just the rail. It is also the bus service. We look at doing things collaboratively.

Fairfax County recently built a new bus maintenance facility in the western part of the county. We collaborated with WMATA. It is actually a shared facility. It meets WMATA's requirements, and it clearly meets our own requirements. We run a very large bus system as well. So we look for collaborative ways to do business together to enhance the service but minimize the cost.

Mr. DAVIS. Thank you very much.

Mr. Chairman, I thank you, and I yield back.

Mr. GOWDY. I thank the gentleman from Illinois.

The gentleman from Arizona, Dr. Gosar.

Mr. GOSAR. My colleagues bring up a good point. As a business owner, there is only a limited amount of money here. So I want to ask the question, I think one of the major concerns from the GAO and the congressional fellows in regards to budget is we have a problem and we want to know why we have a problem where we have 80 percent of the funding not being used. Tell me, can you provide us why we have funding with estimates of almost 80 percent of the Federal grant dollars that you have received have not been used? Can we get a detail on that?

Mr. SARLES. Which grant program are you referring to?

Mr. GOSAR. Unused security grants.

Mr. SARLES. Unused security grants. I think there—and I will let the Chief go into the details. But one of the issues in that particular case, I think we have obligated almost 100 percent of the grants. But when you look at the process—unlike the FTA, when you look at the process that is used by the agencies that provide that funding, it is a different process. It is a very lengthy process to get to the money. I will let the Chief go through the details on it.

Chief TABORN. I think, as Mr. Sarles indicated, many of the grants that we have received through the transit security grant

programs came to us oftentimes 16½ months into a 30-month program. They also come with requirements that we have to do environmental, historic preservation. So there are a lot of different requirements.

And oftentimes when we make applications for those grants using the design and technology that we applied for, that technology may have changed. So anytime there is a change, we have to go back through the cycle, reach back out to FEMA, and submit again.

It is not something that is unique to this transit agency. I think you find the same thing with transit agencies across the country.

Internally, we are working to do everything that we can in the most expedient manner to comply with FEMA, to comply with the Department of Homeland Security, but there, too, there is a discussion of policy, which policies to use and which guidelines to go through. And oftentimes transit agencies are waiting to find out what it is that they need to do. Because we definitely would like to expend that money. We have identified those projects, and all of that money, as indicated by Mr. Sarles, has been obligated. But we have to adhere to the requirements of FEMA or, in some of the grants, the State administrative office.

Mr. GOSAR. So, in context, a lot of the problems have to do with who has the jurisdictional aspects and the lack of a nimble Federal Government and agency review; am I speaking clearly?

Chief TABORN. You're absolutely correct.

Mr. GOSAR. Because I know I am one of those people that actually had to sponsor a jurisdictional problem over two agencies over who had jurisdiction over a pipeline and who had the ground. It has become obscene as a taxpayer, as a businessman, and as a citizen.

Mr. Sarles, my point comes back to you again. One size doesn't fit all. I heard a comment about having one set of standards. One size does not fit all at all; does it?

Mr. SARLES. I'm not exactly sure what you mean by that, but I want you to contrast in terms of Federal rules and grant making.

On the ARRA grants, I think we got $100 million. Maybe it was $200 million. We have expended two-thirds of that. Because the rules were different, the process for getting the money was different, and we were able to put it to work faster. And we see the same thing when you look at formula funding grants from the FTA, the rules are different. We are able to get through the process faster and be able to expend and get improvements from it.

Mr. GOSAR. So, to me, it seems like we should be evaluating agencies based upon like a nonprofit; should we not? For example, an agency like the Army Corps of Engineers, where you have a $3 million grant and only $1 million of it actually goes to the services, the administrative costs within that of two-thirds is ridiculous.

So what we have to have is an agency that is much more nimble and working with local and State facilities to make sure that more of that dollar is actually spent and allow you the nimbleness to utilize it the way you see fit based upon the conditions here. Because the conditions here are going to be a lot different than they are for me in Arizona; are they not?

Mr. SARLES. I don't know about Arizona, but I know here that when we get the money we expend as fast as possible to get the improvements to our customers.

Mr. GOSAR. Thank you.

Mr. GOWDY. I want to thank our panel.

Ms. Holmes Norton was gracious enough to take me to meet Chief Lanier, and then Chief Lanier was gracious enough to introduce me to her department, and that visit remains one of the highlights of my first 5 months. So, Chief Taborn, I would love—and I don't know whether Ms. Holmes Norton would be willing to take me anywhere else or not. I think she probably will. She is very gracious.

Ms. NORTON. Anytime, Mr. Chairman.

Mr. GOWDY. I would love if she would allow me to join her to visit you so I can know more about it and be a better advocate for you and your officers.

Chief TABORN. Absolutely. We would be honored.

Mr. GOWDY. Thank you, and again I thank the guests for indulging us while we voted.

We will be adjourned.

[Whereupon, at 11:10 a.m., the subcommittee was adjourned.]

[Additional information submitted for the hearing record follows:]

Questions for
Chief Michael Taborn
Metro Transit Police Department

Rep. Paul A. Gosar
United States House of Representatives
Committee on Oversight and Government Reform

July 13, 2011

1. Why not more men and women in uniform to deter not only acts of terrorism, but local crime such as assaults and muggings that occur with relative frequency on our transit system?

On any given day, the Metro Transit Police Department deploys over 90 percent of their officers in uniform. A police officer in full duty uniform, being highly visible, is the most effective way to deter criminal activity. Careful analysis of crime trends and identification of hot spots where criminal activity is occurring enhances the ability to deploy officers based on the most recent statistical crime information available. Deployment strategies are fluid in nature and all factors must be considered to implement an effective Departmental performance. Intelligence, both criminal and terrorist, traffic ebb and flow, special events and resources available to the police commanders, influences deployment decisions on a daily basis. Our system is often at capacity or near during the morning and evening rush hour. Customers may not always be aware of the presence of an officer in their station. The officer may be located in a different area of the station, handling an emergency call, or because of the volume of pedestrian traffic inside a station, an officer could be overlooked in the bustling nature of commuting.

We agree with the premise that the functions of crime prevention and terrorism prevention are parallel in nature, and that certain behavioral characteristics may draw attention to an offender, whether the offense is one of a routine criminal violation or that of a crime to disrupt and destroy American life and property. Our officers are trained to recognize criminal behavior of any kind and be aware of unusual situations as he or she patrols the system.

We have increased our number of officers by a small percentage each year, gaining as much as budget constraints will allow. Recently, we completed a comprehensive bottom-up review of Department patrol deployment, taking into consideration such factors as number of calls for service, response times, crime statistics, and ridership numbers. The Department has implemented alternative internal solutions, such as civilianizing administrative job functions, to place more of our sworn officers in patrol assignments, and we are looking at other ways to

use resources most effectively. Opportunities are sought through Federal grants to supplement our personnel numbers. A contingent of officers, the Anti-Terrorism Team, has been added to the force through a Federal grant, however, those officers are required to specifically focus attention on terrorist intelligence, training and patrol as their primary job function.

Finally, the Transit Police have extended invitations to our jurisdictional partners to assist us in combating crime in the Metro system. Many local police agencies have responded positively and we have provided training and tools to facilitate accessibility to transit facilities and the knowledge to respond effectively. Police agencies in the National Capital Region know all too well criminal activity is not hindered by the geographical borders of the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

a. What other techniques do you use in lieu of the more practical method of using uniformed officers as deterrence?

All things considered, uniformed police presence and, in some cases, plain clothes officers, is the best and most practical means to deter as well as investigate criminal activity. We also look for ways technology can improve and enhance our ability to fight crime through the use of CCTV camera systems, intrusion alarms and emerging security technologies. We also empower our 10,000 plus Metro employees to serve as our eyes and ears in the system, to be cognizant of criminal activity and to report suspicious behavior, packages, or anything criminal in nature to the Transit Police without delay. Finally, we rely on our daily riders, to help report and identify criminal activity. It is through campaigns such as, "If You See Something, Say Something" and "Is That Your Bag?", that we promote situational awareness of our customers.

MTPD deploys a number of other tactics to deter and prevent crime and terrorism activities in our system that cannot be discussed in a public document/venue. We would be pleased to provide it to Members/staff with the proper security clearances.

Please contact Steve Kral or Billy Terry in our government relations department at Metro to arrange a briefing.

Here are some other examples of how we protect our customers and facilities:

Contractor Background Checks

Bus/Rail Operational Personnel Background Investigations

- *Applicants must pass background investigation to include criminal check, driving record and drug test.*

- *Vehicle operators (7,500 employees) are checked monthly in appropriate jurisdictions for license information.*
- *FTA random drug tests and Ad hoc criminal checks when warranted.*

Community Emergency Response Teams (CERT)

- ***Goal** – to prepare transit customers in the event of major service disruption that may require evacuation and to respond to suspicious activity.*
- *Selected from CERT-certified members from local jurisdictions that are Metro riders*
- *Teach them safety measures, potential hazards of Metro Environment*
- *To date – trained 67 volunteers, and will continue to train about 15 volunteers a month*
- *Total 9 hours class – 3 hour-blocks over a three week period.*

Emergency Preparedness/Patron Evacuation

- *Consolidation of WMATA emergency management into a separate functional unit which is under the umbrella of the MTPD*
- *Member of NCR Mutual Aid Agreement – agreement for provision of police, fire, rescue, and other public safety and health or medical services to any party to the agreement during a public service event, an emergency, or pre-planned training event.*
- *Member of Metro Rail Transit Fire/Rescue Emergency Procedures Policy Agreement - Fire Chiefs in the NCR. Provide for coordination and performance to safely mitigate rail emergencies.*
- *January 26 snow storm – stayed open to get patrons home*
- *3 – 4 Drills/Exercises/Tabletops per year. Actively involved local, state, Federal partners.*
    1. *Simulated Active shooter – Friendship Heights Station*
    2. *Simulated Bus explosion at RFK stadium*
    3. *Simulated Rail car explosion at Rosslyn Station*
    4. *Metro Managers Emergency Table Top Exercise*
    5. *Senior Managers Emergency Table Top Exercise*

- *COOP Planning*
- *MERV C arts (Metro Emergency Response Vehicles) – transport of 1st responders and/or evacuation of injured passengers*

Strategies (Threats/Vulnerabilities – Terrorism)

- *2011-2016 Strategic Plan in place. Objectives based on WMATA's overall goals. Key actions based on assessments and audits by local, state, and Federal agencies (TSA, FTA, TOC audits)*
- *Base Assessments conducted by FTA this year*
- *We have many identified needs – can be shared in closed session, not in public venue. Our resources are limited.*

- *Specialized Patrol Deployments/Collaborations – Blue TIDE (Terrorism Identification and Deterrence Effort), Operation Rail Safe (NE Corridor), Targeted Train Inspections and High Intensity Targeted Enforcement (HITE). Special Event Planning. License Tag Readers.*
- *Security Inspection Points (SIP)*
  Conducted at random sites – collaboration with TSA
- *Targeted tunnel inspections*
- *Anti-Terrorism Team*
- *SRT at Special Events*
- *JTTF. JOCC. WRTAC - intelligence*
- *EOD/Robot/Bomb Disposal Vehicles/Explosive Containment Trashcans*
- *PROTECT (Program of Response Options and Technology Enhancements for Chemical Terrorism)*
- *Cameras/Video Retrieval Systems*
- *Portable radiological Pagers for patrol personnel*

b. I would like to know more about your "screening" techniques that you use to discover explosive materials. Your wording was somewhat vague. What tactics are use to detect these materials? Are these tactics employed at all train stations?

In December 2010, the Metro Transit Police Department began conducting the Security Inspection Point (SIP) program. A SIP is an inspection station where we randomly screen the outside portion(s) of a customer's carry-on bag to screen for trace explosive elements. The process is similar to the screenings conducted at airports and by other transit properties across the United States, like New York and Boston. Our policy is modeled from the best practices and lessons learned from our partners in the transportation industry. An officer or a TSA Screener swabs the exterior portion of a customer's bag and places the swab on a handheld scanning machine. The machine scans for trace explosives and/or products that are commonly used to make a device in which could cause catastrophic injury or destruction of property. SIPs are conducted throughout the rail system at varying random locations and times of day. Individuals chosen for inspect is by a confidential number established by the Chief of Police based on ridership statistics specific to the time and location. We realized that the SIP is not all inclusive solution to terrorism prevention, however we believe it is another layer and tactic to deter, as well as disrupt, plans to conduct malicious actions against our customers and property. The practice of random screening is a valuable tool and is just another example on how an attack may be prevented.

c. Are there some sort of inconspicuous digital scanners throughout the various Metro stations to detect explosive material?

As we described in the testimony before the Subcommittee Metro utilizes a detection system called PROTECT. PROTECT, or Program of Response Options and Technology Enhancements for Chemical Terrorism, constantly takes air samples and analyzes them for chemical agents.

MTPD deploys a number of other tactics to deter and prevent crime and terrorism activities in our system that cannot be discussed in a public document/venue. We would be pleased to provide it to Members/staff with the proper security clearances.

Please contact Steve Kral or Billy Terry in our government relations department at Metro to arrange a briefing.

d. In either case, do the patrons know they are being screened or scanned?

The only time a customer is scanned for explosive material is during a SIP.

e. What sorts of results are achieved?

MTPD deploys a number of other tactics to deter and prevent crime and terrorism activities in our system that cannot be discussed in a public document/venue. We would be pleased to provide it to Members/staff with the proper security clearances.

Please contact Steve Kral or Billy Terry in our government relations department at Metro to arrange a briefing.

f. And why not also employ the visible deterrence in addition to the inconspicuous deterrence?

See answer #1

2. As someone who rides Metro, I would like to know why there is not a more practical emergency number for patrons to call.

The Metro system, as you are aware, covers multiple jurisdictions. In order to have a dedicated three digit number similar to 911, each of the jurisdictions/signatories would have to agree, as well as support it. The MTPD has a communications dispatch center, which is staffed with police

communication specialists 24/7, however, 911 calls are received from the various police dispatcher centers in the region, these calls are then forward directly to the MTPD communication center. 911 calls are not received directly by the MTPD

a. I know that there is a 10-digit number one can dial to report to MTPD, but that number is difficult to remember and, from what I have noticed and others have reported, is not as advertised as it should be. Would you agree with either of these statements.

Annoucements that provide the emergency phone number 202-962-1212 are played continuously throughout the system. In addition, he MTPD have begun an aggressive campaign to ensure the ten digit police phone number is posted throughout the system. The direct telephone number is now in every rail station and will soon be on every platform, kiosk, elevator and eventually in every parking garage. as stated previously, if a customer were to call 911 while in the Metro system, the 911 call is received by whichever jurisdiction the caller located, then the call is forwarded to the Metro Transit Police Department (MTPD).

b. There is another weak alternative in the 311 system. The system is more of a DC Hotline than an emergency line. If the unspeakable occurs and there is a disaster, will people have the time to wade their ways through the automated prompts on that call?

We do not utilize 311 in the Metrorail system.

c. What sort of ways can this number and this process be streamlined, simplified, and advertised?

If technology would allow, we would not be opposed to a similar three digit number for emergencies that would go directly to the MTPD police dispatch center. Part of the challenge is for technology to delineate whether a person is calling from the Metro system per se or some other location. Additionally, in order to support such an endeavor, the MTPD would have to increase staffing levels. As a matter of information, the MTPD averages over 55,000 calls for service each year.



GOVERNMENT OF THE DISTRICT OF COLUMBIA
METROPOLITAN POLICE DEPARTMENT

July 14, 2011

The Honorable Darrell Issa
Chairman, Committee on Oversight and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515-6143

Dear Chairman Issa:

Thank you for the opportunity to appear before the House Committee on Oversight and Government Reform at the June 24, 2011, hearing entitled: "Washington Metropolitan Area Transit Authority: Is There a Security Gap?"

With mass transportation being an attractive target for anyone wanting to disrupt a major city, the safety and security of the passenger rail system of our nation's capital is clearly a vital topic. I am writing to respond to the follow-up question from Dr. Paul Gosar:

> While I do understand and appreciate the behind the scenes work each officer does to protect Metro patrons, wouldn't you say that more uniformed bodies—in addition to these other coordinated efforts—would do more to deter local threats in addition to terrorist threats?

As I mentioned at the hearing, I have a great deal of respect for Chief Michael Taborn and the Metro Transit Police Department (Metro Police) for the work they do securing the District's Metro system. The Washington Metropolitan Area Transit Authority (WMATA) operates the second largest rail system and the sixth largest bus system in the United States. Metro Police therefore have primary responsibility for safety and security throughout a 1,500 square mile transit zone, in the District of Columbia, Maryland, and Virginia, and have jurisdiction for crimes that occur in or against Metrobus, Metrorail and all Transit Authority facilities.

In response to Dr. Gosar, I recognize and appreciate that a visible police presence not only supports public safety, but also helps to make people feel more secure. Police and policy makers alike know that it is not sufficient for people to be safe; they must also feel safe. Nevertheless, given my high regard for Chief Taborn, I would not presume to make recommendations about how best to manage the resources available to Metro Police. With an authorized sworn strength of just 450 police officers, I believe that he faces significant challenges in securing WMATA's extensive – and moving – jurisdiction. In my experience, although I have prioritized police resources dedicated to visible patrol, I have balanced this with the recognition that police resources that the public does not see are often just as critical to ensuring public safety. For instance, the public rarely sees the dedicated detectives of the Metropolitan Police Department (MPD). However, every case the detectives solve and offender they apprehend prevents future crimes. As a result, I am certain that MPD's high homicide clearance rate, which has been

approximately 20 percent higher than the average of comparably sized cities for the past several years, has contributed to the dramatic decline in homicides in the District.

I hope you find this information helpful. Please do not hesitate to contact me if I can be of any further assistance.

Sincerely,

Cathy L. Lanier
Chief of Police

cc: The Honorable Trey Gowdy
The Honorable Elijah E. Cummings
The Honorable Danny K. Davis
The Honorable Eleanor Holmes Norton

August 1, 2011

The Honorable Danny Davis
Subcommittee on Health Care, District of Columbia,
Census and the National Archives
2471 Rayburn House Building
Washington, DC 20515

Dear Mr. Davis:

During the subcommittee's June 24, 2011 hearing *"WMATA: Is There a Security Gap?"*, you asked me to elaborate on a hypothetical scenario where an individual was arrested and convicted for drug possession 13 years ago, if that individual would be eligible for employment with the Washington Metropolitan Area transit Authority (WMATA) today?

Assuming that this single conviction is the individual's only criminal charge, and because the arrest and conviction occurred beyond a 10-year window, he/she would be eligible for employment at WMATA. However, please note, in an effort to protect our customers and other WMATA employees, an individual with criminal convictions for crimes of violence and/or sexual abuse or sexual assault is not eligible for employment with the agency.

I hope this information is helpful. If you have additional questions, please contact me or Regina Sullivan, Director, Office of Government Relations at (202) 962-1632.

Sincerely,

Richard R. Sarles
General Manager and
Chief Executive Officer

cc: The Honorable Trey Gowdy
Chairman

Washington Metropolitan Area Transit Authority

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