

**AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA)
SUBMITTED TO
THE SENATE APPROPRIATIONS SUBCOMMITTEE ON HOMELAND SECURITY
On Fiscal Year 2014 Appropriations for the Federal Emergency Management Agency
May 3, 2013**

INTRODUCTION

Madame Chairwoman and members of the Subcommittee, thank you for this opportunity to submit written testimony on the Fiscal Year (FY) 2014 funding needs for public transportation security programs within the Department of Homeland Security. For the last several federal budget cycles APTA has urged Congress to significantly increase appropriations for transportation security programs. Past appropriations have not come close to the levels authorized under the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53). In 2012, Americans took over 10.5 billion trips on public transportation and despite spikes in unemployment and approximately 74 million trips lost due to the impacts of Hurricane Sandy; 2012 ridership grew by 154 million more trips compared to 2011. As transit ridership continues to grow, its security risk exposure and needs also increase.

ABOUT APTA

The American Public Transportation Association (APTA) is a nonprofit, international association of nearly 1,500 public and private member organizations, including transit systems and commuter, intercity and high-speed rail operators; planning, design, construction, and finance firms; product and service providers; academic institutions; transit associations and state departments of transportation. APTA members serve the public interest by providing safe, efficient, and economical public transportation services and products. More than ninety percent of the people using public transportation in the United States and Canada are served by APTA member systems. Additionally, in accordance with the National Infrastructure Protection Plan, APTA has been tasked by Department of Homeland Security to administer the on-going activities of the Mass Transit Sector Coordinating Council.

Risks to Our Nation's Transit Systems

As the Committee is well aware, several authoritative sources have acknowledged that the risk to public transportation systems for a terrorist attack is real, and it has not diminished. The federally-funded and chartered Mineta Transportation Institute (MTI) notes that there have been more than 2,000 separate attacks on surface transportation worldwide since 1970. These attacks have caused 6,190 deaths and approximately 19,000 injuries. The Government Accountability Office (GAO), along with various government agencies have reported on or testified to Congress that public transportation in America remains vulnerable to terrorist attack, al-Qa'ida remains interested in targeting the transit sector, and that more needs to be done to prevent and prepare for a potential terrorist attack. While we have been very fortunate to date in not having a direct terrorist attack carried out in our transit systems, we have foiled numerous plots and arrested individuals who intended to attack our systems.

Greater Investments in Transit Security are Required

With the backdrop of continued risks for terrorist attacks to our transit systems, we see two trends that persist simultaneously: (a) increases in public transportation ridership and (2) sharp decreases in federal investment in transit security. From 2010 to 2012 public transportation ridership increased by approximately 300 million trips. APTA's analysis during this time showed a strong demand for public transportation across the country – in urban, rural and suburban communities – in the north, south, east and west. Conversely, from FY2010 to FY2012 federal investment in transit security decreased sharply by 65.4%. And most recently, from FY2012 to FY2013, we saw flat funding of \$87.5 million for transit security. Again, with transit ridership and security risks growing, we are gravely concerned with a lack of significant federal investment in the security of our nation's transit systems.

We are well aware of the many pressures on our nation's General Fund and the importance of addressing other national funding priorities; however, the current level of transit security funding is woefully inadequate as the Transit Security Grant Program is the primary source of funding for security needs of public transportation agencies. To put the current level of investment in transit security into greater perspective, note that a recent APTA survey of its members found security investment needs in excess of \$6.4 billion nationwide. As so, APTA urges Congress to acknowledge the risk that our citizens and transit systems continue to face, and restore appropriations for the Transit Security Grant Program (TSGP) in this and subsequent appropriation bills.

We applaud Congress and the Administration for including a new discretionary State and Local Grant Program in the FY2013 Continuing Resolution. These additional resources will help address some of the unmet need across our agencies.

Proposed National Preparedness Grant Program (NPGP)

DHS has proposed implementation of a National Preparedness Grant Program again in FY2014, despite Congress rejecting a similar proposal in FY2012 and 2013. APTA welcomes the proposal's elements that call for Peer Review of funding applications and multi-year grant guidance, however, the transit industry continues to oppose other provisions such as:

- Elimination of the Transit Security Grant Program – The industry supports a sufficiently-funded, segregated grant program for public transportation security as envisioned in the 9/11 Commission Act;
- Prohibition of transit agencies to apply for DHS funding – The industry opposes any mandate(s) that prohibit transit agencies from directly applying to and directly receiving funding from DHS; and
- 24-month Grant Performance period – The industry opposes a grant performance period of less than the current 3-5 year allowable expenditure period (an initial 3-year window with eligibility for two 1-year extensions). The current NPGP proposal lists the strengthening of critical infrastructure, including physical security enhancements, as a program priority. Many infrastructure enhancement projects will require more than 24-months to complete.

Lastly, APTA concurs with the intent of the 9/11 Commission Act, calling for a transit security program that aims to primarily address capital needs, however, we recognize that operational needs should continue to be eligible for funding.

Conclusion

Madame Chairwoman, I thank the Subcommittee for this opportunity to share our views on these critical homeland security issues. There is no greater priority for public transportation systems than the safety and security of our passengers and workers. Transit systems across the country continue to stand ready, committed and vigilant in utilizing available resources efficiently to protect our systems and our riders.