

United States Senate
WASHINGTON, DC 20510

August 25, 2015

The Honorable Peter V. Neffenger
Administrator
Transportation Security Administration
United State Department of Homeland Security
601 South 12th Street
Arlington, Virginia 20598

Dear Administrator Neffenger:

Last week, three Americans traveling in Europe heroically subdued an armed terrorist attempting to attack and kill passengers on a Paris-bound train. The swift action of these men averted a catastrophe that could have claimed many lives. This close call requires that we consider the vulnerabilities this incident – and several other high-profile attacks on rail and transit elsewhere globally – expose for our rail and transit passengers. This is why we ask for action on long overdue requirements placed on the Transportation Security Administration (TSA) by Congress.

Tens of millions of riders use our country's public transportation and passenger rail systems every day, and these networks serve as the backbone of economic activity throughout the country. Our rail and transit networks carry significantly more people per day than our airlines do. Penn Station in New York City, for example, handles half a million passengers each day – making it busier than all three New York City regional airports combined, and the busiest transportation hub in our country. While aviation security is a vital focus of the TSA, your agency also has a critical role to play in protecting rail and transit passengers.

Action on many Congressional mandates has languished for far too long. In 2007, Congress passed the Implementing Recommendations of the 9/11 Commission Act (P.L. 110-53) – important measures the commission investigating 9/11 urged Congress to adopt to ensure greater security. That legislation required TSA to create a regulatory framework that addresses the threats facing our passenger rail and transit agencies. Among other things, the legislation directs TSA to:

- Approve security plans for all railroads that are considered vulnerable, high-risk targets for a terrorist attack (Section 1512);
- Issue regulations that establish training standards on potential security threats and conditions for frontline employees at public transportation agencies, railroads and bus providers (Sections 1408, 1517 and 1534); and
- Provide a framework for conducting name-based security background checks and immigration status checks on all frontline employees at public transportation agencies and railroads (Sections 1411, 1520 and 1522).

The legislation was enacted in August 2007 and these items were all due within one year of that date. As of August 2015 – over seven years since the last deadline – we still do not have final action on these requirements. These are urgent priorities and completion of these mandates will further prepare us for emerging threats on the horizon.

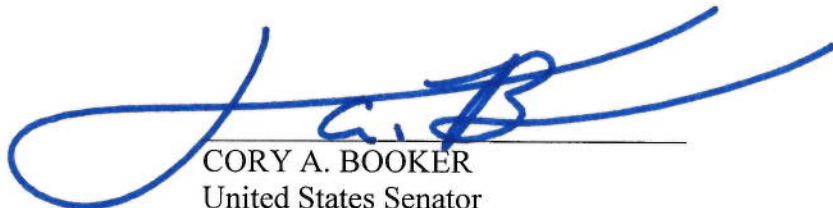
These issues were raised in your recent confirmation hearing before the Senate Commerce, Science and Transportation Committee. As members of that panel, we appreciate your assurance then that you will give these issues the urgent attention they deserve. Now that you have been confirmed – and, again, in light of the terror thwarted in Europe – please take immediate action to complete these mandates, including providing us with dates for completion of all outstanding requirements.

We appreciate your attention to these issues and your prompt response to our questions.

Sincerely,



RICHARD BLUMENTHAL
United States Senator



CORY A. BOOKER
United States Senator