

June 29, 2006

Congressman Dan Lungren
Chairman
Subcommittee on Economic
Security, Infrastructure
Protection and Cybersecurity
H2-176 Ford House Office Bldg.
Washington, D.C. 20515

Honorable Loretta Sanchez
Ranking Member
Subcommittee on Economic
Security, Infrastructure
Protection and Cybersecurity
H2-117 Ford House Office Bldg.
Washington, D.C. 20515

Dear Chairman Lungren and Ranking Member Sanchez:

The Commercial Vehicle Safety Alliance (CVSA) supports H.R. 5604, "The SAFE Truckers Act of 2006" as reported out of the Subcommittee on June 22nd.

As an organization of state, provincial and federal officials responsible for administration of commercial motor carrier safety laws in the United States, Canada and Mexico, we are impacted by surface transportation security requirements in the commercial motor vehicle area since it is our job to administer and enforce many of these requirements.

The need to define a set of security sensitive materials through a comprehensive risk-based threat assessment by the Department of Homeland Security is long overdue, and we are pleased that Section 1801 provides for a regulatory process to accomplish this.

We also agree at this point in time that commercial driver background checks should be limited to those drivers transporting security sensitive materials, and that these materials be a subset of hazardous materials. This represents a risk-based and more efficient use of government resources and helps to minimize the cost impacts on the industry, with greater national security as a result. DHS needs to use the existing hazardous materials DOT and UN classification mechanisms, regulatory and emergency response infrastructure for this definition.

We further believe that the new process for determining security sensitive materials and a clearance process targeting drivers hauling these materials

should be the basis for issuance by DHS of a single security credential, the Transportation Worker Identification Credential (TWIC). We see Section 1803 as a significant step in this direction. Ultimately, the TWIC should serve as the singular credential that meets the needs of all appropriate federal, state and local agencies related to transportation security requirements.

Standards development and maintenance for commercial driver security threat assessments need to be managed at the federal level, and this should be done through a regulatory process that provides the public with an opportunity for notice and comment, and be periodically reviewed. The Department of Homeland Security should be responsible for coordination among all the affected agencies, federal, state and local. DHS also must be responsible for conducting the threat assessments per the standards. Threat assessments must include a check of international, federal and state/local databases.

One of our largest concerns in the entire debate on this issue has been the lack of attention paid to the enforcement community. Law enforcement needs a simple, timely, reliable and credible means with which to identify security sensitive material shipments, as well as to verify TWIC status in the field – in both mobile and fixed facility environments. We would be happy to provide you with more information and recommendations on this issue should you wish.

We are providing more detailed comments on TWIC to DHS in a response to an NPRM on the subject. We will also share these comments with you since we believe that the TWIC issue will again be considered by your Subcommittee at some point in the future in a broader context.

We would respectfully request that this letter be made a part of the hearing record of June 16.

We look forward to working with the Subcommittee in the future on many of these issues.

Sincerely,

Stephen F. Campbell
Executive Director