April 3, 2024

The Honorable Mark Green
Chairman
Committee on Homeland Security
U.S. House of Representatives
176 Ford House Office Building
Washington, DC 20515

The Honorable Bennie Thompson
Ranking Member
Committee on Homeland Security
U.S. House of Representatives
H2-117 Ford House Office Building
Washington, DC 20515

The Honorable Maria Cantwell
Chair
Committee on Commerce, Science,
and Transportation
U.S. Senate
254 Russell Senate Office Building
Washington, DC 20510

The Honorable Ted Cruz
Ranking Member
Committee on Commerce, Science,
and Transportation
U.S. Senate
512 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairs Green and Cantwell, and Ranking Members Thompson and Cruz:

On behalf of the American Trucking Associations (ATA) and the 8.4 million men and women employed by the trucking industry in every state and congressional district across the nation, I write to express our strong support for the *Transportation Security Screening Modernization Act* (H.R. 5840, S. 3959) and request that the legislation be considered for markup by your respective Committees. This critical legislation will standardize and streamline the enrollment processes for individuals applying for multiple Transportation Security Administration (TSA) Security Threat Assessment (STA) programs, relieving supply chain workers of the need to pay duplicative fees and undergo redundant background checks. Importantly, this legislation ensures that vetted, qualified truck drivers are able to continue moving hazardous materials, operate in secure facilities, and keep the wheels of our nation's secure supply chains turning.

Since the attacks of September 11, 2001, Congress has imposed background check requirements on many federally regulated activities, and TSA is required by law to conduct STAs on truck drivers before they are permitted to transport sensitive freight and access secure areas. Currently, truck drivers must undergo TSA STAs in order to obtain Transportation Worker Identification Credentials (TWIC) and hazardous materials endorsements (HME), and many drivers require both credentials as a condition of employment. TWICs and HMEs must be renewed every 5 years, and each renewal process involves a trip to the nearest enrollment center (which can be hundreds of miles in rural states), another STA, and another fee. Despite the fact that the TWIC and HME programs collect similar biographic and biometric information from applicants and use comparable background check processes,[1] each program operates independently. The Government Accountability Office (GAO) raised concerns that TWIC and HME are credentials with "redundant background check investigations,"[2] and the Homeland Security Operational Analysis Center (HSOAC) later confirmed that the GAO's characterization "is an accurate description. The information used in, and standards applied for, the STA

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[1] 49 CFR § 1572.5(e)(5) states that the security threat assessment for a hazardous materials endorsement is comparable to the security threat assessment for a transportation worker identification credential.
[2] "DHS Efforts to Eliminate Redundant Background Check Investigations," *Government Accountability Office*, (GAO-07-756), 2007, https://www.gao.gov/assets/gao-07-756.pdf.

for these credentials is the same."[3] This redundancy is not only inefficient, but also extremely costly for both the government and the essential workers, like truck drivers, who need these credentials to do their jobs.[4]

The *Transportation Security Screening Modernization Act* is a long-overdue solution to the redundant background checks and duplicative fees that have served as an impediment to supply chain efficiency for far too long. The legislation implements key recommendations from the HSOAC and GAO to better integrate and harmonize comparable security programs administered by TSA. The *Transportation Security Screening Modernization Act* permits applicants to apply successful, valid STAs to satisfy the vetting requirements for participation in comparable programs, including the TWIC, HME, and PreCheck programs. The legislation also enables individuals to apply for multiple credentials simultaneously at a reduced cost. Given that enrollment in the TWIC and HME programs costs $125.25 and $86.50, respectively, this legislation will result in significant financial and time savings for truck drivers. It will also make well-paying careers in the trucking industry more accessible for qualified drivers who are otherwise deterred by financial and/or logistical barriers to entry. Importantly, this legislation standardizes the enrollment and renewal system for key TSA programs without sacrificing the integrity of TSA's critical security mission or broader public safety.

ATA represents every sector of the industry—including less-than-truckload, truckload, agriculture and livestock transporters, auto haulers, movers, and drayage companies—and every size fleet, from large motor carriers to mom-and-pop one-truck operations. ATA Conferences were formed to advocate on behalf of specific sectors within trucking, and each Conference has a unique perspective on how the *Transportation Security Screening Modernization Act* would improve operations in their respective sectors:

1) The Agricultural and Food Transporters Conference represents motor carriers who haul agricultural commodities, food, forest products, and natural resources. Redundant background checks and duplicative fees are an unnecessary impediment for carriers in the agriculture industry and particularly burdensome for small, family-run operations in rural areas. These carriers haul perishable goods to ports for export, and those hauling certain fertilizers, such as anhydrous ammonia, need to have the proper capacity and the flexibility to move products during a small window of time. This legislation would relieve agriculture and food transporters of the hassle of taking numerous days off work to travel to the nearest enrollment center, which are sparse in rural states. The legislation will support the essential workers who ensure the vitality and consistency of our nation's food supply.

2) Members of the Government Freight Conference haul freight for the Department of Defense, the Department of Energy, and other federal agencies. Access control measures vary significantly across the federal government, so truck drivers hauling government freight are often required to have a security clearance, a TWIC, an HME, and a REAL ID compliant CDL. Further, for the purpose of determining fitness for access to a military installation, these drivers are subject to recurrent vetting via several sources, including terrorism, criminal justice, and immigration databases. The safe and efficient transportation of military freight is critical to national security, and there are hundreds of carriers and thousands of truck drivers that must navigate the bureaucracy of each security credential on a daily basis to ensure the continuity of operations. Mismatched expiration dates, onerous renewal processes, and the financial burden of multiple background checks for multiple agencies make it difficult for these specialized carriers and drivers to execute their critical jobs.

3) Members of the Intermodal Motor Carriers Conference operate at the nation's ports where TWICs are mandatory for all drivers. Many of these companies also transport hazardous materials entering the country via ocean carrier or exiting the country for export, so drivers are required to obtain HMEs as

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[3] "The Risk-Mitigation Value of the Transportation Worker Identification Credential: A Comprehensive Security Assessment of the TWIC Program," *Homeland Security Operational Analysis Center*, 2020, https://www.rand.org/pubs/research_reports/RR3096.html.
[4] "Additional Actions by DHS Could Help Identify Opportunities to Harmonize Access Control Efforts," *Government Accountability Office*, (GAO-17-182), 2017, https://www.gao.gov/assets/gao-17-182.pdf.

well. The supply chain crises spurred by the pandemic reinforced the importance of efficient operations at our nation's ports and demonstrated how the shortage of truck drivers can jam the entire supply chain. Streamlining the processes to obtain TWICs and HMEs through a single enrollment will ensure that a sufficient number of properly credentialed truck drivers are available to connect key parts of the supply chain.

4) The Moving and Storage Conference represents moving and storage companies who handle and transport a family's most valuable possessions with care during one of life's most stressful events. Household goods movers largely encounter the need for security credentials in two situations: First, accessing a port as part of the pick-up or drop-off for an international household goods shipment, and second, accessing military installations that have access control policies mandating a TWIC credential for military moves. A harmonized process for enrollment in these credentialing programs would create efficiencies for moving industry drivers and crew who service these moves, many of which are for military families and other U.S. government employees. Furthermore, many movers are also growing their roles as supply chain solution providers, building out logistics companies that service unique cargos requiring HMEs and other certifications.

The coalition of stakeholder support for the *Transportation Security Screening Modernization Act* spans every sector of the trucking industry and the entire spectrum of the supply chain, including both industry groups and organized labor. Although we all have unique perspectives and interests, we share the common burden of redundant background checks and duplicative fees. Around 280,000 people have both TWICs and HMEs, which represents around 21% of the total HME population and 12% of the total TWIC population.[5] The hundreds of thousands of essential supply chain workers who were celebrated for their heroism and selflessness during the pandemic just a few short years ago are now pleading for a federal credentialing process that respects their time and money. The *Transportation Security Screening Modernization Act* would provide long-overdue relief to American workers and represents a tangible step toward a more resilient supply chain and American economy. We respectfully request that you consider this important legislation for markup with the same urgency that essential supply chain workers applied to their jobs during the pandemic.

Sincerely,

Chris Spear
President & CEO
American Trucking Associations

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[5] "The Risk-Mitigation Value of the Transportation Worker Identification Credential: A Comprehensive Security Assessment of the TWIC Program," *Homeland Security Operational Analysis Center*, 2020, https://www.rand.org/pubs/research_reports/RR3096.html.