

United States Senate

WASHINGTON, DC 20510

March 14, 2018

The Honorable Kirstjen Nielsen
Secretary
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528

Dear Secretary Nielsen:

We write to express concern with the Department of Homeland Security's (DHS) Fiscal Year 2019 Budget proposal to eliminate Visible Intermodal Prevention and Response (VIPR) teams. As you are aware, VIPR teams serve as a critical element of the Transportation Security Administration's (TSA) layered approach to securing our nation's transportation systems. Through coordination with State and local law enforcement, VIPR teams provide an agile visible deterrent and response capability at transportation hubs that face the greatest threat of attack.

Acknowledging the need for a greater agile visible deterrent and response capability following the 2016 terrorist attacks at airports and subways in Brussels and Turkey, Congress passed and the President signed into law the *Aviation Security Act of 2016*, which increased the authorized number of VIPR teams from 30 to 60.¹ The VIPR provisions in the *Aviation Security Act of 2016* built upon the statutory foundation for VIPR teams established in the *Implementing Recommendations of the 9/11 Commission Act of 2007*, which originally authorized the program.²

Three months ago, we were reminded of the continued threats to our nation's transportation systems when a terrorist attempted to detonate a bomb in the New York City subway. Given the persistent threats our transportation systems face, this is not the time to eliminate a program that augments the capacity of State and local law enforcement officials to prevent and respond to acts of terrorism and that TSA continues to hold out as one of the critical layers of aviation security.³

To better inform us about the decision to propose eliminating funding for VIPR and to understand the associated implications, we request that you provide responses to the following questions within 14 days.

- 1.) How many successful VIPR operations have been conducted since the program was originally authorized in the *Implementing Recommendations of the 9/11 Commission Act of 2007*?
- 2.) How many of the VIPR operations were conducted at National Special Security Events?

¹ Public Law No: 114-190 Sec. 3601.

² Public Law No. 110-53 Sec. 1303.

³ <https://www.tsa.gov/blog/2017/08/01/inside-look-tsa-layers-security>.

- 3.) How many of the VIPR operations were conducted at the request of State or local law enforcement?
- 4.) What, if any, capability does DHS intend to deploy in place of VIPR to enhance State and local law enforcement efforts to secure surface and aviation transportation hubs?
- 5.) Does DHS intend to propose the elimination of any of the other existing 19 layers of aviation security? If yes, which layers does DHS intend to propose to be eliminated? If no, please describe the analysis DHS used to determine that VIPR was the only layer deemed appropriate to eliminate.

Thank you for your attention regarding this important matter.

Sincerely,



Martin Heinrich
United States Senator



Amy Klobuchar
United States Senator



Richard J. Durbin
United States Senator



Tom Udall
United States Senator



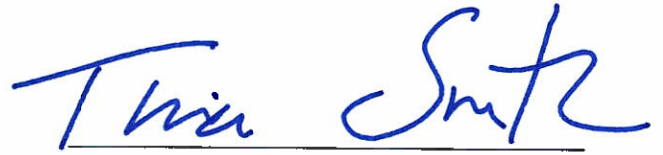
Margaret Wood Hassan
United States Senator



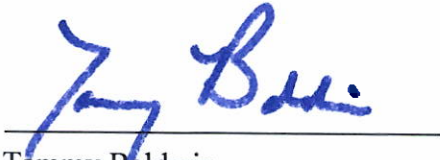
Thomas R. Carper
United States Senator



Richard Blumenthal
United States Senator



Tina Smith
United States Senator



Tammy Baldwin
United States Senator



Tammy Duckworth
United States Senator



Robert P. Casey Jr.
United States Senator



Maria Cantwell
United States Senator

CC: David P. Pekoske, Administrator, Transportation Security Administration