

Big Rail Cites Bin Laden, Al Qaeda to Fend Off Oil-by-Rail Route Transparency

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While [many](#) states [around the U.S.](#) have [released information to the public](#) about the frequency and routes of trains carrying oil obtained from [hydraulic fracturing \(“fracking”\)](#) in North Dakota’s [Bakken Shale](#) basin, holdouts still remain.

Why the delay? Homeland security concerns, claim some companies.

In an [ongoing Maryland court case over the issue of transparency for in-state oil-by-rail routes](#), a July 23 [affidavit from Carl E. Carbaugh](#) — director of infrastructure security for [Norfolk Southern](#) — goes into extensive detail about the supposed risk presented by terrorism attacks on “[Bomb Trains](#).”

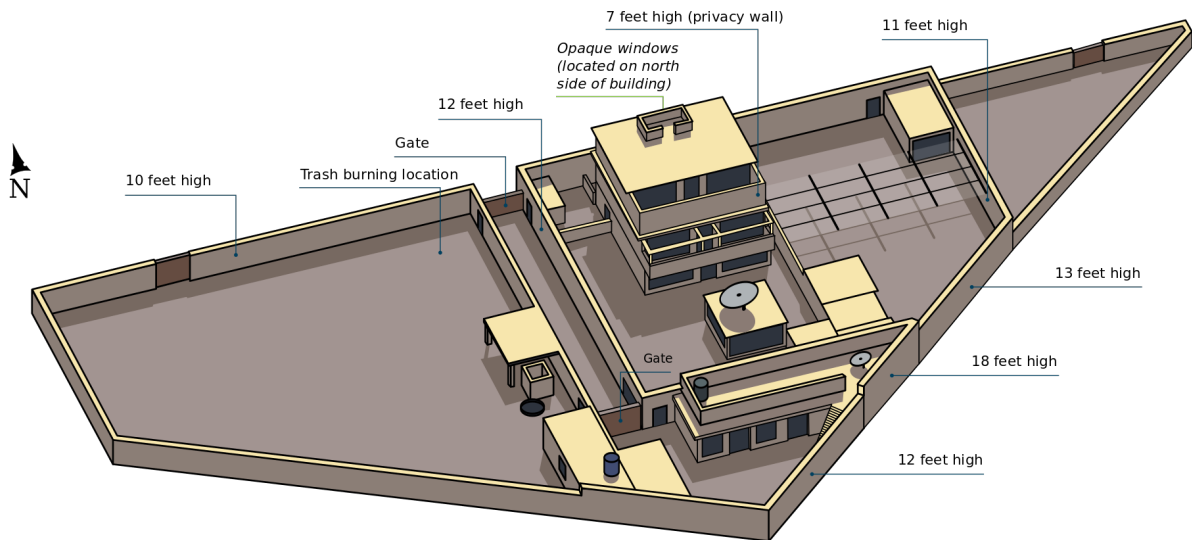
In so doing, Carbaugh mentions Al-Qaeda.

“The most recent edition of *Inspire* magazine, March 2014, the online, English-language propaganda publication of [Al-Qaeda in the Arabian Peninsula], presents a full-page collage depicting varied images...in order to construct an explosive device,” [reads Carbaugh’s affidavit](#).

“Among these images are a derailed passenger train and a partly covered note paper listing cities in the [U.S.] as well as the terms ‘Dakota’ and ‘Train crude oil.’”

Carbaugh also cited Osama bin Laden, the late Al-Qaeda international ring-leader, in his affidavit.

“Among the materials seized in the May 1, 2011, raid on Osama bin Laden’s compound in Abbottabad, Pakistan, were notes indicating interest in ‘tipping’ or ‘toppling’ trains — that is causing their derailment,” [Carbaugh wrote](#).



Osama Bin Laden Compound Diagram; Image Credit: [Wikimedia Commons](#)

[Jay Apperson](#), director of communications for the Maryland Department of the Environment (MDE), told DeSmogBlog that no hearing date has been set yet [for Norfolk Southern's legal complaint](#) nor the [companion complaint filed by CSX Corporation](#).

In its [lawsuit filed against the Maryland environment department](#), CSX [deployed similar arguments](#).

Apperson says both lawsuits were redundant because “we reiterated [to both companies] that we would not release the documents under state open records law until the court challenge is resolved.”

MDE filed a response arguing such in July 25 legal motions issued to [CSX](#) and [Norfolk Southern](#).

[CSX, according to its website, does not even have any oil-by-rail lines](#) running through Maryland.

Like Old Dominion, Like Garden State

Big Rail has used a similar approach in New Jersey, another state that has not yet publicly-disclosed oil-by-rail route information.

[Lee Moore](#), a New Jersey Department of Law and Public Safety spokesman, explained why to [The Record](#).

“Releasing all of the records, which include the rail lines on which Bakken crude oil is being transported, would pose a homeland security risk,” [said Moore](#).

“Clocks and Windows”

[William Larkin Jr.](#), a Republican member of the New York Senate, believes the argument put

forward in both Maryland and New Jersey is flawed on its face.



Photo Credit: [Office of NY Sen. William J. Larkin, Jr. \(R\)](#)

“I feel that both the U.S. Department of Transportation and a number of critics seemed to have missed the point, at least the larger point,” [Larkin Jr. told the Poughkeepsie Journal on July 20](#). “[People] already know which rail lines oil companies are utilizing. Clocks and windows provide this information.”

As reported on DeSmogBlog, [Big Rail has historically shored up exemptions from “right to know” laws and they have pushed hard to keep it that way](#).

Security Concerns: Holes in the Story

If the rail companies have serious concerns about terrorism threats to Bakken oil trains, their recent actions call such concerns into question.

Prior to the release of the [new proposed oil-by-rail regulations](#), Big Rail lobbied against any [regulations requiring the trains to be attended at all times](#). And they were successful, as this is not included in the proposed regulations.

Further, [Burlington Northern Santa Fe \(BNSF\)](#) — owned by [Warren Buffet](#), a [major campaign contributor to President Barack Obama](#) — is currently in the midst of a stand-off against organized labor. The battle centers around BNSF’s push for [single person train operation](#), trains driven by a one-man ‘crew’ rather than the traditional two member crews.



Warren Buffet (L), President Barack Obama (R); Photo Credit: [Wikimedia Commons](#)

Other ways experts have suggested to reduce risks of oil trains include [lowering speed limits](#) and [stripping volatility of the oil prior to shipping via a process called stabilization](#).

However, prior to the release of the new proposed DOT regulations, the [American Association of Railroads](#) and the [American Petroleum Institute](#) both said two things should be off the table: [train speeds and mandatory stabilization](#).

“Citizens for Rail Security”

Despite holes in its narrative about national security risks associated with disclosure of oil-by-rail routes, one measure some companies have taken is to create citizen volunteer security groups.

They appear to be modeled after the U.S. Department of Homeland Security’s [“If you see something, say something”](#) program.

Norfolk Southern has a website called [“Protect the Line,”](#) in which they ask citizens to “Join the Force.” And BNSF has [“Citizens for Rail Security,”](#) which declares, “Communities play a key role in ensuring America’s rail network remains safe from terrorism and criminal activity.”



Citizens for Rail Security

Keeping America’s rail transportation network safe from crime and terrorist activity is a high priority for today’s railroad industry and the communities we serve.

To improve security, the BNSF and Norfolk Southern railways have developed security programs to engage citizens’ participation in reporting suspicious or criminal activity to Railroad Police.



<http://www.citizensforrailsecurity.com/crs-home.html>



<http://www.protecttheline.com>

Please click on the logo to learn more about the security programs for BNSF and Norfolk Southern. You may choose to become a member of both programs. Thank you for your interest in railroad security.

If you see something, say something and call:

For BNSF (Resource Operations Center): 800-832-5452
For NS (Police Communications Center): 800-453-2530

Photo Credit: [“Citizens for Rail Security” Website](#) Screenshot

The contradiction is readily apparent: communities can volunteer to keep the railroads safe, but they are not allowed to get information from the railroads about what they are keeping

their communities safe from in the first place.

TSA: Asleep at the Wheel

The Transportation Safety Administration (TSA) oversees and implements rail safety as it pertains to preventing terrorist threats and attacks.

However, records obtained via a recent Freedom of Information request by EnergyWire reveal TSA is asleep at the wheel in this sphere. Worse, it has been for years.

"[A] Freedom of Information Act request from *EnergyWire* revealed that the agency never followed through with regulations despite an August 2008 deadline," [explains the story](#). "That means TSA neither keeps railroads' security plans on file nor reviews them in any standardized fashion."

It all comes down to priorities. According to EnergyWire's investigation, a major funding gap exists between security for surface transportation (like rail) and aviation security.

"TSA's budget for fiscal 2012 set aside \$5.25 billion for aviation security, while devoting \$135 million to surface transportation security across all modes," [wrote EnergyWire](#).

When looked at on the whole, a sober reality arises.

That is, while Big Rail trumpets terrorism threat risks in the legal arena to skirt transparency, the industry has concurrently done little to halt the very terrorism threats it claims a desire to stop.

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