

TSA: SECURITY GAPS

HEARING

BEFORE THE

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

NOVEMBER 3, 2015

Serial No. 114-99

Printed for the use of the Committee on Oversight and Government Reform



Available via the World Wide Web: <http://www.fdsys.gov>
<http://www.house.gov/reform>

U.S. GOVERNMENT PUBLISHING OFFICE

22-989 PDF

WASHINGTON : 2017

For sale by the Superintendent of Documents, U.S. Government Publishing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

JASON CHAFFETZ, Utah, *Chairman*

JOHN L. MICA, Florida
MICHAEL R. TURNER, Ohio
JOHN J. DUNCAN, JR., Tennessee
JIM JORDAN, Ohio
TIM WALBERG, Michigan
JUSTIN AMASH, Michigan
PAUL A. GOSAR, Arizona
SCOTT DESJARLAIS, Tennessee
TREY GOWDY, South Carolina
BLAKE FARENTHOLD, Texas
CYNTHIA M. LUMMIS, Wyoming
THOMAS MASSIE, Kentucky
MARK MEADOWS, North Carolina
RON DESANTIS, Florida
MICK MULVANEY, South Carolina
KEN BUCK, Colorado
MARK WALKER, North Carolina
ROD BLUM, Iowa
JODY B. HICE, Georgia
STEVE RUSSELL, Oklahoma
EARL L. "BUDDY" CARTER, Georgia
GLENN GROTHMAN, Wisconsin
WILL HURD, Texas
GARY J. PALMER, Alabama

ELIJAH E. CUMMINGS, Maryland, *Ranking
Minority Member*
CAROLYN B. MALONEY, New York
ELEANOR HOLMES NORTON, District of
Columbia
WM. LACY CLAY, Missouri
STEPHEN F. LYNCH, Massachusetts
JIM COOPER, Tennessee
GERALD E. CONNOLLY, Virginia
MATT CARTWRIGHT, Pennsylvania
TAMMY DUCKWORTH, Illinois
ROBIN L. KELLY, Illinois
BRENDA L. LAWRENCE, Michigan
TED LIEU, California
BONNIE WATSON COLEMAN, New Jersey
STACEY E. PLASKETT, Virgin Islands
MARK DESAULNIER, California
BRENDAN F. BOYLE, Pennsylvania
PETER WELCH, Vermont
MICHELLE LUJAN GRISHAM, New Mexico

JENNIFER HEMINGWAY, *Staff Director*
DAVID RAPALLO, *Minority Staff Director*
MICHAEL KIKO, *Subcommittee Staff Director*
ARI WISCH, *Counsel*
WILLIE MARX, *Clerk*
SARAH VANCE, *Clerk*

CONTENTS

Hearing held on November 3, 2015	Page 1
--	-----------

WITNESSES

Mr. Peter Neffenger, Administrator, Transportation Security Administration, U.S. Department of Homeland Security	
Oral Statement	4
Written Statement	7
Hon. John Roth, Inspector General, U.S. Department of Homeland Security	
Oral Statement	23
Written Statement	25
Ms. Jennifer Grover, Director, Homeland Security and Justice, U.S. Govern- ment Accountability Office	
Oral Statement	51
Written Statement	53

APPENDIX

Written Statement for the Record from Rep. Gerald E. Connolly	116
Peter Neffenger Responses to Questions for the Record	118

TSA: SECURITY GAPS

Tuesday, November 3, 2015

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
WASHINGTON, D.C.

The committee met, pursuant to call, at 10:04 a.m., in Room 2154, Rayburn House Office Building, Hon. Jason Chaffetz [chairman of the committee] presiding.

Present: Representatives Chaffetz, Mica, Duncan, Jordan, Walberg, Amash, Gosar, Gowdy, Massie, Meadows, DeSantis, Buck, Walker, Blum, Hice, Russell, Carter, Grothman, Hurd, Palmer, Cummings, Maloney, Norton, Lynch, Connolly, Cartwright, Duckworth, Kelly, DeSaulnier, Welch, and Lujan Grisham.

Chairman CHAFFETZ. The Committee on Oversight and Government Reform will come to order. Without objection, the chair is authorized to declare a recess at any time.

I appreciate the participants today on an important topic that we need to have vigilant oversight on, dealing with the TSA and the security gaps in the critical part of our culture. The 9/11 Commission concluded in their report, "The most important failure was one of imagination. We do not believe leaders understood the gravity of the threat." That report underscored the need for government leaders to do a better job of preparing for security threats that can only now be imagined. It's no secret that people interested in harming America are coming up with creative ways to circumvent the existing security measures.

The battle for aviation security is fought daily by the thousands of men and women who serve in the TSA's workforce. Every day, 2 million passengers at nearly 440 airport across the country depend on TSA to help hold the line and keep them safe. That's why passenger screening at checkpoints are so important. State-of-the-art screening technologies are not necessarily the magic bullet. There's also a human component and other methods and things that are used throughout the world that we should be paying attention to and implementing ourselves, but all aspects of passenger screening process, including luggage and carry-ons, must be working in concert. It is a vital part of what we do to protect this Nation, and thus the hearing today.

I'd like now to yield time to the former chairman of the Transportation Infrastructure Committee, he's the chairman of our subcommittee here, Mr. Mica of Florida.

Mr. MICA. Thank you, Mr. Chairman, and our ranking member and our witnesses today. Having been around since we formed TSA and one of the original authors of the legislation, we have 14 years

behind us, and unfortunately, we don't have much progress and success of the major purpose that we set out for, and that was to make certain that we are safe and secure, and that we have a system of, particularly passenger and baggage screening, that ensures that for the traveling American public.

Now, you heard what I just commented on. The GAO report from this week just confirms that in just about every area of operations. We'll hear in a few minutes from the Inspector General, and on page 3 is a sort of a summary. He says, "Our most recent covert testing in September 2015, the failures included"—this is TSA failures—"included failures in the technology, failures in TSA procedures, and human error. We found layers of security simply missing. It would be misleading to minimize the rigor of our testing or to imply that our testing was not an accurate reflection of the effectiveness of the totality of aviation security." That is very alarming. This report is very alarming.

And where we've come, we're back from, again, 2007, some information leaked, and this was in the—this reporting from USA Today that screeners failed 75 percent of the time in finding dangerous materials and items that posed a threat, 75 percent of the time with 30,000 screeners. We're now at 46,000 screeners. And most recently, we've had this leak where the failure rate had been as high, and this is a report publicly obtained, of 95 percent failure.

I think we need a complete overhaul. I think we need to address risk. I think we are hassling 99 percent of the people who pose no risk and still have no means of differentiating. We need to get TSA out of the screening business. They will never be able to recruit, they will never be able to train, they will never be able to retain, they will never be able to manage, but what they should be able to do is set the standards. And we have private screening under Federal supervision for a host of other activities, our highly secure nuclear facilities, our DOD facilities, and other facilities, and we let the private sector do what it does best, and we set the parameters and then we audit and we make the changes. Because, again, I don't care what I hear today, I'm convinced that you cannot fix this system that will continue to fail.

I yield back.

Chairman CHAFFETZ. I thank the gentleman.

The Administrator, along with the thousands of people who serve in the TSA, need to own the system, and if problems arise, then they must be attended to swiftly and appropriately, but we also ask that they work in a proactive way so those threats are mitigated prior to getting to the airport, and certainly prior to getting on an airplane. I look forward to the hearing testimony today.

We'll now recognize the ranking member, Mr. Cummings of Maryland, for 5 minutes.

Mr. CUMMINGS. Thank you very much, Mr. Chairman, for holding today's very important hearing. And let me welcome Mr. Roth, the Inspector General. It's good to have you here again on this very critical issue. Let me also welcome Ms. Grover from the Government Accountability Office, which does very important and excellent work for the committee on this and many other topics.

I also want to welcome Administrator Neffenger. When I served as the subcommittee chairman on the Coast Guard and Maritime

Transportation Subcommittee, I admired Mr. Neffenger's technical expertise and the steady, determined leadership he brought to the Coast Guard's most significant challenges, including dealing with the horrible Deepwater Horizon oil spill.

I am sure he remembers how we called the Coast Guard back again and again and again and again and again, to ensure accountability, and every single time, you were up to the task, and I am so, so glad that you've been chosen for this task. And I thank him for his decades of service, and I applaud President Obama's decision to appoint him to this very critical position.

When it comes to the security of our airlines and our flying public, we must always push to stay ahead of the terrorists, and anyone else who would do us harm. We must take nothing for granted. We must test ourselves constantly, and we must put the lessons we learn into urgent action. I've often said that so often we spend a lot of time talking about testing, and how things are going to work when we have an emergency. And so often what happens, and we saw this, to some degree, Mr. Neffenger, in Deepwater Horizon, we constantly say there will come a time when you'll see it works when the rubber meets the road. And when that moment comes, so often, we discover there is no road.

Above all, we must never become complacent. We must treat every single day as if lives depend on the urgency of our actions, because they do.

Unfortunately, until last spring, it appeared almost routine for senior leaders at the Transportation Security Administration to receive reports of security gaps in the Nation's air passenger screening operations. These reports came from the Inspector General and GAO and specialized red teams at TSA itself, and they described that this round of testing revealing yet more gaps.

The question today, I believe, is whether TSA and the Department of Homeland Security are responding with the urgency this situation demands. As the President often says, are they responding with the urgency of now? Based on their actions over the last several months, I believe they are. However, their work is far, far from complete, and it is incumbent on both the agency and this committee to continue our oversight efforts in order to ensure that improvements are put into place.

Last spring, Secretary Johnson ordered a comprehensive top-to-bottom review of all of TSA's practices and procedures to understand why the agency's performance was falling short of its own standards, and our expectations here in Congress. He required senior leaders to report to him every 2 weeks about the root causes of these shortfalls, as well as the solutions being implemented to address them.

Over the summer, TSA developed and began implementing a 10-point plan to revamp all aspects of the screening procedures, personnel training processes, and equipment maintenance practices. It is clear that the agency has been aggressively working to change its culture, and I am very encouraged by the steps DHS and TSA have taken to date.

However, we are early in the process. This agency has more than 42,000 employees responsible for ensuring security at about 450 airports. Making comprehensive changes in an agency of this size

is not easy, and ensuring that these changes are effective and efficient in improving the agency's day-to-day performance requires a sustained, long-term effort. We must ensure that TSA establishes a new baseline with clear and specific metrics to measure performance. This committee must hold TSA's leadership accountable for the achievement of these new metrics.

As I close, Administrator Neffenger, I think you know what I'm about to say: Just like at the Coast Guard Subcommittee, you should get used to seeing us on a regular basis. This committee's job is to oversee the implementation of TSA's transformation. We're going to be inviting you back again and again, because the American people are depending on us to get it right.

Finally, let me close by noting that the airlines and others also play a critical role in ensuring our security. We need to take a hard look at decisions by the airline industry that are making the TSA's job more difficult. For example, we have learned that the new fees airlines are charging to check bags are causing huge increases in the volume of carry-on luggage. Although this may result in significant new revenue for the airlines, it is also putting significant new strains on our screening operations, and I hope you will address that, Mr. Neffenger.

I hope we will have an opportunity to discuss these issues in more detail today, and at future hearings before the committee. And I just want to be clear, I have full confidence that we will get this right. We have no choice.

With that, Mr. Chairman, I thank you and I yield back.

Chairman CHAFFETZ. I thank the gentleman. We'll hold the record open for 5 legislative days for any members who would like to submit a written statement.

We'll now recognize our panel of witnesses. First, we have Mr. Peter Neffenger, Administrator of the Transportation Security Administration at the United States Department of Homeland Security. We're also joined by the Honorable John Roth, Inspector General of the United States, Department of Homeland Security; and Ms. Jennifer Grover, Director of Homeland Security and Justice at the United States Government Accountability Office.

We welcome you all. And pursuant to committee rules, all witnesses are to be sworn before they testify. If you will please rise and raise your right hands.

Do you solemnly swear or affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Thank you. Please be seated. And let the record reflect the witnesses all answered in the affirmative.

In order to allow time for discussion, we would appreciate it if you would limit your verbal testimony to 5 minutes. Your entire written statement will be entered as part of the record.

Mr. Neffenger, you are now recognized for 5 minutes.

WITNESS STATEMENTS

STATEMENT OF PETER NEFFENGER

Mr. NEFFENGER. Good morning, Chairman Chaffetz, Ranking Member Cummings, and distinguished members of the committee.

I thank you for the opportunity to testify on my vision for evolving the Transportation Security Administration. My leadership perspective is shaped by more than three decades of military service and crisis leadership. Fundamental to my approach are a well-defined statement of the mission, clear standards of performance, training and resourcing that enable the workforce to achieve success, appropriate measures of effectiveness, and an unwavering pursuit of excellence and accountability.

I want to thank Inspector General Roth and Director Grover for the oversight that they have provided at TSA. And I want to specifically thank Mr. Roth for his encouraging assessment of our new direction.

That direction is a reflection of my vision on how we approach the continuing evolution of TSA. I'm now 4 months into the job, and I've traveled to dozens of airports and Federal Air Marshal offices across the country. I've also visited our European partners in the United Kingdom, France, and the Netherlands, and I've met with stakeholders from the airlines, travel industry, and airport operators. I've engaged surface stakeholders in passenger rail and light rail across the country and in Europe.

I have been thoroughly impressed with the professionals who occupy our ranks, and I've been equally impressed with the collaboration across the transportation enterprise and the range of capabilities our Federal, State, and local partners bring to bear across every mode of our transportation system. These complex systems require that we examine them and consider them as a whole, that we integrate the wide range of public and private capabilities to close gaps, reduce vulnerabilities and counter threats, that we benchmark and apply best practices across the enterprise, and that we seek global consistency.

However, as I have stated in previous hearings on this topic, my immediate priority has been to pursue solutions to the Inspector General's recent covert testing findings, which were, unfortunately, leaked to the media in May of this year, and we are making significant progress in doing so.

The Inspector General's covert tests focused on an element of the aviation security system, specifically the Advanced Imaging Technology capability within the checkpoint. These tests identified areas for improvement, with which we concurred. The system, as a whole, remains effective, and as a result of these tests, has only gotten stronger.

In response, TSA implemented an immediate action plan to ensure accountability, improve alarm resolution, increase effectiveness, and strengthen procedures. We've also responded vigorously by implementing Secretary Johnson's 10-point plan, as previously referred to. And to ensure we don't repeat past failures, of utmost concern, from my perspective, was determining root causes of the problem.

Our conclusion is that the screening effectiveness challenges were not merely an office or performance problem, nor were they a failure of the Advanced Imaging Technology. The AIT has greatly enhanced our ability to detect non-metallic threats, and continues to perform to expected standards when deployed and used properly. As we look at the people, processes, and technology, strong drivers

of the problem include leadership focus, environmental influences, and gaps in system design and processes.

There was significant pressure to quickly clear passengers at the risk of not completely resolving alarms. Our analysis also revealed that our officers did not fully understand the capabilities of the equipment, and several procedures were inadequate to resolve alarms. We have trained our officers to understand and use equipment properly, and we have corrected our procedures.

Solutions require a renewed focus on security, revised procedures, investments in technology, realistic and standardized training, a new balance between effectiveness and efficiency, and support for our frontline officers. We will continue to partner with the airlines, airport operators, and the trade and travel industry to identify solutions that can reduce the stress on the checkpoint, and we must right-size and resource TSA appropriately.

We've begun that process in earnest, and I can report that we have a principled approach in place designed to correct the immediate challenges while ensuring that this problem doesn't happen again. Our mission essentials training conducted in August and September, with every frontline officer and leader across TSA, has helped reset our focus on security effectiveness, and most critically, we have enhanced our officers' knowledge and understanding of the screening system.

Longer term, our self-examination has given insight into how we must evolve. We face a critical turning point in TSA, both to address these recent findings, and to begin our investment in a more strategic approach to securing the transportation sector. We need to measure security to drive an institutional focus, and what we measure is what our leaders and officers will pay attention to. Our approach needs to be adaptive and risk-based, constantly reassessing assumptions, plans, and processes, and we must be able to rapidly field new ways of operating. We must rethink how we invest in technology. Our adversaries remain intent on attacking the transportation sector, and our investment in new tools must exceed the speed of the enemy's ability to involve.

Most importantly, we must deliver an effective system and earn the confidence of the traveling public through competence, disciplined performance, and professionalism. I've conveyed these standards to our workforce, and I commit to you that we will continuously pursue these objectives.

Chairman Chaffetz, Ranking Member Cummings, I want to assure you that TSA is an intelligence-driven, counterterrorism organization, and I know that we are up to the challenges we face. We are on the front lines of a critical counterterrorism fight, and our workforce is willing and able to do the job.

Thank you for the opportunity to appear today, and I look forward to your questions.

[Prepared statement of Mr. Neffenger follows:]

Statement of Peter Neffenger
Administrator, Transportation Security Administration
U.S. Department of Homeland Security
Before the
United States House of Representatives
Committee on Oversight and Government Reform
November 3, 2015

Good morning Chairman Chaffetz, Ranking Member Cummings, and distinguished members of the Committee. Thank you for the opportunity to testify on my vision for evolving the Transportation Security Administration (TSA).

Since its creation following the terrorist attacks of September 11, 2001, TSA has played an invaluable role in protecting the traveling public. Fourteen years after the 9/11 attacks, we face threats more dangerous than at any time in the recent past. Terrorist groups and aspiring violent extremists, inspired by messages of hatred and violence, remain intent on striking our Nation's aviation system as well as other transportation modes. The threat is decentralized, diffuse, and quite complex.

These persistent and evolving threats are TSA's most pressing challenge and require an intense and sustained focus on our security missions. We remain deeply committed to ensuring that TSA remains a high-performing, risk-based intelligence-driven counterterrorism organization. We are working diligently to ensure we recruit, train, develop, and lead a mission-ready and highly-capable workforce, placing a premium on professional values and personal accountability. Further, we will pursue advanced and innovative capabilities that our mission requires to deter, detect, and disrupt threats to our Nation's transportation systems, with a clear understanding that we must continue to optimize today's capabilities while envisioning future methods of achieving success.

I am intently focused on leading TSA strategically, developing and supporting our workforce, and investing appropriately, to deliver on our vital security mission.

Improving Aviation Screening Operations

My immediate priority for TSA is determining root causes and implementing solutions to address the recent covert testing of TSA's checkpoint operations and technology conducted by the Department of Homeland Security (DHS) Office of Inspector General (OIG). I was greatly disturbed by TSA's failure rate on these tests, and have met with the Inspector General on several occasions to better understand the nature of the failures and the scope of the corrective actions needed.

Screening operations are a core mission of TSA. In FY 2014, our officers screened approximately 660 million passengers and nearly 2 billion carry-on and checked bags. Through their diligent daily efforts, our officers prevented over 180,000 dangerous and/or prohibited items, including over 2,200 firearms, from being carried onto planes. In addition, our workforce vetted a daily average of six million air passengers against the U.S. Government's Terrorist Screening Database, preventing those who may wish to do us harm from boarding aircraft, and conducting enhanced screening of passengers and their baggage prior to allowing them to board an aircraft. In conjunction with these screening efforts, and using intelligence-driven analysis, TSA's Federal Air Marshals also protected thousands of flights. Still, as recent and prior testing shows, we must rapidly and systemically adapt to improve effectiveness at checkpoint screening operations. We have begun that process in earnest and today I can report that we have a new and principled approach that is designed to correct the immediate challenges while ensuring that this problem doesn't happen again.

It is important to acknowledge that the OIG covert tests, as a part of their design and execution, focused on only a discrete segment of TSA's myriad capabilities of detecting and disrupting threats to aviation security. This was not a deliberate test of the entire system and while there were areas for improvement noted by the Inspector General -- with which we concurred -- that the system as a whole remains effective and, as a result of this series of tests, has only gotten stronger.

TSA conducts similar, more extensive testing that is part of a deliberate process designed to defeat and subsequently improve our performance, processes, and screening technologies. TSA's covert testing program, along with the OIG's covert testing, provides invaluable lessons learned, highlighting areas in which the agency needs improvement in detecting threats. Such testing is an important element in the continual evolution of aviation security. We have made extensive improvements as a result of this program and have developed or validated new procedures and capabilities of this program. We have shared these results with the Committee staff and would be pleased to discuss them in detail in a closed session.

As we pursue solutions to the challenges presented by recent and on-going covert testing, there are several critical concepts that must be in place. TSA must ensure that its value proposition is well defined, clearly communicated, understood and applied across the entire workforce and mission enterprise. From my first day on the job, I have made it clear that we are first and foremost a security organization. Our mission is to deter, detect, and disrupt threats, and we must ensure every officer, inspector, air marshal, and member of our agency remains laser-focused on this mission. As a result of our Mission Essentials training, virtually every field leader and officer has heard this message loud and clear, and we are beginning to see results. In addition, we must ensure the appropriate measures of effectiveness are in place to drive an

institutional focus on the primary security objectives for all modes of transportation, and renewed emphasis on aviation measures.

We have demonstrated our ability to efficiently screen passengers: however, it is clear that we now must improve our effectiveness. By focusing on the basic fundamentals of security screening, and by readjusting the measurements of success to focus on security rather than speed, and by measuring what we value most, we can adjust the institutional focus and adapt the culture to deliver success.

To drive these important changes, it is essential to understand and assess appropriately the effectiveness of our aviation security enterprise, to rigorously pursue initiatives to quickly close capability and security gaps, and employ our own covert testing and vulnerability assessments. Delivering an effective security system and earning the confidence of the traveling public will come only through competence, disciplined performance, successful results, and professionalism. These imperatives are essential to address the immediate challenges, and more broadly, to accomplish the important mission entrusted to TSA.

In late May, in response to the OIG initial findings, TSA developed and implemented an immediate action plan built on its understanding of the known vulnerabilities in checkpoint operations. Consisting of dozens of individual actions, it was designed to:

- 1) ensure leadership accountability;
- 2) improve alarm resolution;
- 3) increase effectiveness and deterrence;
- 4) increase threat testing to sharpen officer performance;
- 5) strengthen standard operating procedures;
- 6) improve the Advanced Imaging Technology (AIT) system;

7) deploy additional resolution tools; and

8) improve human factors, including enhanced training and operational responses.

Scheduled for completion in March 2016, TSA is actively engaged in implementing this plan of action and provides regular updates to the Secretary of Homeland Security as well as frequent updates to the Congress.

There are a number of immediate actions that have been completed, including the following: 1) requiring screening leadership at each airport to oversee AIT operations to ensure compliance with standard procedures; 2) requiring each officer to complete initial video-based training to reinforce proper alarm resolution conversations; 3) conducting leadership and officer same-day debriefs for threat inject testing and lessons learned; and 4) performing daily operational exercises and reinforcement of proper pat down procedures at least once per shift to ensure optimal TSO performance.

Secretary Johnson's Ten-Point Plan

In addition to the TSA action plan, Department of Homeland Security Secretary Jeh Johnson directed a series of actions, which in cooperation with TSA, constituted a ten-point plan to address these findings. TSA is now working aggressively to accomplish these actions. The plan includes the following:

- Briefing all Federal Security Directors at airports nationwide on the OIG's preliminary test results to ensure leadership awareness and accountability. This was completed in May and continues regularly. In September, I convened the leadership of TSA -- from across the agency and in every mission area -- to discuss our progress, to clearly convey

my expectations, and to outline my vision for the evolution of our counterterrorism agency.

- Training every Transportation Security Officer (TSO) and supervisor to address the specific vulnerabilities identified by the OIG tests. This training was also intended to reemphasize the value and underscore the importance we place on the security mission. The training reemphasized the threat we face, the design of our security system, integrating technology with human expertise, the range of tools we employ to detect threats, and the essential role our officers perform in resolving alarms. Fundamentally, this training was intended to explain the “why” behind our renewed and intense focus on security effectiveness. We also trained supervisors and leaders to ensure they appreciate and support the shift in emphasis. Most important, we are asking our supervisors to recognize their critical role in supporting our officers’ renewed focus on alarm resolution. This training began in late July 2015 and was recently completed at the end of September 2015 for our officers and in mid-October for our field leaders. We have also taken the step of requiring HQ Operations staff of attending this course as well to ensure the shift in emphasis extend throughout the enterprise.
- Increasing manual screening measures, including reintroducing hand-held metal detectors to resolve alarms at the checkpoint. This has been underway since mid-June and reinforces our ability to detect the full range of threats.
- Increasing the use of random explosives trace detection, which also started in mid-June, enhancing detection capabilities to a range of threat vectors.
- Re-testing and re-evaluating screening equipment to measure current performance standards. We are retesting the systems in the airports tested by the Inspector General and

assessing the performance of the field systems against those in the labs to ensure optimal performance. This testing, which began in June and continues, will help us to more fully understand and strengthen equipment performance across the enterprise.

- Assessing areas where screening technology equipment can be enhanced. This includes new software, new operating concepts, and technology upgrades in collaboration with our private sector partners.
- Evaluating the current practice of including non-vetted populations in expedited screening. We continue to take steps to ensure that we have a more fully vetted population of travelers exposed to screening in our expedited lanes. For example, at my direction, as of September 12th, we have phased out the practice known as “Managed Inclusion-2.”
- Revising TSA’s standard operating procedures to include using TSA supervisors to help resolve situations at security checkpoints. On June 26, 2015, TSA began field testing new standard operating procedures at six airports. Lessons learned will be incorporated and deployed nation-wide. This procedure is intended to ensure appropriate resolution techniques are employed in every situation.
- Continuing covert testing to assess the effectiveness of these actions. For each test, there must be a same-day debrief with the workforce of outcomes and performance along with immediate remediation actions. Expansion of our testing also enhances officer vigilance.
- Finally, we have responded vigorously by establishing a team of TSA and other DHS officials to monitor implementation of these measures and report to the Secretary and me every two weeks. These updates have been ongoing since June.

Root Cause Assessment

DHS and TSA are also committed to resolving the root causes of these test failures. A diverse team of DHS leaders, subject matter experts, as well as officers and leaders from the frontline workforce are examining the underlying problems resulting in our performance failures and will make recommendations on system-wide solutions for implementations across the agency.

The team's initial conclusion is that the screening effectiveness challenges noted by the Inspector General were not merely a performance problem to be solved solely by retraining our officers. Officer performance is but one among many of the challenges. TSA frontline officers have repeatedly demonstrated during their annual proficiency evaluations that they have the knowledge and the skill to perform the screening mission well. Nor was this principally a failure of the AIT technology. These systems have greatly enhanced TSA's ability to detect and disrupt new and evolving threats to aviation. AIT technology continues to perform to specification standards when maintained and employed properly, and we continue to improve its detection capabilities.

The challenge can be succinctly described as a set of multi-dimensional factors that have influenced the conduct of screening operations, creating a disproportionate focus on screening operations efficiency rather than security effectiveness. These challenges range across six dimensions: leadership, technology, workforce performance, environmental influences, operating procedures, and system design.

Pressures driven by increasing passenger volume, an increase in checkpoint screening of baggage due to fees charged for checked bags as well as inconsistent or limited enforcement of size requirements for hand-carried bags and the one bag plus one personal item (1+1) standard¹

¹ The Aircraft Operator Standard Security Program, Dated October 21, 2013, requires, with some exceptions for crewmembers, medical assistance items, musical instruments, duty free items, and photographic equipment, that the

create a stressed screening environment at airport checkpoints. The challenges also include the range of complex procedures that we ask our officers to employ, resulting in cognitive overload and personnel not properly employing the technology or a specific procedure. The limitations of the technology, the systems detection standards, TSA officers' lack of training on equipment limitations, and procedures that failed to resolve the alarms appropriately all undermined our ability to effectively screen, as noted by the Inspector General's report.

A critical component of the problem was confusing messages on the values of the institution, as expressed in the metrics used to assess effectiveness and leadership performance. As noted, a prior focus on measures that emphasized reduced wait times and organizational efficiency powerfully influenced screening performance as well as organizational culture. As a result, across TSA, leaders' and officers' organizational behavior emphasized efficiency outcomes and a pressure to clear passengers quickly, at the risk of not diligently resolving alarms. The combined effect of these many variables produced the performance reported by the Office of the Inspector General.

Implementing Solutions

Solutions to the challenges facing TSA will require a renewed focus on the agency's security mission, a commitment to right-sizing and resourcing TSA to effectively secure the aviation enterprise, and an industry commitment to incentivizing vetting of passengers as well as creating conditions that can decrease the volume and contents of bags presented for screening in airports.

For TSA, we must renew our focus on the fundamentals of security, thereby asking our officers and leaders to strike a new balance between security effectiveness and line efficiency, to

accessible property for individuals accessing the sterile area be limited to one bag plus one personal item per passenger (e.g., purse, briefcase, or laptop computer).

field and diligently perform appropriate resolution procedures and to close technology and performance gaps. We need our managers and supervisors to support our officers when they perform their difficult daily mission. As we move forward, we are guided by a principled, strategic approach, with specific projects already underway to advance our goal of ensuring we deliver on our mission to deter, detect, and disrupt threats to aviation.

This principled approach extends beyond the immediate findings identified in the OIG's covert test of checkpoint operations. This approach also informs our strategy and ability as an agency to systematically evolve operations, workforce development, and capability investment, now and in the future. We will systematically review the prior findings of OIG and GAO reports as well as other sources of analysis that can inform security effectiveness.

Redefine Value Proposition

First, TSA is in the process of ensuring our focus on security effectiveness is well defined and applied across the entire workforce and mission space. Our "Mission Essentials – Threat Mitigation" course, was provided to every officer and field leader.. We will follow this initial effort with a range of initiatives to convey these priorities to leaders and officers using additional tools, such as a statement of the Administrator's Intent, the National Training Plan, and in our workforce messaging. Redefining our values as an agency by focusing on threat mitigation and improving TSO awareness and knowledge of the threat will provide a new and acute mission focus. Resolving every alarm, with discipline, competence, and professionalism are the values we are emphasizing to the workforce. From my initial field visits, I can report that our officers are hearing, understanding, and applying this new approach.

Communicate New Standards and Expectations

To communicate these new standards, TSA's Office of Intelligence and Analysis is pursuing an information sharing project to expand and ensure standardized information and intelligence sharing to frontline officers. Expanding the reach of the threat information provided to the field, enhancing our officers' awareness and understanding of the threat and the critical role they play in interdicting these threats creates ownership and a greater commitment to ensuring security procedures are followed.

Align Measures of Effectiveness to Standards and Expectations

TSA's Office of Security Operations is examining and revising the current Management Objectives Report to rebalance the field leaders' scorecard with security effectiveness measures in addition to some preserved efficiency data. We are operating on the premise that what we measure are the organizational objectives to which our field leaders will pay close attention.

Design System to Achieve Desired Outcome

The aviation security system must interdict the full range of threats on the Prohibited Items List and evolving threats that require our immediate action. Our concept of operations review project, run by the Operations Performance and Mission Analysis Divisions, is further identifying system wide gaps and vulnerabilities and how to ensure the traveling public is exposed to our mission essential detection capabilities when transiting the screening checkpoint. The results of this analysis may lead to a range of recommended improvements, from clarification of pat down procedures to fielding decisions for new technologies.

Eliminate Gaps and Vulnerabilities in Achieving Desired End State

Our work in analyzing the root causes has identified a range of vulnerabilities in TSA; however, there is no single office or accountable official charged with systemically tracking our

vulnerability mitigation efforts. Centralizing these activities under a single official should drive systemic research, development, and fielding of new capabilities. Our TSA Office of the Chief Risk Officer is managing this project.

Evaluate Performance by using the new Values, Standards, and Expectations

To motivate behavior, supervisors must clearly communicate the performance objectives they expect from their subordinate officers and leaders. Our Chief of Human Capital developed an initiative called the “Performance Evaluation Project,” which is designed to ensure the appropriate focus on desired mission outcomes is imbedded within Annual Performance Plans. These new standards were briefed to our officers and supervisors and are being used for the performance period that began on October 1, 2015.

Incentivize Performance to Enact Values, Standard, and Expectations

Several of our field leaders and officers have also recommended a *Model Transportation Security Officer Project* to determine model performance criteria. The project is intended to incentivize performance and emphasize the values and standards frontline employees are expected to uphold across the enterprise. I am a strong proponent of incentivizing performance, as this can be a powerful instrument to drive employee behaviors. Through these efforts, we intend to convey our values, measure them, and evaluate performance against these new expectations, uniting the TSA workforce behind critical agency reforms that will deliver organizational alignment and strengthen our security posture.

Finally, we will continue to partner with the trade and travel industry, the airlines, and airport operators to identify solutions that can fundamentally alter reality on the ground for our screening workforce. Reducing stress in checkpoint operations with fewer bags, less clutter, and a larger vetted population -- enabling expedited screening – are elements of our approach.

A key element of our solution set will be reassessing the screening workforce staffing baseline. Budgeted staffing levels for FY16, planned more than a year in advance of the covert testing failures, presumed a significant increase in the vetted traveling population which, combined with managed inclusion, allowed for a smaller workforce. We are reassessing screener workforce staffing needs and planning additional adjustments to support training and operational enhancements, all to ensure future staffing reductions remain rational choices that balance effectiveness with efficiency. Additionally, we look forward to working with the Congress to identify means of adding additional field intelligence officers to ensure every field operation is supported with a dedicated intelligence officer to facilitate information sharing, and to expand our efforts at the TSA Academy to train the workforce. Finally, we expect to invest in Advanced Imaging Technology detection upgrades based on the OIG findings.

Mission Essentials Training

Given the importance of training to our mission, I would like to elaborate on TSA's approach to training following the OIG covert testing results. It is critical that we train out these failures so we do not repeat the mistakes, including those which could have catastrophic consequences. We have trained the specifics of the failures to virtually every frontline member and leader of TSA.

This training, referred to as "Mission Essentials --Threat Mitigation," builds our workforce understanding of the link among intelligence, technology and the procedures they perform. The training advances our new value proposition by (1) providing a detailed intelligence briefing on the current threat; (2) discussing passenger tactics and techniques that may be used to dissuade the TSOs from thoroughly performing their screening duties and what counter measures they can employ; (3) reviewing recent procedural changes for screening

individuals who present themselves as having a disability; (4) practicing pat-down procedures with the goal of finding components of improvised explosive devices; and (5) exploring the capabilities and limitations of the checkpoint equipment and how the TSO can by following proper procedures. I have been encouraged to see our TSOs embracing the principles of Mission Essentials training.

Through this training, our employees are being taught how to respond to social engineering – techniques used by passengers seeking to manipulate our screening workforce and avoid regular processes. As I meet with these employees in my travels to airports throughout the country, I have heard repeatedly how valuable they find this mission critical information. As such, I have charged TSA's senior leaders to plan to send all new-hire TSOs to the TSA Academy at the Federal Law Enforcement Training Center in Glynco, GA, for TSO-basic training beginning in January 2016. Most of our major counterterrorism partners in security and law enforcement send their employees through similar type academies to ensure a laser-focus on mission, and we should as well.

Future of Screening

As we envision the future of screening, even in the context of the current challenges, I remain a strong proponent of a risk-based approach to security. The vast majority of people, goods and services moving through our transportation systems are legitimate and pose minimal risk. To support our risk-based approach, it is critical to continue growing the population of fully vetted travelers, such as those participating in TSA Pre✓® or in other DHS trusted traveler programs. In parallel, I am also reviewing expedited screening concepts with the intent of moving away from unvetted travelers. This multi-pronged, risk-based approach will result in

separating known and unknown travelers, with known travelers receiving expedited screening and other travelers, some high threat, receiving more extensive screening.

I envision a future where some known travelers will be as vetted and trusted as flight crews. Technology on the horizon may support passengers becoming their own “boarding passes” by using biometrics, such as fingerprint scans, to verify identities linked to Secure Flight. The Credential Authentication Technology (CAT) is the first step in this process and will provide TSOs with real-time authentication of a passenger’s identity credentials and travel itinerary.

A second objective is to screen at the “speed of life” with an integrated screening system that combines metal detection, non-metallic anomaly detection, shoe x-ray, and explosive vapor detection. Prototypes of these machines exist, which hold great promise for the traveling public.

Purposeful checkpoint and airport designs that facilitate screening advances are also a future approach. At Los Angeles International Airport (LAX) Tom Bradley International Terminal, recent innovative renovations have been completed so that screening operations are seamlessly integrated into the movement and flow of the traveling public. This effort will continue, with six out of eight terminals at LAX scheduled for design and renovation. Other locations, such as Dulles International Airport (IAD), have dedicated checkpoints that separate expedited screening from other operations, allowing TSOs to follow the appropriate concepts of operations with greater focus and clarity.

While some airports may not be able to take the same approach, the future of screening is based on fulfilling the promise of risk-based security. By increasing the number of fully vetted passengers and enhancing the effectiveness and efficiency of physical screening, I am committed to refining and advancing our risk-based security strategy. I look forward to working with this Committee and the Congress to chart a way forward in this regard.

Conclusion

Chairman Chaffetz, Ranking Member Cummings, we have an incredible challenge ahead of us. Still, I know TSA is up to the task, and will adjust its focus from one based on speed and efficiency to one based on security effectiveness. We are on the frontlines of a critical counterterrorism fight and our workforce is willing and able to do the job.

I thank you for the opportunity to appear before you today and sincerely appreciate your time and attention. I look forward to your questions.

Chairman CHAFFETZ. Thank you.
Inspector General Roth, you're now recognized for 5 minutes.

STATEMENT OF HON. JOHN ROTH

Mr. ROTH. Thank you. Good morning, Chairman Chaffetz, Ranking Member Cummings, and members—

Chairman CHAFFETZ. If you could maybe just bring the microphone straight up to your—that would be great.

Mr. ROTH. My apologies.

Good morning, Chairman Chaffetz, Ranking Member Cummings, and members of the committee. Thank you for inviting me here to testify today.

Throughout this year, I have testified, before this committee and others, regarding my concerns about TSA's ability to execute its important mission. I highlighted the challenges TSA faced. I testified that these challenges were in almost every area of TSA's operations: Its problematic implementation of risk assessment rules, including its management of the pre-check program; failures in checking—in passenger checkpoint and baggage screening operations; its control over access to secure areas, including management of its access badge program; its management of its workforce integrity program; its oversight of its acquisition and maintenance and screening equipment; and other issues we have discovered in the course of over 115 audit and inspection reports.

We may be in a very different place now than we were in May, when I last testified about this before this committee. I believe that Administrator Neffenger brings with him a new attitude about oversight. Ensuring transportation safety is a massive and complex problem, and there is no silver bullet to solve it. It will take a sustained and disciplined effort. However, the first step to fixing a problem is having the courage to critically assess the deficiencies in an honest and objective light.

Creating a culture of change within TSA and giving the TSA workforce the ability to identify and address the risks will be the Administrator's most critical and challenging task. I believe that the Department and TSA leadership has begun the process of critical self-evaluation, and aided by the dedicated workforce of TSA, are in a position to begin addressing some of those issues.

In September, we completed and distributed our report on our most recent round of covert testing. While I cannot talk about the specifics in this setting, I am able to say that we conducted the audit with sufficient rigor to satisfy our professional auditing standards, and that the tests were conducted by our auditors without any specialized knowledge or training, and the test results were disappointing and troubling. We ran multiple tests using different concealment methods at eight different airports of different sizes, including large category X airports across the country, and tested airports who were using private screeners. The results were consistent across every airport. Our testing was designed to test checkpoint operations in real-world conditions. The failures included technology, TSA procedures, and human errors.

The Department's response to our most recent findings has been swift. For example, within 24 hours of receiving preliminary results

of OIG testing, the Secretary summoned senior TSA leadership and directed that an immediate plan of action be created to correct deficiencies uncovered by our testing. TSA has put forward a plan, consistent with our recommendations, to improve checkpoint quality in three areas: Technology, personnel, and procedures. This plan is appropriate because the checkpoint must be considered as a single system. The most effective technology is useless without the right personnel, and the personnel needed to be guided by the appropriate procedures. Unless all three elements are operating effectively, the checkpoint will not be effective.

We will be monitoring TSA's efforts and will continue to conduct covert testing. Consistent with our obligations under the Inspector General Act, we will report our results to this committee as well as other committees of jurisdiction.

I believe that this episode serves as an illustration of the value of the Office of Inspector General, particularly when coupled with the Department leadership that understands and appreciates objective and independent oversight. This review, like dozens of reviews before it, was possible only because my office and my auditors had unfettered access to the information we needed.

I believe I speak for the entire IG community in expressing my gratitude to this committee for the legislation currently pending in the House, H.R. 2395, The Inspector General Empowerment Act of 2015. This legislation would fix the misguided attempt by the Department of Justice to restrict access to records, and would restore IG independence and empower the IGs to conduct the kind of rigorous, independent, and thorough oversight that the taxpayers expect and deserve.

This legislation would also improve and streamline the way we do business. For example, my written testimony gives an example of the powerful results we can obtain from data matching, which the legislation would streamline.

Mr. Chairman, this concludes my prepared statement. I welcome any questions you or other members of the committee may have.
[Prepared statement of Mr. Roth follows:]

STATEMENT OF JOHN ROTH
INSPECTOR GENERAL

DEPARTMENT OF HOMELAND SECURITY

BEFORE THE

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

U.S. HOUSE OF REPRESENTATIVES

CONCERNING

TSA: Security Gaps

November 3, 2015



Good morning Chairman Chaffetz, Ranking Member Cummings, and Members of the Committee.

Thank you for inviting me here today to discuss our work on the Transportation Security Administration (TSA). Our reviews have given us a perspective on the obstacles facing TSA in carrying out an important — but incredibly difficult — mission to protect the Nation's transportation systems and ensure freedom of movement for people and commerce.

Throughout this year, I have testified — before this Committee and others — regarding my concerns about TSA's ability to execute its important mission. I highlighted the challenges TSA faced. I testified that these challenges were in almost every area of TSA's operations: its problematic implementation of risk assessment rules, including its management of TSA Precheck; failures in passenger and baggage screening operations, discovered in part through our covert testing program; TSA's controls over access to secure areas, including management of its access badge program; its management of the workforce integrity program; TSA's oversight over its acquisition and maintenance of screening equipment; and other issues we have discovered in the course of over 115 audit and inspection reports.

My remarks were described as “unusually blunt testimony from a government witness,” and I will confess that it was. However, those remarks were born of frustration that TSA was assessing risk inappropriately and did not have the ability to perform basic management functions in order to meet the mission the American people expect of it. These issues were exacerbated, in my judgment, by a culture, developed over time, which resisted oversight and was unwilling to accept the need for change in the face of an evolving and serious threat. We have been writing reports highlighting some of these problems for years without an acknowledgment by TSA of the need to correct its deficiencies.

We may be in a very different place than we were in May, when I last testified before this Committee regarding TSA. I am hopeful that Administrator Neffenger brings with him a new attitude about oversight. Ensuring transportation safety is a massive and complex problem, and there is no silver bullet to solve it. It will take a sustained and disciplined effort. However, the first step in fixing a problem is having the courage to critically assess the deficiencies in an honest and objective light. Creating a culture of change within TSA, and giving the TSA workforce the ability to identify and address risks without fear of retribution, will be the new Administrator's most critical and challenging task.

I believe that the Department and TSA leadership have begun the process of critical self-evaluation and, aided by the dedicated workforce of TSA, are in a position to begin addressing some of these issues. I am hopeful that the days of

TSA sweeping its problems under the rug and simply ignoring the findings and recommendations of the OIG and GAO are coming to an end.

Our Most Recent Covert Testing

In September 2015, we completed and distributed our report on our most recent round of covert testing. The results are classified at the Secret level, and the Department and this Committee have been provided a copy of our classified report. TSA justifiably classifies at the Secret level the validated test results; any analysis, trends, or comparison of the results of our testing; and specific vulnerabilities uncovered during testing. Additionally, TSA considers other information protected from disclosure as Sensitive Security Information.

While I cannot talk about the specifics in this setting, I am able to say that we conducted the audit with sufficient rigor to satisfy the standards contained within the Generally Accepted Government Auditing Standards, that the tests were conducted by auditors within our Office of Audits without any special knowledge or training, and that the test results were disappointing and troubling. We ran multiple tests at eight different airports of different sizes, including large category X airports across the country, and tested airports using private screeners as part of the Screening Partnership Program. The results were consistent across every airport.

Our testing was designed to test checkpoint operations in real world conditions. It was not designed to test specific, discrete segments of checkpoint operations, but rather the system as a whole. The failures included failures in the technology, failures in TSA procedures, and human error. We found layers of security simply missing. It would be misleading to minimize the rigor of our testing, or to imply that our testing was not an accurate reflection of the effectiveness of the totality of aviation security.

The results were not, however, unexpected. We had conducted other covert testing in the past:

- In September 2014, we conducted covert testing of the checked baggage screening system and identified significant vulnerabilities in this area caused by human and technology based failures. We also determined that TSA did not have a process in place to assess or identify the cause for equipment-based test failures or the capability to independently assess whether deployed explosive detection systems are operating at the correct detection standards. We found that, notwithstanding an intervening investment of over \$550 million, TSA had not improved checked baggage screening since our 2009 report on the same issue. (*Vulnerabilities Exist in TSA's Checked Baggage Screening Operations*, OIG-14-142, Sept. 2014)

- In January 2012, we conducted covert testing of access controls to secure airport areas and identified significant access control vulnerabilities, meaning uncleared individuals could have unrestricted and unaccompanied access to the most vulnerable parts of the airport — the aircraft and checked baggage. (*Covert Testing of Access Controls to Secured Airport Areas*, OIG-12-26, Jan. 2012)
- In 2011, we conducted covert penetration testing on the previous generation of AIT machines in use at the time; the testing was far broader than the most recent testing, and likewise discovered significant vulnerabilities. (*Penetration Testing of Advanced Imaging Technology*, OIG-12-06, Nov. 2011)

The DHS Response

The Department's response to our most recent findings has been swift and definite. For example, within 24 hours of receiving preliminary results of OIG covert penetration testing, the Secretary summoned senior TSA leadership and directed that an immediate plan of action be created to correct deficiencies uncovered by our testing. Moreover, DHS has initiated a program — led by members of Secretary Johnson's leadership team — to conduct a focused analysis on issues that the OIG has uncovered, as well as other matters. These efforts have already resulted in significant changes to TSA leadership, operations, training, and policy, although the specifics of most of those changes cannot be discussed in an open setting, and should, in any event, come from TSA itself.

TSA has put forward a plan, consistent with our recommendations, to improve checkpoint quality in three areas: technology, personnel, and procedures. This plan is appropriate because the checkpoint must be considered as a single system: the most effective technology is useless without the right personnel, and the personnel need to be guided by the appropriate procedures. Unless all three elements are operating effectively, the checkpoint will not be effective.

We will be monitoring TSA's efforts to increase the effectiveness of checkpoint operations and will continue to conduct covert testing. Consistent with our obligations under the Inspector General Act, we will report our results to this Committee as well as other committees of jurisdiction.

TSA has also been making significant progress on many additional, outstanding recommendations from prior reports.

The Importance of Independent Oversight

I have been gratified by the Department's response to our most recent covert testing and believe that this episode serves as an illustration of the value of the Office of Inspector General, particularly when coupled with a Department leadership that understands and appreciates objective and independent oversight. This review, like the dozens of reviews before it, was possible only because my office and my auditors had unfettered access to the information we needed.

As this Committee knows, our ability to gain access to information is under attack as a result of a recent memorandum by the Department of Justice's Office of Legal Counsel. This memorandum, purporting to interpret Congressional intent, comes to a conclusion that is absurd on its face: that the reference to "all records" in section 6(a) of the *Inspector General Act of 1978* somehow does not really mean "all records." The underpinning and backbone of our work – proven to be effective for more than 30 years – has now been called into question. The Department of Justice apparently believes that it is up to those being audited to determine what information gets disclosed. This is an inherent conflict of interest and upends the professional standards for auditors and investigators. Inspectors General need to follow the facts wherever they lead, and must have unfettered access to all of the agency's information to do so.

I believe I speak for the entire IG community in expressing my gratitude to this Committee for the legislation currently pending in the House, HR 2395, the *Inspector General Empowerment Act of 2015*. This legislation would fix the misguided attempt to restrict access to records, and would restore IG independence and empower IGs to conduct the kind of rigorous, independent and thorough oversight that taxpayers expect and deserve.

The legislation would also improve and streamline the way we do business. For example, it exempts us from some of the requirements when matching data from two or more data systems within the federal government. This will allow us to be able to complete some audits far more quickly than we would otherwise be able. For example, we conducted an audit that compared TSA's aviation worker data against information on individuals who were known to the Intelligence Community. Specifically, we asked the National Counterterrorism Center (NCTC) to perform a data match of over 900,000 airport workers with access to secure areas against the NCTC's Terrorist Identities Datamart Environment (TIDE). As a result of this match, we identified 73 individuals with terrorism-related category codes who also had active credentials.

According to TSA officials, current interagency policy prevents the agency from receiving all terrorism-related codes during vetting. TSA officials recognize that not receiving these codes represents a weakness in its program, and informed

us that TSA cannot guarantee that it can consistently identify all questionable individuals without receiving these categories. (*TSA Can Improve Aviation Worker Vetting (Redacted)*, OIG-15-98, June 2015).

Our audit broke new ground and was able to identify an area of significant vulnerability. However, under the current rules, it took *eighteen months* to receive authorization to match the data sets of the two agencies to look for overlaps. The *Inspector General Empowerment Act of 2015* would eliminate those barriers and equip us with an important and powerful analytic tool in our quest to identify waste, fraud, and abuse within the federal government.

TSA and the Asymmetric Threat

Nowhere is the asymmetric threat of terrorism more evident than in the area of aviation security. TSA cannot afford to miss a single, genuine threat without potentially catastrophic consequences, and yet a terrorist only needs to get it right once. Securing the civil aviation transportation system remains a formidable task — TSA is responsible for screening travelers and baggage for more than 1.8 million passengers a day at 450 of our Nation's airports. Complicating this responsibility is the constantly evolving threat by adversaries willing to use any means at their disposal to incite terror.

The dangers TSA must contend with are complex and not within its control. Recent media reports have indicated that some in the U.S. intelligence community warn terrorist groups like the Islamic State (ISIS) may be working to build the capability to carry out mass casualty attacks, a significant departure from — and posing a different type of threat — than simply encouraging lone wolf attacks. According to these media reports, a mass casualty attack has become more likely in part because of a fierce competition with other terrorist networks: being able to kill opponents on a large scale would allow terrorist groups such as ISIS to make a powerful showing. We believe such an act of terrorism would likely be designed to impact areas where people are concentrated and vulnerable, such as the Nation's commercial aviation system.

Mere Intelligence is Not Enough

In the past, officials from TSA, in testimony to Congress, in speeches to think tanks, and elsewhere, have described TSA as an intelligence-driven organization. According to TSA, it continually assesses intelligence to develop countermeasures in order to enhance these multiple layers of security at airports and onboard aircraft. This is a necessary thing, but it is not sufficient.

In the vast majority of the instances, the identities of those who commit terrorist acts were simply unknown to or misjudged by the intelligence community. Terrorism, especially suicide terrorism, depends on a cadre of

newly-converted individuals who are often unknown to the intelligence community. Moreover, the threat of ISIS or Al Qaeda inspired actors — those who have no formal ties to the larger organizations but who simply take inspiration from them — increases the possibilities of a terrorist actor being unknown to the intelligence community.

Recent history bears this out:

- 17 of the 19 September 11th hijackers were unknown to the intelligence community. In fact, many were recruited specifically because they were unknown to the intelligence community.
- Richard Reid, the 2002 “shoe bomber,” was briefly questioned by the French police, but allowed to board an airplane to Miami. He had the high explosive PETN in his shoes, and but for the intervention of passengers and flight crew, risked bringing down the aircraft.
- The Christmas Day 2009 bomber, who was equipped with a sophisticated non-metallic explosive device provided by Al Qaeda, was known to certain elements of the intelligence community but was not placed in the Terrorist Screening Database, on the Selectee List, or on the No Fly List. A bipartisan Senate report found there were systemic failures across the Intelligence Community, which contributed to the failure to identify the threat posed by this individual.
- The single most high profile domestic terrorist attack since 9/11, the Boston Marathon bombing, was masterminded and carried out by Tamerlan Tsarnaev, an individual who approximately two years earlier was judged by the FBI not to pose a terrorist threat, and who was not within any active U.S. Government databases.

Of course, there are instances in which intelligence can foil plots that screening cannot detect — such as the 2006 transatlantic aircraft plot, utilizing liquid explosives; the October 2010 discovery of U.S.-bound bombs concealed in printer cartridges on cargo planes in England and Dubai; and the 2012 discovery that a second generation nonmetallic device, designed for use onboard aircraft, had been produced.

What this means is that there is no easy substitute for the checkpoint. The checkpoint must necessarily be intelligence driven, but the nature of terrorism today means that each and every passenger must be screened in some way.

Beyond the Checkpoint

Much of the attention has been focused on the checkpoint, since that is the primary and most visible means of entry onto aircraft. But effective checkpoint operations simply are not of themselves sufficient. Aviation security must also look at other areas to determine vulnerabilities.

Assessment of passenger risk

We applaud TSA's efforts to use risk-based passenger screening because it allows TSA to focus on high-risk or unknown passengers instead of known, vetted passengers who pose less risk to aviation security.

However, we have had deep concerns about some of TSA's previous decisions about this risk. For example, we recently assessed the Precheck initiative, which is used at about 125 airports to identify low-risk passengers for expedited airport checkpoint screening. Starting in 2012, TSA massively increased the use of Precheck. Some of the expansion, for example allowing Precheck to other Federal Government-vetted or known flying populations, such as those in the CBP Trusted Traveler Program, made sense. In addition, TSA continues to promote participation in Precheck by passengers who apply, pay a fee, and undergo individualized security threat assessment vetting.

However, we believe that TSA's use of risk assessment rules, which granted expedited screening to broad categories of individuals unrelated to an individual assessment of risk, but rather on some questionable assumptions about relative risk based on other factors, created an unacceptable risk to aviation security.¹ Additionally, TSA used "managed inclusion" for the general public, allowing random passengers access to Precheck lanes with *no* assessment of risk. Additional layers of security TSA intended to provide, which were meant to compensate for the lack of risk assessment, were often simply not present.

We made a number of recommendations as a result of several audits and inspections. Disappointingly, when the report was issued, TSA did not concur with the majority of our 17 recommendations. At the time, I testified that I believed this represented TSA's failure to understand the gravity of the risk that they were assuming. I am pleased to report, however, that we have recently made significant progress in getting concurrence and compliance with these recommendations.

¹ As an example of Precheck's vulnerabilities, we reported that, through risk assessment rules, a felon who had been imprisoned for multiple convictions for violent felonies while participating in a domestic terrorist group was granted expedited screening through Precheck.

For example, I am pleased to report that TSA has stopped using one form of Managed Inclusion and has deactivated certain risk assessment rules that granted expedited screening through PreCheck lanes. However, TSA continues to use other risk assessment rules that we recommended it discontinue. We are communicating with TSA officials about these risk assessment rules; TSA recently told us it is reevaluating its position and we are awaiting formal documentation to that effect. I urge TSA to concur with our recommendations to address Precheck security vulnerabilities we identified during our review. As you may know, the House passed the *Securing Expedited Screening Act* (HR 2127), legislation that would eliminate Managed Inclusion altogether and limit risk assessment rules.

Access to secure areas

TSA is responsible, in conjunction with the 450 airports across the country, to ensure that the secure areas of airports, including the ability to access aircraft and checked baggage, are truly secure. In our audit work, we have had reason to question whether that has been the case. We conducted covert testing in 2012 to see if auditors could get access to secure areas by a variety of means. While the results of those tests are classified, they were similar to the other covert testing we have done, which was disappointing.

Additionally, as we discuss below, TSA's oversight of airports when it comes to employee screening needs to be improved. (*TSA Can Improve Aviation Worker Vetting (Redacted)*, OIG-15-98, June 2015)

We are doing additional audit and inspection work in this area, determining whether controls over access media badges issued by airport operators is adequate. We are also engaging in an audit of the screening process for the Transportation Worker Identification Credential program (TWIC) to see whether it is operating effectively and whether the program's continued eligibility processes ensures that only eligible TWIC card holders remain eligible.

Other questionable investments in aviation security

TSA uses behavior detection officers to identify passenger behaviors that may indicate stress, fear, or deception. This program, Screening Passengers by Observation Techniques (SPOT), includes more than 2,800 employees and has cost taxpayers about \$878 million from FYs 2007 through 2012.

We understand the desire to have such a program. Israel is foremost in their use of non-physical screening, although the differences in size, culture, and attitudes about civil liberties make such a program difficult to adopt in this

country. In the United States, sharp-eyed government officials were able to assess behavior to prevent entry to terrorists on two separate occasions:

- Ahmed Ressam's plot to blow up the Los Angeles International Airport on New Year's Eve 1999 was foiled when a U.S. Customs officer in Port Angeles, Washington, thought Ressam was acting "hinky" and directed a search of his car, finding numerous explosives and timers.
- In 2001, a U.S. immigration officer denied entry to the United States to Mohammed al Qahtani, based on Qahtani's evasive answers to his questions. Later investigation by the 9/11 Commission revealed that Qahtani was to be the 20th hijacker, assigned to the aircraft that ultimately crashed in Shanksville, Pennsylvania.

However, we have deep concerns that the current program is both expensive and ineffective. In 2013, we audited the SPOT program and found that TSA could not ensure that passengers were screened objectively, nor could it show that the program was cost effective or merited expansion. We noted deficiencies in selection and training of the behavior detection officers. Further, in a November 2013 report on the program, the Government Accountability Office (GAO) reported that TSA risked funding activities that had not been determined to be effective. Specifically, according to its analysis of more than 400 studies, GAO concluded that SPOT program behavioral indicators might not be effective in identifying people who might pose a risk to aviation security. TSA has taken steps to implement our recommendations and improve the program. However, we continue to have questions with regard to the program and this fiscal year will conduct a Verification Review, with regard to — among other things — performance management, training, and financial accountability, and selection, allocation, and performance of the Behavior Detection Officers.

Likewise, the Federal Air Marshal Program costs the American taxpayer more than \$800 million per year. The program was greatly expanded after 9/11 to guard against a specific type of terrorist incident. In the intervening years, terrorist operations and intentions have evolved. We will be auditing the Federal Air Marshal Program this year to determine whether the significant investment of resources in the program is justified by the risk.

TSA's role as regulator

TSA has dual aviation security responsibilities, one to provide checkpoint security for passengers and baggage and another to oversee and regulate airport security provided by airport authorities. The separation of responsibility for airport security between TSA and the airport authorities creates a potential vulnerability in safeguarding the system. Concern exists about which entity is accountable for protecting areas other than checkpoints in relation to airport

worker vetting, perimeter security, and cargo transport. We have also assessed whether TSA is appropriately regulating airports, such as whether it ensures airports' compliance with security regulations. We have found shortfalls.

In the case of airport worker vetting, for example, TSA relies on airports to submit complete and accurate aviation worker application data for vetting. In a recent audit, we found TSA does not ensure that airports have a robust verification process for criminal history and authorization to work in the United States, or sufficiently track the results of their reviews. TSA also did not have an adequate monitoring process in place to ensure that airport operators properly adjudicated credential applicants' criminal histories. TSA officials informed us that airport officials rarely or almost never documented the results of their criminal history reviews electronically. Without sufficient documentation, TSA cannot systematically determine whether individuals with access to secured areas of the airports are free of disqualifying criminal events.

As a result, TSA is required to conduct manual reviews of aviation worker records. Due to the workload at larger airports, this inspection process may look at as few as one percent of all aviation workers' applications. In addition, inspectors were generally reviewing files maintained by the airport badging office, which contained photocopies of aviation worker documents rather than the physical documents themselves. An official told us that a duplicate of a document could hinder an inspector's ability to determine whether a document is real or fake because a photocopy may not be matched to a face and may not show the security elements contained in the identification document.

Additionally, we identified thousands of aviation worker records that appeared to have incomplete or inaccurate biographic information. Without sufficient documentation of criminal histories or reliable biographical data, TSA cannot systematically determine whether individuals with access to secured areas of the airports are free of disqualifying criminal events, and TSA has thus far not addressed the poor data quality of these records. (*TSA Can Improve Aviation Worker Vetting (Redacted)*, OIG-15-98, June 2015)

Further, the responsibility for executing perimeter and airport facility security is in the purview of the 450 local airport authorities rather than TSA. There is no clear structure for responsibility, accountability, and authority at most airports, and the potential lack of local government resources makes it difficult for TSA to issue and enforce higher standards to counter new threats. Unfortunately, intrusion prevention into restricted areas and other ground security vulnerabilities is a lower priority than checkpoint operations.

Conclusion

Making critical changes to TSA's culture, technology, and processes is not an easy undertaking. However, a commitment to and persistent movement

towards effecting such changes — including continued progress towards complying with our recommendations — is paramount to ensuring transportation security. We recognize and are encouraged by TSA's steps towards compliance with our recent recommendations. Without a sustained commitment to addressing known vulnerabilities, the agency risks compromising the safety of the Nation's transportation systems.

Mr. Chairman, this concludes my prepared statement. I welcome any questions you or other Members of the Committee may have.

Appendix A
Recent OIG Reports on the Transportation Security Administration

Covert Testing of the TSA's Passenger Screening Technologies and Processes at Airport Security Checkpoints (Unclassified Summary), OIG-15-150, September 2015

Use of Risk Assessment within Secure Flight (Redacted), OIG-14-153, June 2015

TSA Can Improve Aviation Worker Vetting (Redacted), OIG-15-98, June 2015

The Transportation Security Administration Does Not Properly Manage Its Airport Screening Equipment Maintenance Program, OIG-15-86, May 2015

Allegation of Granting Expedited Screening through TSA PreCheck Improperly (Redacted), OIG-15-45, March 2015

Security Enhancements Needed to the TSA PreCheck Initiative (Unclassified Summary), OIG-15-29, January 2015

Vulnerabilities Exist in TSA's Checked Baggage Screening Operations (Unclassified Spotlight), OIG-14-142, September 2014

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-11-47	DHS Department-wide Management of Detection Equipment	3/2/2011	We recommend that the Deputy Under Secretary for Management reestablish the Joint Requirements Council.	Closed	Agreed
OIG-11-47	DHS Department-wide Management of Detection Equipment	3/2/2011	We recommend that the Deputy Under Secretary for Management: Establish a commodity council for detection equipment, responsible for: Coordinating, communicating, and, where appropriate, strategically sourcing items at the department level or identifying a single source commodity manager; Standardizing purchases for similar detection equipment; and Developing a data dictionary that standardizes data elements in inventory accounts for detection equipment.	Closed	Agreed
OIG-12-06	Transportation Security Administration Penetration Testing of Advanced Imaging Technology	11/21/2011	Recommendation includes Sensitive Security Information.	Closed	Agreed
OIG-12-06	Transportation Security Administration Penetration Testing of Advanced Imaging Technology	11/21/2011	Recommendation includes Sensitive Security Information.	Closed	No Response

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-12-06	Transportation Security Administration Penetration Testing of Advanced Imaging Technology	11/21/2011	Recommendation includes Sensitive Security Information.	Closed*	Agreed
OIG-12-06	Transportation Security Administration Penetration Testing of Advanced Imaging Technology	11/21/2011	Recommendation includes Sensitive Security Information.	Closed*	Agreed
OIG-12-06	Transportation Security Administration Penetration Testing of Advanced Imaging Technology	11/21/2011	Recommendation includes Sensitive Security Information.	Closed	Agreed
OIG-12-06	Transportation Security Administration Penetration Testing of Advanced Imaging Technology	11/21/2011	Recommendation includes Sensitive Security Information.	Closed	Agreed
OIG-12-06	Transportation Security Administration Penetration Testing of Advanced Imaging Technology	11/21/2011	Recommendation includes Sensitive Security Information.	Closed	Agreed

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-12-06	Transportation Security Administration Penetration Testing of Advanced Imaging Technology	11/21/2011	Recommendation includes Sensitive Security Information.	Closed	Agreed
OIG-13-91	Transportation Security Administration's Screening of Passengers by Observation Techniques	5/29/2013	We recommend that the Assistant Administrator, Office of Security Capabilities develop and implement a comprehensive strategic plan for the Screening of Passengers by Observation Techniques (SPOT) program that includes— Mission, goals, objectives, and a system to measure performance; A training strategy that addresses the goals and objectives of the SPOT program; A plan to identify external partners integral to program success, such as law enforcement agencies, and take steps to ensure that effective relationships are established; and A financial plan that includes identification of priorities, goals, objectives, and measures; needs analysis; budget formulation and execution; and expenditure tracking.	Closed	Agreed
OIG-13-91	Transportation Security Administration's Screening of Passengers by Observation Techniques	5/29/2013	We recommend that the Assistant Administrator, Office of Security Capabilities develop and implement controls to ensure completeness, accuracy, authorization, and validity of referral data entered into the Performance Measurement Information System.	Closed	Agreed

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-13-91	Transportation Security Administration's Screening of Passengers by Observation Techniques	5/29/2013	We recommend that the Assistant Administrator, Office of Security Capabilities develop and implement a plan that provides recurrent training to Behavior Detection Officer (BDO) instructors and BDOs.	Closed	Agreed
OIG-13-91	Transportation Security Administration's Screening of Passengers by Observation Techniques	5/29/2013	We recommend that the Assistant Administrator, Office of Security Capabilities develop and implement a plan to assess BDO instructor performance in required core competencies on a regular basis.	Closed	Agreed
OIG-13-91	Transportation Security Administration's Screening of Passengers by Observation Techniques	5/29/2013	We recommend that the Assistant Administrator, Office of Security Capabilities monitor and track the use of BDOs for non-SPOT related duties to ensure BDOs are used in a cost-effective manner and in accordance with the mission of the SPOT program.	Closed	Agreed
OIG-13-91	Transportation Security Administration's Screening of Passengers by Observation Techniques	5/29/2013	We recommend that the Assistant Administrator, Office of Security Capabilities develop and implement a process for identifying and addressing issues that may directly affect the success of the SPOT program such as the selection, allocation, and performance of BDOs.	Closed	Agreed

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-13-99	Transportation Security Administration's Screening Partnership Program	6/20/2013	We recommend that the Transportation Security Administration Deputy Administrator expedite developing and implementing procedures to ensure that decisions on Screening Partnership Program applications and procurements are fully documented according to applicable Department and Federal guidance.	Closed	Agreed
OIG-13-99	Transportation Security Administration's Screening Partnership Program	6/20/2013	We recommend that the Transportation Security Administration Deputy Administrator establish and implement quality assurance procedures to ensure that the most relevant and accurate information is used when determining eligibility and approving airports' participation in the Screening Partnership Program.	Closed	Agreed
OIG-13-120	Transportation Security Administration's Deployment and Use of Advanced Imaging Technology	9/16/2013	We recommend that the Deputy Administrator, Transportation Security Administration: Develop and approve a single, comprehensive deployment strategy that addresses short- and long term goals for screening equipment.	Closed	Agreed
OIG-13-120	Transportation Security Administration's Deployment and Use of Advanced Imaging Technology	9/16/2013	We recommend that the Deputy Administrator, Transportation Security Administration: Develop and implement a disciplined system of internal controls from data entry to reporting to ensure PMIS data integrity.	Closed*	Agreed

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-14-142	(U) Vulnerabilities Exist in TSA's Checked Baggage Screening Operations	9/9/2014	This recommendation is classified.	Closed	Agreed
OIG-14-142	(U) Vulnerabilities Exist in TSA's Checked Baggage Screening Operations	9/9/2014	This recommendation is classified.	Open - Resolved	Agreed
OIG-14-142	(U) Vulnerabilities Exist in TSA's Checked Baggage Screening Operations	9/9/2014	This recommendation is classified.	Closed*	Agreed
OIG-14-142	(U) Vulnerabilities Exist in TSA's Checked Baggage Screening Operations	12/16/2014	This recommendation is classified.	Open - Resolved	Agreed
OIG-14-142	(U) Vulnerabilities Exist in TSA's Checked Baggage Screening Operations	12/16/2014	This recommendation is classified.	Open - Unresolved	Agreed
OIG-14-153	Use of Risk Assessment within Secure Flight	9/9/2014	Recommendation includes Sensitive Security Information.	Open - Resolved	Agreed**

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-14-153	Use of Risk Assessment within Secure Flight	9/9/2014	Recommendation includes Sensitive Security Information.	Closed	Agreed
OIG-14-153	Use of Risk Assessment within Secure Flight	9/9/2014	Recommendation includes Sensitive Security Information.	Closed*	Agreed**
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Open – Unresolved	Disagreed
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Open – Resolved	Agreed
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Open – Resolved	Agreed
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Open – Resolved	Agreed
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Open – Resolved	Agreed**
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Open – Resolved	Agreed

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Open – Resolved*	Agreed
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Closed*	Agreed**
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Open – Resolved	Agreed**
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	We recommend that the TSA Assistant Administrator for the Office of Intelligence and Analysis: Employ exclusion factors to refer TSA PreCheck ® passengers to standard security lane screening at random intervals.	Open – Resolved*	Agreed**
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Closed*	Agreed
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Closed*	Agreed

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	We recommend that the TSA Assistant Administrator for the Office of Security Operations: Develop and implement a strategy to address the TSA PreCheck ® lane covert testing results.	Open – Resolved	Agreed**
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	Recommendation includes Sensitive Security Information.	Open – Resolved	Agreed**
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	We recommend that the TSA Assistant Administrator for the Office of Intelligence and Analysis: Provide an explanation of TSA PreCheck ® rules and responsibilities to all enrollment center applicants and include this information in eligibility letters.	Open – Resolved	Agreed
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	We recommend that the TSA Assistant Administrator for the Office of Intelligence and Analysis: Coordinate with Federal Government and private partners to ensure all TSA PreCheck ® eligible populations receive the rules and responsibilities when notifying participants of eligibility.	Open – Resolved	Agreed**
OIG-15-29	Security Enhancements Needed to the TSA PreCheck™ Initiative	1/28/2015	We recommend that the TSA Chief Risk Officer: Develop consolidated guidance outlining processes and procedures for all offices involved in the TSA PreCheck ® initiative.	Open – Resolved	Agreed

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-15-45	Allegations of Granting Expedited Screening through TSA PreCheck Improperly (OSC File No. DI-14-3679)	3/16/2015	Recommendation includes Sensitive Security Information.	Open – Unresolved	Disagreed
OIG-15-45	Allegations of Granting Expedited Screening through TSA PreCheck Improperly (OSC File No. DI-14-3679)	3/16/2015	We recommend that the TSA Assistant Administrator for Security Operations: Modify standard operating procedures to clarify Transportation Security Officer (TSO) and supervisory TSO authority to refer passengers with TSA PreCheck boarding passes to standard screening lanes when they believe that the passenger should not be eligible for TSA PreCheck screening.	Closed*	Agreed
OIG-15-86	The Transportation Security Administration Does Not Properly Manage Its Airport Screening Equipment Maintenance Program	5/6/2015	We recommend that TSA's Office of Security Capabilities and Office of Security Operations develop and implement a preventive maintenance validation process to verify that required routine maintenance activities are completed according to contractual requirements and manufacturers' specifications. These procedures should also include instruction for appropriate TSA airport personnel on documenting the performance of Level 1 preventive maintenance actions.	Open – Resolved*	Agreed

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

Report No.	Report Title	Date Issued	Recommendation	Current Status	Mgmt. Response
OIG-15-86	The Transportation Security Administration Does Not Properly Manage Its Airport Screening Equipment Maintenance Program	5/6/2015	We recommend that TSA's Office of Security Capabilities and Office of Security Operations: Develop and implement policies and procedures to ensure that local TSA airport personnel verify and document contractors' completion of corrective maintenance actions. These procedures should also include quality assurance steps that would ensure the integrity of the information collected.	Open – Resolved*	Agreed
OIG-15-86	The Transportation Security Administration Does Not Properly Manage Its Airport Screening Equipment Maintenance Program	5/6/2015	We recommend TSA's Office of Acquisition enhance future screening equipment maintenance contracts by including penalties for noncompliance when it is determined that either preventive or corrective maintenance has not been completed according to contractual requirements and manufacturers' specifications.	Open – Resolved*	Agreed
OIG-15-98	TSA Can Improve Aviation Worker Vetting	6/4/2015	We recommend that TSA follow up on its request to determine if its credential vetting program warrants the receipt of additional categories of terrorism related records.	Open – Resolved*	Agreed
OIG-15-98	TSA Can Improve Aviation Worker Vetting	6/4/2015	We recommend that TSA issue guidance requiring annual security inspection process to include verification of original documentation supporting airport adjudication of an applicant's criminal history and work authorization.	Open – Resolved*	Agreed

Appendix B
Status of Recommendations for Selected OIG Reports on TSA
(As of 10.28.15)

OIG-15-98	TSA Can Improve Aviation Worker Vetting	6/4/2015	We recommend TSA pilot FBI's Rap Back program and take steps to institute recurrent vetting of criminal histories at all commercial airports.	Open – Resolved*	No Response
OIG-15-98	TSA Can Improve Aviation Worker Vetting	6/4/2015	We recommend TSA require airports to put an end date to credentials of individuals allowed to work in the United States temporarily.	Open – Resolved*	Agreed
OIG-15-98	TSA Can Improve Aviation Worker Vetting	6/4/2015	We recommend TSA analyze denials of credentials due to lawful status issues to identify airports with specific weaknesses, and address these weaknesses with airport badging officials as necessary.	Open – Resolved*	No Response
OIG-15-98	TSA Can Improve Aviation Worker Vetting	6/4/2015	We recommend that TSA implement all necessary data quality checks necessary to ensure that all credential application data elements required by TSA Security Directive 1542-04-08G are complete and accurate.	Open – Resolved*	No Response
OIG-15-150	(U) Covert Testing of the Transportation Security Administration's Passenger Screening Technologies and Processes at Airport Security Checkpoints	9/22/2015	This recommendation is classified.	Open-Unresolved	Agreed

***These recommendations were either resolved or closed within the last six months.**

****TSA management changed their response from disagreed to agreed.**

Appendix C
Current and Planned OIG Work on TSA

Projects In-Progress:

Project Topic	Objective
TSA Security Vetting of Passenger Rail Reservation Systems	Determine the extent to which TSA has policies, processes, and oversight measures to improve security at the National Railroad Passenger Corporation (AMTRAK).
Reliability of TWIC Background Check Process	Determine whether the screening process for the Transportation Worker Identification Credential program (TWIC) is operating effectively and whether the program's continued eligibility processes ensure that only eligible TWIC card holders remain eligible.
TSA's Security Technology Integrated Program (STIP)	Determine whether TSA has incorporated adequate IT security controls for passenger and baggage screening STIP equipment to ensure it is performing as required.
TSA's Controls Over Access Media Badges	Identify and test selected controls over access media badges issued by airport operators.
TSA's Risk-Based Strategy	Determine the extent to which TSA's intelligence-driven, risk-based strategy informs security and resource decisions to protect the traveling public and the Nation's transportation systems.
TSA's Office of Human Capital Contracts	Determine whether TSA's human capital contracts are managed effectively, comply with DHS' acquisition guidelines, and are achieving expected goals.

Upcoming Projects:

Project Topic	Objective
Federal Air Marshal Service's Oversight of Civil Aviation Security	Determine whether the Federal Air Marshal Service adequately manages its resources to detect, deter, and defeat threats to the civil aviation system.
TSA Carry-On Baggage Penetration Testing	Determine the effectiveness of TSA's carry-on baggage screening technologies and checkpoint screener performance in identifying and resolving potential security threats at airport security checkpoints.
Airport Security Capping Report	Synthesize the results of our airport security evaluations into a capping report that groups and summarizes identified weaknesses and root causes and recommends how TSA can systematically and proactively address these issues at airports nationwide.
TSA's Classification Program	Determine whether TSA is effectively managing its classification program and its use of the Sensitive Security Information designation.
TSA's Office of Intelligence and Analysis	Determine whether TSA's Office of Intelligence and Analysis is effectively meeting its mission mandates.

Chairman CHAFFETZ. Thank you.

And Director Grover, we're pleased to have you here with us today, and you're now recognized for 5 minutes.

STATEMENT OF JENNIFER GROVER

Ms. GROVER. Good morning, Chairman Chaffetz, Ranking Member Cummings, and other members and staff. Thank you for the opportunity to discuss how TSA can improve the effectiveness of airport passenger screening.

In the past 6 years, GAO has made 80 recommendations to TSA. TSA has concurred with nearly all of them, and has taken action to address most of them; in fact, TSA has fully implemented more than three-quarters, yet every year, our reports continue to find vulnerabilities in the system, many related to questions of security effectiveness. Why is that?

Our body of work over the past several years shows that TSA has consistently fallen short in basic program management in several aspects. Three shortcomings stand out: First, failing to fully and rigorously evaluate the effectiveness of new technologies and programs; second, not establishing performance measures that fully reflect program goals; and third, failing to use program data to identify areas for improvement.

There are many GAO reports that illustrate the shortfalls in each area. I will provide one example for each.

First, TSA should fully evaluate effectiveness prior to adoption, to ensure that acquisitions and programs work, and to make sure that monies are well spent. In one example, in our review of TSA's body scanning technology, known as AIT, we found that TSA evaluated these systems in the laboratory for effectiveness, but had not addressed how airport screeners were using the systems in the airport environment. If airport screeners don't carry out pat-downs properly to follow up on the potential threats that are signaled by the AIT, and we know that this is an ongoing challenge, then the effectiveness of the overall screening will be diminished.

A related issue is that when TSA is designing studies of effectiveness, it's critical that they follow established study design practices to make sure that the results that they get at the end of the day are valid. TSA has struggled with this. In one example from 2013, we found that a DHS study of behavioral detection indicators did not demonstrate their effectiveness because of study limitations, including the use of unreliable data.

My second point is that TSA should adopt performance measures that reflect program goals to make sure that the programs are operating as intended after they've been stood up. As an example, in 2014, we found that TSA did not have performance measures to determine the extent to which the secure flight program accurately identified passengers on the no-fly selectee and other watchlists, one of the programs key goals.

My third point is that TSA should put systems in place to monitor the data it collects in order to identify areas for improvement. As an example, in 2013, we found that TSA officials collected data on the effectiveness of their canine program, but were only considering overall pass and fail rates. TSA was missing the opportunity

to determine if there were specific search areas, or types of explosives in which the canine teams were more or less effective, and to identify training needed to mitigate deficiencies.

TSA is consistently responsive to GAO's recommendations, and TSA has addressed, at least to some degree, most of the examples I just mentioned. For example, TSA has modified its AIT testing to more fully evaluate effectiveness, and has implemented new procedures to analyze canine testing data. In addition, TSA is in the process of testing its behavior detection activities and developing new secure flight performance measures. But addressing GAO's findings, one by one, will not solve the underlying problem of an organizational culture that has allowed programs to be stood up without sufficient evidence of their effectiveness.

It is critical that TSA systematically address the cross-cutting program management weaknesses that I just described, through well-designed evaluations of their programs and acquisitions, and continuing reliance on appropriate performance measures that allow them to monitor key program goals over time, TSA would be well-positioned to achieve longstanding improvements in aviation security effectiveness and other operations.

Chairman Chaffetz, Ranking Member Cummings, this concludes my statement. I look forward to your questions.

[Prepared statement of Ms. Grover follows:]

United States Government Accountability Office



Testimony
Before the Committee on Oversight and
Government Reform, House of
Representatives

For Release on Delivery
Expected at 10:00 a.m., ET
Tuesday, November 3, 2015

AVIATION SECURITY

Improved Testing, Evaluation, and Performance Measurement Could Enhance Effectiveness

Statement of Jennifer Grover, Director, Homeland
Security and Justice

GAO Highlights

Highlights of GAO-16-199T, a testimony before the Committee on Oversight and Government Reform, House of Representatives

Why GAO Did This Study

Since the attacks of September 11, 2001 exposed vulnerabilities in the nation's aviation system, billions of dollars have been spent on a wide range of programs designed to enhance aviation security. Continuing fiscal pressure highlights the need for DHS's TSA, the primary federal agency responsible for aviation security, to allocate its finite resources for the greatest impact.

This testimony addresses the extent to which TSA has (1) evaluated the overall effectiveness of new technologies, programs, and processes using robust methods of testing and evaluation, (2) established performance measures that fully reflect program goals, and (3) used program data to identify opportunities for improvement. This statement is based on findings from GAO reports and testimonies issued from January 2013 through June 2015, with selected updates conducted from April 2015 through October 2015 to, among other things, determine progress made in implementing previous GAO recommendations. For prior work, GAO analyzed TSA policy documents and interviewed TSA officials, among other things. For the updates, GAO reviewed documents and followed up with TSA officials about actions to address GAO recommendations.

What GAO Recommends

GAO has previously made recommendations to DHS to strengthen TSA's aviation security programs. DHS generally agreed and has either addressed or has actions underway to address most of them. Consequently, GAO is not making new recommendations in this testimony.

View GAO-16-199T. For more information, contact Jennifer Grover at (202) 512-7141 or groverj@gao.gov.

November 3, 2015

AVIATION SECURITY

Improved Testing, Evaluation, and Performance Measurement Could Enhance Effectiveness

What GAO Found

Evaluation of new technologies, programs, and processes. GAO has found that TSA has not consistently evaluated the overall effectiveness of new technologies before adopting them. For example, in March 2014, GAO found that TSA testing of certain Advanced Imaging Technology (AIT) systems—also referred to as full-body scanners—used to screen passengers at airports did not account for all factors affecting the systems. GAO reported that the effectiveness of AIT systems equipped with automated target recognition software (AIT-ATR)—which display anomalies on a generic passenger outline—relied on both the technology's capability to identify potential threat items and its operators' ability to resolve them. However, GAO found that TSA did not include operators' ability in determining overall AIT-ATR system performance. GAO recommended that TSA, in considering procurement of the next generation of AIT systems (AIT-2), measure system effectiveness based on the performance of both the technology and the screening personnel. The Department of Homeland Security (DHS) concurred and, in June 2015, TSA provided documentation showing that, while conducting operational testing of the AIT-2 system, the agency considered screening officer performance and measured AIT-2 system effectiveness based on both the performance of the AIT-2 technology and the screening officers who operate it. This should help TSA assess whether this screening system will meet mission needs and perform as intended.

Establishment of performance measures. GAO has found that TSA has not consistently established performance measures that fully reflect program goals. For example, in September 2014, GAO found that TSA's performance measures for Secure Flight—a passenger prescreening program—did not allow TSA to fully assess its progress toward achieving all of its goals. For example, one program goal was to accurately identify passengers on various watch lists, but TSA did not have measures to assess the extent of system matching errors, such as the extent to which Secure Flight is missing passengers who are actual matches to these lists. GAO recommended that TSA develop such measures. DHS concurred, and, as of April 2015, TSA was evaluating its current Secure Flight performance goals and measures and determining what new performance measures should be established to fully measure progress against program goals.

Use of program data. GAO has also reported on findings related to program data that TSA collected but had not analyzed, missing opportunities to refine and further improve TSA programs. For example, in January 2013, GAO reported that TSA collected and used key program data in support of its National Explosives Detection Canine Team Program, but could better analyze these data to identify program trends. For example, GAO found that in reviewing the results of certain covert tests, TSA did not analyze the results beyond the pass and fail rates, missing an opportunity to identify corrective actions. GAO recommended that TSA regularly analyze available data to identify program trends and areas that are working well and those in need of corrective action to guide program resources and activities. TSA concurred with GAO's recommendation and has taken actions to address this, including requiring analysis of the reasons for certain failed assessments.

Chairman Chaffetz, Ranking Member Cummings, and Members of the Committee:

I am pleased to be here today to discuss our past work examining the effectiveness of Transportation Security Administration (TSA) programs and technologies. It has been over 14 years since the attacks of September 11, 2001 exposed vulnerabilities in the nation's aviation system. Since then, billions of dollars have been spent on a wide range of programs designed to enhance aviation security. However, securing the nation's aviation operations remains a daunting task—with hundreds of airports, thousands of aircraft, and thousands of flights daily carrying millions of passengers and pieces of carry-on and checked baggage. According to TSA, the threat to civil aviation has not diminished—underscoring the need for effective aviation security programs. As the fiscal pressures facing the government continue, so too does the need for TSA to determine how to allocate its finite resources to have the greatest impact on addressing threats and strengthening the effectiveness of its programs and activities.

Over the past several years, TSA has taken numerous steps to strengthen aviation security. For example, TSA has deployed new screening technology intended to enhance passenger screening, developed processes and procedures to help ensure that individuals and their accessible property receive the appropriate level of screening, and established performance measures to assess progress toward achieving some program goals. However, we have identified opportunities to improve upon these efforts.

As requested, my testimony today identifies key issues that we have found to have adversely affected the effectiveness of TSA's aviation security investments and programs. Specifically, this testimony addresses the extent to which TSA has

- (1) evaluated the overall effectiveness of new technologies, programs, and processes using robust methods of testing and evaluation;
- (2) established performance measures that fully reflect program goals; and
- (3) used program data to identify opportunities for improvement.

This statement is based on selected reports and testimonies issued by GAO from January 2013 through June 2015 related to TSA's efforts to

oversee its aviation security measures.¹ In addition, this statement is based on selected updates conducted from April 2015 through October 2015 related to the current status of the Secure Flight and Behavior Detection and Analysis programs and Managed Inclusion process, and progress made in implementing previous GAO recommendations.² For our past work, we reviewed applicable laws, regulations, and agency and departmental policies and TSA program documents; decision memorandums; results from screener performance reviews and testing of Advanced Imaging Technology (AIT), also referred to as full-body scanners; and other documents. We also visited airports—four for our Behavior Detection work, six for our Managed Inclusion work, and nine for our Secure Flight work—which we selected based on a variety of factors, such as volume of passengers screened and geographic dispersion, and interviewed Department of Homeland Security (DHS), TSA, and Federal Bureau of Investigation officials, among other things. Further details on the scope and methodology for the previously issued reports and testimonies are available within each published product. For the updates, we reviewed documents and followed up with TSA officials related to the actions taken to address our recommendations. We conducted the work on which this statement is based in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

¹See GAO, *TSA Explosives Detection Canine Program: Actions Needed to Analyze Data and Ensure Canine Teams Are Effectively Utilized*, GAO-13-239 (Washington, D.C.: Jan. 31, 2013); *Aviation Security: TSA Should Limit Future Funding for Behavior Detection Activities*, GAO-14-159 (Washington, D.C.: Nov. 8, 2013); *Advanced Imaging Technology: TSA Needs Additional Information before Procuring Next-Generation Systems*, GAO-14-357 (Washington, D.C.: Mar. 31, 2014); *Secure Flight: TSA Should Take Additional Steps to Determine Program Effectiveness*, GAO-14-531 (Washington, D.C.: Sept. 9, 2014); *Aviation Security: Rapid Growth in Expedited Passenger Screening Highlights Need to Plan Effective Security Assessments*, GAO-15-150 (Washington, D.C.: Dec. 12, 2014); and *Aviation Security: TSA Has Taken Steps to Improve Oversight of Key Programs, but Additional Actions Are Needed*, GAO-15-678T, (Washington, D.C.: June 9, 2015).

²Secure Flight is a passenger prescreening program that matches passenger information against federal government watch lists and other information to assign each passenger to a risk category. Managed Inclusion is a process that TSA uses to determine passengers' eligibility for expedited screening at some passenger screening checkpoints. TSA's Behavior Detection and Analysis program uses trained officers to identify passenger behaviors indicative of stress, fear, or deception and refer passengers meeting certain criteria for additional screening of their persons and carry-on baggage.

Background

The Aviation and Transportation Security Act (ATSA) established TSA as the primary federal agency with responsibility for securing the nation's civil aviation system.³ This responsibility includes the screening of all passengers and property transported from and within the United States by commercial passenger aircraft.⁴ In accordance with ATSA, all passengers, their accessible property, and their checked baggage are to be screened pursuant to TSA-established procedures at the more than 450 airports at which TSA performs, or oversees the performance of, security screening operations. These procedures generally provide, among other things, that passengers pass through security checkpoints where their person, identification documents, and accessible property are checked by screening personnel. The following are some of TSA's transportation security technologies, processes, and programs.

AIT systems: According to TSA officials, AIT systems provide enhanced security benefits compared with those of walk-through metal detectors by identifying nonmetallic objects and liquids. Following the deployment of AIT, the public and others raised privacy concerns because AIT systems produced images of passengers' bodies that image operators analyzed to identify objects or anomalies that could pose a threat to an aircraft or to the traveling public. To mitigate those concerns, TSA began installing automated target recognition (ATR) software on deployed AIT systems in July 2011.⁵ AIT systems equipped with ATR (AIT-ATR) automatically interpret the image and display anomalies on a generic outline of a passenger instead of displaying images of actual passenger bodies. Screening officers use the generic image of a passenger to identify and resolve anomalies on-site in the presence of the passenger.

Expedited Screening and TSA's Managed Inclusion Process: TSA Pre✓™—TSA's expedited screening program—is intended to allow TSA to devote more time and resources at the airport to screening the passengers TSA determined to be higher or unknown risk while providing expedited screening to those passengers determined to pose a lower risk

³Pub. L. No. 107-71, 115 Stat. 597 (2001).

⁴See 49 U.S.C. § 44901. For purposes of this testimony, "commercial passenger aircraft" refers to U.S.- or foreign-flagged air carriers operating under TSA-approved security programs with regularly scheduled passenger operations to or from a U.S. airport.

⁵See Pub. L. No. 112-95, § 826, 126 Stat. 11, 132-33 (2012) (codified at 49 U.S.C. § 44901(i)) (requiring, in general, that TSA ensure that all AIT systems used to screen passengers are equipped with ATR software).

to the aviation system. To assess whether a passenger is eligible for expedited screening, TSA considers, in general, (1) inclusion on an approved TSA Pre✓™ list of known travelers;⁶ (2) results from the automated TSA Pre✓™ risk assessments of all passengers;⁷ and (3) real-time threat assessments of passengers, known as Managed Inclusion, conducted at airport checkpoints. Through its Managed Inclusion process, TSA has utilized a combination of security measures, including behavior detection officers (BDO) and passenger screening canine teams at the checkpoint to identify passengers suitable for expedited screening.⁸

Behavior Detection and Analysis program: TSA's Behavior Detection and Analysis program, formerly known as the Screening of Passengers by Observation Techniques (SPOT) program, is intended to identify persons who may pose a risk to aviation security. Through these behavior detection activities, TSA's BDOs are to identify passenger behaviors indicative of stress, fear, or deception and refer passengers meeting certain criteria for additional screening of their persons and carry-on baggage. During this referral screening, if passengers exhibit additional such behaviors, or if other events occur, such as the discovery of a suspected fraudulent document, BDOs are to refer these passengers to a law enforcement officer for further investigation, which could result in an arrest, among other outcomes.

Secure Flight: Since TSA began implementing Secure Flight in 2009, the passenger prescreening program has changed from a program that identifies passengers as high risk solely by matching them against federal government watch lists—for example, the No Fly List, comprised of individuals who should be precluded from boarding an aircraft, and the Selectee List, comprised of individuals who should receive enhanced

⁶This includes individuals who have been preapproved as low-risk travelers through application to the TSA Pre✓™ program as well as individuals whom TSA has determined to be low risk by virtue of their membership in a specific group, such as active duty military members.

⁷TSA uses passenger travel-related data to assess passenger risk and assign passengers scores to identify low-risk passengers eligible for expedited screening for a specific flight prior to the passengers' arrival at the airport.

⁸BDOs identify passenger behaviors indicative of stress, fear, or deception and refer passengers meeting certain criteria for additional screening of their persons and carry-on baggage. TSA uses passenger screening canine teams comprised of a canine paired with a handler to deter and detect the use of explosive devices.

screening at the passenger security checkpoint—to one that uses additional lists and risk-based criteria to assign passengers to a risk category: high risk, low risk, or unknown risk.⁹ In 2010, following the December 2009 attempted attack on a U.S.-bound flight, which exposed gaps in how agencies used watch lists to screen individuals, TSA began using risk-based criteria to create additional lists for Secure Flight screening. These lists are composed of high-risk passengers who may not be in the Terrorist Screening Database (TSDB)—the U.S. government's consolidated watch list of known or suspected terrorists—but whom TSA has determined should be subject to enhanced screening procedures.¹⁰ Further, in 2011, TSA began screening passengers against additional identities in the TSDB that are not included on the No Fly or Selectee Lists. In addition, as part of TSA Pre✓™, TSA began screening against several new lists of preapproved low-risk travelers. TSA also began conducting TSA Pre✓™ risk assessments—an activity distinct from matching against watch lists—that use the Secure Flight system to assign passengers scores based upon their travel-related data, for the purpose of identifying them as low risk for a specific flight.

National Explosives Detection Canine Team Program: One of TSA's security layers is its National Explosives Detection Canine Team Program (NEDCTP), composed of over 800 explosives detection canine teams—a canine paired with a handler—aimed at deterring and detecting the use of explosive devices in the U.S. transportation system. Through NEDCTP, TSA trains, deploys, and certifies explosives detection canine teams. TSA deploys the teams to screen passengers and air cargo at airports and other transportation modes, including mass transit.

⁹The No Fly and Selectee Lists are subsets of the Terrorist Screening Database—the U.S. government's consolidated watch list of known or suspected terrorists.

¹⁰Standard screening typically includes passing through a walk-through metal detector or AIT system, which identifies objects or anomalies on the outside of the body, and X-ray screening for the passenger's accessible property. In general, enhanced screening includes, in addition to the procedures applied during a typical standard screening experience, a pat-down and an explosives trace detection or physical search of the interior of the passenger's accessible property, electronics, and footwear.

TSA Has Not Consistently Evaluated the Overall Effectiveness of New Technologies, Programs, and Processes Using Robust Methods of Testing and Evaluation

In our 2014 reviews of TSA's AIT-ATR systems and Managed Inclusion process, we found that TSA had conducted some testing before adopting the new technology and process, but it had not fully demonstrated their effectiveness. We have also previously reported on challenges TSA has faced in designing studies and protocols to test the effectiveness of security systems and programs in accordance with established methodological practices, such as in the case of our 2013 review of TSA's behavior detection activities. TSA has since taken steps to more comprehensively test the effectiveness of the next generation of AIT, known as AIT-2, and further test aspects of the Managed Inclusion process.

With regard to the AIT-ATR system, in March 2014, we reported that, according to TSA officials, checkpoint security is a function of technology, people, and the processes that govern them; however, we found that TSA did not include each of those factors in determining overall AIT-ATR system performance.¹¹ Specifically, we found that TSA evaluated the technology's performance in the laboratory to determine system effectiveness. Laboratory test results provide important insights but do not accurately reflect how well the technology will perform in the field with actual human operators. Additionally, we found that TSA did not assess how alarms are resolved by considering how the technology, people, and processes function collectively as an entire system when determining AIT-ATR system performance. AIT-ATR system effectiveness relies on both the technology's capability to identify threat items and its operators to resolve those threat items.

Given that TSA was seeking to procure the second generation of AIT systems, known as AIT-2, we reported that DHS and TSA would be hampered in their ability to ensure that future AIT systems meet mission needs and perform as intended at airports unless TSA evaluated system effectiveness based on both the performance of the AIT-2 technology and screening officers who operate the technology. According to best practices related to federal acquisitions, technologies should be demonstrated to work in their intended environment. We recommended that TSA measure system effectiveness based on the performance of the AIT-2 technology and screening officers who operate the technology while taking into account current processes and deployment strategies. TSA concurred and has addressed this recommendation. Specifically, in

¹¹GAO-14-357.

June 2015, TSA provided documentation showing that, while conducting operational testing of the AIT-2 system, the agency considered screening officer performance and measured AIT-2 system effectiveness based on both the performance of the AIT-2 technology and the screening officers who operate it. This should help TSA assess whether this screening system will meet mission needs and perform as intended.

With regard to the Managed Inclusion process, in December 2014, we reported that TSA had tested the security effectiveness of the individual components of the Managed Inclusion process, but had not tested the overall effectiveness of the Managed Inclusion process as it functions as a whole.¹² According to TSA officials, TSA tested the security effectiveness of the individual components being used in the Managed Inclusion process at the time—such as BDOs, passenger screening canine teams, and explosives trace detection (ETD) devices—before implementing Managed Inclusion, and TSA determined that each layer alone provides an effective level of security.¹³ However, in our prior body of work, we identified challenges in several of the layers used in the Managed Inclusion process, raising questions regarding their effectiveness.¹⁴ Further, as of the time of our report, TSA officials stated that they had not yet tested the security effectiveness of the Managed Inclusion process as it functions as a whole. TSA officials explained that they had been planning to test the process as a whole and estimated that such testing would begin in October 2014 and would take 12 to 18 months to complete. However, TSA could not provide us with specifics or a plan or documentation showing how the testing was to be conducted, the locations where it was to occur, how those locations were to be selected, or the timeframes for conducting testing at each location. In

¹²GAO-15-150.

¹³In September 2015, TSA officials stated that they had suspended the use of one type of Managed Inclusion that used a combination of BDOs and ETD technology but will continue to operate Managed Inclusion with BDOs and passenger screening canines.

¹⁴For example, in our November 2013 report on TSA's Behavior Detection and Analysis program, we found that although TSA had taken several positive steps to validate the scientific basis and strengthen program management of its Behavior Detection and Analysis program, TSA had not demonstrated that behavioral indicators can be used to reliably and effectively identify passengers who may pose a threat to aviation security. See GAO-14-159, *Explosives Detection Canines: TSA Has Taken Steps to Analyze Canine Team Data and Assess the Effectiveness of Passenger Screening Canines*, GAO-14-695T (Washington, D.C.: June 24, 2014); and *Aviation Security: TSA Has Enhanced Its Explosives Detection Requirements for Checked Baggage, but Additional Screening Actions Are Needed*, GAO-11-740 (Washington, D.C.: July 11, 2011).

general, evaluations are most likely to be successful when key steps are addressed during design, including defining research questions appropriate to the scope of the evaluation, and selecting appropriate measures and study approaches that will lead to valid conclusions. As a result, we recommended that to ensure TSA's planned testing yields reliable results, the TSA Administrator take steps to ensure that TSA's testing of the Managed Inclusion process adheres to established evaluation design practices.¹⁵

DHS concurred with our recommendation and has taken some initial steps toward addressing it. Specifically, in August 2015, TSA officials provided us with a testing schedule for additional testing of canine teams and BDOs—two of the security layers used in the Managed Inclusion process—and stated that they had plans to ensure that the tests adhere to recognized test and evaluation protocols. However, TSA has not provided documents explaining how it plans to evaluate the Managed Inclusion process as a whole and how this evaluation will adhere to established evaluation practices. These documents would need to constitute a research plan specifically tailored to evaluating Managed Inclusion and include specifics such as the types of data to be collected, the methodology for collecting and analyzing the data, and the steps TSA plans to take to help ensure the study will isolate the security effects of the Managed Inclusion process itself and rule out plausible alternative explanations for study results.

Further, in November 2013, we found that a 2011 DHS study conducted to validate SPOT's behavioral indicators did not demonstrate their effectiveness because of study limitations, including the use of unreliable data.¹⁶ We concluded that the usefulness of DHS's April 2011 validation study was limited, in part because the data the study used to examine the extent to which the SPOT behavioral indicators led to correct screening decisions at security checkpoints were from the SPOT database that we had previously found in May 2010 to have several weaknesses, and thus were potentially unreliable.¹⁷ Specifically, in May 2010, we assessed the

¹⁵GAO, *Designing Evaluations: 2012 Revision*, GAO-12-208G (Washington, D.C.: Jan. 31 2012).

¹⁶GAO-14-159.

¹⁷GAO, *Aviation Security: Efforts to Validate TSA's Screening Behavior Detection Program Underway, but Opportunities Exist to Strengthen Validation and Address Operational Challenges*, GAO-10-763 (Washington, D.C.: May 20, 2010).

reliability of the SPOT database and concluded that the database lacked controls to help ensure the completeness and accuracy of the data, such as computerized edit checks to review the format, existence, and reasonableness of data. In that report, we also found, among other things, that BDOs could not record all behaviors observed in the SPOT database because the database limited entry to eight behaviors, six signs of deception, and four types of serious prohibited items per passenger referred for additional screening. At that time, BDOs were trained to identify 94 signs of stress, fear, and deception, or other related indicators.¹⁸ In May 2010, we recommended that TSA make changes to ensure the quality of SPOT referral data, and TSA subsequently made changes to the SPOT database. However, we found in our 2013 report that DHS's validation study used data that were collected from 2006 through 2010, prior to TSA's improvements to the SPOT database. As a result, we determined that the data used in the SPOT validation study were not reliable enough for TSA to use in conducting a statistical analysis of the association between the indicators and high-risk passenger outcomes.¹⁹ Because the study used unreliable data, its conclusions regarding the use of the SPOT behavioral indicators for passenger screening were questionable and did not support the conclusion that the indicators can or cannot be used to identify threats to aviation security.

Due to these and other methodological issues we found in DHS's validation study, we recommended in November 2013 that the Secretary of Homeland Security direct TSA to limit future funding support for the agency's behavior detection activities until TSA can provide scientifically validated evidence that demonstrates that behavioral indicators can be

¹⁸The 2011 SPOT standard operating procedures listed 94 signs of stress, fear, and deception, or other related indicators that BDOs are to look for, each of which is assigned a certain number of points.

¹⁹The SPOT validation study analyzed data collected from 2006 to 2010 to determine the extent to which the indicators could identify high-risk passengers defined as passengers who (1) possessed fraudulent documents, (2) possessed serious prohibited or illegal items, (3) were arrested by a law enforcement officer, or (4) any combination of the first three measures. The validation study reported that 14 of the 41 SPOT behavioral indicators were positively and significantly related to one or more of the study outcomes. These outcome measures were developed for the validation study. Possession of fraudulent documents is a subset of possession of serious prohibited or illegal items. According to the validation study, the possession of fraudulent documents was studied independently as an outcome measure, since it was the largest class of serious prohibited or illegal items.

used to identify passengers who may pose a threat to aviation security. DHS did not concur with our recommendation, in part because it disagreed with our analysis of TSA's behavioral indicators. In January 2015, TSA provided documentation describing its plans to enhance its behavioral-based screening program, including the development of revised behavioral indicators and new protocols for their use. In October 2015, TSA officials told us they were in the process of pilot testing the new protocols in the airport environment and expect to complete the tests by February 2016. Officials stated that TSA plans to make a determination about whether the new protocols are ready for further testing, including an operational test to determine the protocol's effectiveness, at that time. Further, TSA officials estimated that the operational test may begin in the summer of 2016, but they did not have an estimated completion date because the behavior detection covert test methodology had not yet been developed and the threat inject methods had not yet been deemed sufficiently mature to test effectiveness.²⁰ Until TSA completes its planned tests and study on the use of the new protocols and provides the scientifically validated evidence of effectiveness, such as successful operational testing, the agency continues to fund activities that have not been determined to be effective.

TSA Has Not Consistently Established Performance Measures That Fully Reflect Program Goals

In 2014, we reported on two instances in which TSA's performance measures made it difficult to assess TSA's performance in meeting its goals. First, we found that TSA did not have adequate performance measures for all Secure Flight program goals and second, we found that TSA tracked performance information on the expedited screening program that did not link to program goals.

In September 2014, we found that Secure Flight had established program goals that reflect new program functions since implementation began in 2009 to identify additional types of high-risk and also low-risk passengers; however, the program performance measures in place at that time did not allow TSA to fully assess its progress toward achieving all of its goals.²¹ For example, one program goal was to accurately identify passengers on

²⁰In October 2015, TSA officials stated that they also plan to conduct a study on the use of the new protocols at 50 airports to examine disparity questions regarding racial, ethnicity, and religious garb demographics. According to these officials, this study, which should begin at airports as the new protocols are implemented and require 12 to 15 months of data collection, is not expected to be completed until 2018.

²¹GAO-14-531.

various watch lists. To assess performance toward this goal, Secure Flight collected various types of data, including the number of passengers TSA identifies as matches to high- and low-risk lists, but did not have measures to assess the extent of system matching errors—for example, the extent to which Secure Flight is missing passengers who are actual matches to these lists. We concluded that additional measures that address key performance aspects related to program goals, and that clearly identify the activities necessary to achieve goals, in accordance with the Government Performance and Results Act, would allow TSA to more fully assess progress toward its goals.²² Therefore, we recommended that TSA develop such measures, and ensure these measures clearly identify the activities necessary to achieve progress toward the goal. DHS concurred with our recommendation, and, according to TSA officials, as of April 2015, TSA's Office of Intelligence and Analysis was evaluating its current Secure Flight performance goals and measures and determining what new performance measures should be established to fully measure progress against program goals. Establishing additional performance measures that adequately indicate progress toward goals would allow Secure Flight to more fully assess the extent to which it is meeting program goals.

Further, in December 2014, we reported that TSA's performance measure for assessing its expedited screening program did not accurately link to the program's goals—to ensure: (1) that 25 percent of air passengers were eligible for expedited screening by the end of calendar year 2013, and (2) that 50 percent of passengers were eligible for expedited screening by the end of calendar year 2014.²³ According to TSA documents, TSA uses one measure—the total number of air passengers screened daily using expedited screening as a percentage of the total number of passengers screened daily—to assess progress

²²Government Performance and Results Act (GPRA) of 1993, Pub. L. No. 103-62, 107 Stat. 285, as updated by the GPRA Modernization Act of 2010, Pub. L. No. 111-352, 124 Stat. 3866 (2011).

²³GAO-15-150.

toward these goals.²⁴ TSA collects data for this measure by reporting, not the number of passengers designated as eligible for expedited screening, but the number of passengers who actually receive such screening. However, because expedited screening is voluntary, not all passengers who are eligible necessarily use expedited screening. For example, a passenger may be traveling with a group in which not all passengers in the group are eligible for expedited screening, so the passenger may choose to forgo expedited screening. As a result, the information that TSA is reporting to show that it is meeting its goal may be understated and inaccurate.

TSA's Chief Risk Officer agreed that the goals and the measure are not linked, but said that tracking actual screening data rather than eligibility data presents a more accurate picture of the expedited screening program performance. While we agreed that tracking actual screening data may provide insights about expedited screening program performance, we reported that ensuring goals and measures are aligned is important to provide more accurate performance measurement data to guide program performance and to identify potential areas for improvement. Best practices regarding the key attributes of successful performance measurement state that performance measures should link and align with agency-wide goals and the mission should be clearly communicated throughout the organization. We recommended that the TSA Administrator align TSA's expedited screening performance goals and measures to ensure that TSA, as well as lawmakers, has accurate information by which to measure the performance of its expedited screening programs. TSA has not yet addressed this recommendation.

²⁴In addition, TSA used seven other measures to track other screening activities daily and reported the performance results of these measures to airport federal security directors (FSD)—TSA officials with overall responsibility for security operations at one or more airports—to keep them apprised of this progress. According to TSA officials, these additional measures are intended to be internal program measures and are not published outside of TSA. The daily report includes targets that FSDs are to meet daily for each of these measures, and if these targets are not met for a period of 4 weeks, the FSD is to develop an action plan to show how the airport plans to work to meet the targets.

**TSA Has Not
Consistently Used
Program Data to
Identify Opportunities
for Improvement**

We have also reported on findings related to program data—such as canine program assessment data and Secure Flight screening error data—that TSA collected but had not analyzed, missing opportunities to refine and further improve TSA programs.

In January 2013, we reported that TSA collected and used key canine program data in support of its NEDCTP program, but could better analyze these data to identify program trends.²⁵ For example, we found that in reviewing short notice assessments (covert tests), TSA did not analyze the results beyond the pass and fail rates. Therefore, TSA was missing an opportunity to determine, for example, if there were any search areas or types of explosives in which canine teams were more effective compared with others, and what, if any, training may be needed to mitigate deficiencies. *Standards for Internal Control in the Federal Government* calls for agencies to ensure that ongoing monitoring occurs during the course of normal operations to help evaluate program effectiveness.²⁶ We recommended that TSA regularly analyze available data to identify program trends and areas that are working well and those in need of corrective action to guide program resources and activities. TSA concurred with our recommendation and has taken actions that address our recommendation. For example, in the event a canine team fails a short notice assessment, TSA now requires that canine team supervisors complete an analysis of the team's training records to identify an explanation for the failure.

Further, in September 2014, we reported that TSA has processes in place to implement Secure Flight screening determinations at airport checkpoints, but could evaluate available data on screening errors to identify corrective actions.²⁷ TSA information from May 2012 through February 2014 that we assessed indicated that screening personnel had made errors in implementing Secure Flight determinations at the checkpoint. TSA officials we spoke with at five of the nine airports where we conducted interviews stated that they conduct after-action reviews of

²⁵GAO-13-239.

²⁶GAO, *Internal Control: Standards for Internal Control in the Federal Government*, GAO/AIMD-00-21.3.1 (Washington, D.C.: November 1999).

²⁷See GAO-14-531. Screening personnel at airport checkpoints are primarily responsible for ensuring that passengers receive a level of screening that corresponds to the level of risk determined by Secure Flight by verifying passengers' identities and identifying passengers' screening designations.

screening errors at the checkpoint and have used these reviews to take action to address the root causes of those errors. However, we found that TSA did not have a systematic process for evaluating the root causes of these screening errors at the checkpoint across airports, which could allow TSA to identify trends across airports and target nationwide efforts to address these issues. Consistent with *Standards for Internal Control in the Federal Government*, we recommended in September 2014 that TSA develop a process for evaluating the root causes of screening errors at the checkpoint and then implement corrective measures to address those causes.²⁸ DHS concurred with our recommendation and has taken actions to address them. Specifically, TSA provided us with documentation of its analysis of screening errors that occurred over a 3 month period—June 2015 through early September 2015—and the root causes of those errors. Additionally, in September 2015, TSA made changes to its screening procedures to address the root causes of errors identified through its analysis.

Chairman Chaffetz, Ranking Member Cummings, and Members of the Committee, this completes my prepared statement. I would be pleased to respond to any questions that you may have at this time.

GAO Contacts and Staff Acknowledgments

For questions about this statement, please contact Jennifer Grover at (202) 512-7141 or groverj@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Individuals making key contributions to this statement include Maria Strudwick (Assistant Director), Claudia Becker, Michele Fejfar, Susan Hsu, and Tom Lombardi. Key contributors for the previous work that this testimony is based on are listed in each product.

²⁸GAO/AIMD-00-21.3.1.

This is a work of the U.S. government and is not subject to copyright protection in the United States. The published product may be reproduced and distributed in its entirety without further permission from GAO. However, because this work may contain copyrighted images or other material, permission from the copyright holder may be necessary if you wish to reproduce this material separately.

GAO's Mission

The Government Accountability Office, the audit, evaluation, and investigative arm of Congress, exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO's commitment to good government is reflected in its core values of accountability, integrity, and reliability.

**Obtaining Copies of
GAO Reports and
Testimony**

The fastest and easiest way to obtain copies of GAO documents at no cost is through GAO's website (<http://www.gao.gov>). Each weekday afternoon, GAO posts on its website newly released reports, testimony, and correspondence. To have GAO e-mail you a list of newly posted products, go to <http://www.gao.gov> and select "E-mail Updates."

Order by Phone

The price of each GAO publication reflects GAO's actual cost of production and distribution and depends on the number of pages in the publication and whether the publication is printed in color or black and white. Pricing and ordering information is posted on GAO's website, <http://www.gao.gov/ordering.htm>.

Place orders by calling (202) 512-6000, toll free (866) 801-7077, or TDD (202) 512-2537.

Orders may be paid for using American Express, Discover Card, MasterCard, Visa, check, or money order. Call for additional information.

Connect with GAO

Connect with GAO on Facebook, Flickr, Twitter, and YouTube. Subscribe to our RSS Feeds or E-mail Updates. Listen to our Podcasts and read The Watchblog. Visit GAO on the web at www.gao.gov.

**To Report Fraud,
Waste, and Abuse in
Federal Programs**

Contact:

Website: <http://www.gao.gov/fraudnet/fraudnet.htm>

E-mail: fraudnet@gao.gov

Automated answering system: (800) 424-5454 or (202) 512-7470

**Congressional
Relations**

Katherine Siggerud, Managing Director, siggerudk@gao.gov, (202) 512-4400, U.S. Government Accountability Office, 441 G Street NW, Room 7125, Washington, DC 20548

Public Affairs

Chuck Young, Managing Director, youngc1@gao.gov, (202) 512-4800, U.S. Government Accountability Office, 441 G Street NW, Room 7149, Washington, DC 20548



Please Print on Recycled Paper.

Chairman CHAFFETZ. We thank you. We'll now move to the question portion. We're going to start by recognizing the gentleman from Florida, Mr. Mica, for 5 minutes.

Mr. MICA. Thank you, Mr. Chairman, and the ranking member.

Administrator, I'm pleased to have you aboard. You come aboard when there's been unprecedented amount of criticism and findings of failure with your agency, so—and I know you're very intent, I had a chance to talk to you, on trying to improve things and correct these things. But I think what—again, looking at this over 14 years and our objective, our objective is to keep the American people safe. In your statement, I guess, and statements we've had, you screened 660 million passengers last year, I guess it was?

Mr. NEFFENGER. That's right.

Mr. MICA. Yeah. And what percentage of those folks actually pose a risk? It's got to be less than 1 percent. Would you agree with that?

Mr. NEFFENGER. A very small percentage of people pose a risk.

Mr. MICA. Yes. It's a very small percentage. But most of our resources are spent on building a bureaucracy, and there's over \$2.3 billion on TSA bureaucracy to manage the 46,000 screeners that Congress has put a cap on. We've actually seen a failure rate disclosed publicly with—from 30,000 screeners to 46,000 screeners where things have gotten worse.

You stated in your testimony, there are a number of actions that have been completed, including the following: Requiring screening leadership at each airport, oversight AIT operation, and training and things of that sort. I'm telling you, even when you get this done, you've just—you have created a system that doesn't address the risk. Your chances of failure are almost 100 percent with the current system, even with the training that you employ. I can thwart the AIT machines.

It took me 2 years to get TSA just to look at the AIT machines, you don't know the history of that, because I knew what we had in place. The puffers didn't work, and I knew the threat was there for explosives, and it's still there, but we—you all—and we've tried to put in different programs to make up for the layers that fail.

Behavior detection. \$1 billion was spent on behavior detection. We have hundreds, thousands of officers. And here's a report here by the Freedom to Travel USA, it says, "In the airports where it's used, 50,000 travelers have been flagged. Zero of these were terrorists. Sixteen known terrorists passed through the behavior detection airports on at least 24 occasions."

My whole point here is that you need to get out of the personnel business, back into the security business, turning TSA back into doing the things that will save us, the intelligence gathering, setting the parameters for someone else. You're not a very good personnel agency, nor will you be. The turn—the recruitment's horrible, the training's horrible, the retention is horrible. It just goes on and on.

So, again, no matter what you do, if you don't address the risk and put our resources—we should be putting our resources—every instance in which we've stopped them has been first the public, the public. Since 9/11, since that—that morning when they found out on Flight 93, they attacked those terrorists and took them down.

Richard Reid, it was the crew and passengers that stopped him, in every instance. The liquid bombers, they woke me up in Texas and told me about that. That was British and Israeli intelligence. But it's got to be our intelligence that saves the day. Refocusing that, get you out of the personnel business, get back into the security business, addressing that 1 percent.

What's scary, too, is the 1 percent, the no-fly list and the other lists, we still don't have that right, according to some of the folks who have testified, some of the evidence that I've seen.

So, again, I don't mean to give you a hard time, but, I think, please consider this. I sat, when we devised this system with the head of—and I told you this story, of maximum security facilities, and they—when you go into those, you get body cavity searches. And they told me even with that, which you're not going to do to 659,000—or 659 million Americans, this still—stuff gets through, contraband, drugs, weapons.

So, again, I look forward to your response. You don't have to give it today, but I think if we change that out, get you out of the personnel business, into the security business, that's the best use of our resources.

Mr. Chairman, too, I'd like to put this report in the record, if I may. It's the Freedom to Travel USA, TSA Failures by the Numbers. I think it's very enlightening, if you would grant that request.

Chairman CHAFFETZ. Without objection, so ordered.

Chairman CHAFFETZ. We'll now recognize the gentleman from Virginia, Mr. Connolly, for 5 minutes.

Mr. CONNOLLY. I thank the chair, and I thank the distinguished ranking member, my friend, Mr. Cummings.

Administrator Neffenger, welcome. And I really welcome your ascension to this office. My confidence in you was reinforced when I read your testimony about the determination of TSA on root causes. And you said the underlying screening effectiveness and technology challenges, you've said, a disproportionate focus on the past has been on screening operation's efficiency rather than security effectiveness, which is, after all, the mission. Would you expand on that?

Mr. NEFFENGER. Thank you, Congressman. As I mentioned in my opening statement and in my written statement, the—as we looked at root causes—and you really do have to look at root causes in trying to determine, you know, why it is that we saw the same failures repeatedly over time. So when you—when you have an operating agency that observes the same things over and over, it tells me that you haven't really figured out what the problem was.

And so, when you look at root causes, it goes beyond just whatever happened at the checkpoint that failed. You have to determine what—what is it in your culture and in your organizational approach.

If you recall in the early days of TSA, there was a great concern about the wait times, and there was a great deal of pressure on TSA to get people through the screening checkpoints faster. And there's a good reason for that. You don't want a lot of people packing up outside the sterile area. I think you have to be very careful, though, when you change—when you inject a concern like that to

an organization, because what you measure is what you're going to get for performance.

And, so, I really do believe that over time, what happened was a great deal of effort to ensure wait times were kept to a minimum, people were pushed through the checkpoint, that puts pressure on the screeners to clear passengers versus resolving the alarms that they present.

And, so, in that slight nuance of difference between clearing a passenger versus resolving something that the passenger presents can change the effort you've put into looking for that, and we found that.

Mr. CONNOLLY. I think it's really important the point you're making, because it's very easy, bureaucratically, to check a box and say, well, what do you mean? We've improved efficiency 600 percent. Yeah, but that isn't the goal. That's a means toward reaching the goal. And keeping one's eye on the mission, making the main thing the main thing, is really important, and I thank you for doing that.

Mr. Roth, and/or Ms. Grover, GAO has issued more than 25 TSA-specific reports in the last 5 years. The catalyst for this hearing was covert tests that your agency, Mr. Roth, conducted of passenger screening process. What—what did you find from that covert operation?

Mr. ROTH. The specific results, of course, are classified, so I can't discuss them in this hearing, but what we found in a series of tests, which took place across the country at different airports of different sizes, using a variety of concealment methods by individuals who are auditors with no specialized training or skill, is a universal, disappointing performance by the TSA screening checkpoint.

And, again, what we look at is the entire screening checkpoint system. It's not just the AIT, it's not just the people, it's not just the procedures, but how they work together.

Mr. CONNOLLY. Would it be fair to say, without compromising security, that some significant breaches occurred?

Mr. ROTH. Yes.

Mr. CONNOLLY. Very troubling.

And, Mr. Neffenger, presumably you're aware of those findings?

Mr. NEFFENGER. Yes, I am.

Mr. CONNOLLY. And has the agency taken corrective steps to try to address what Mr. Roth and his team discovered covertly?

Mr. NEFFENGER. Yes, sir, we have. One of the first things I did—actually, when this became public, it became public during my confirmation process between the first and second confirmation hearings, I had a chance to meet with Mr. Roth, and then I met with Mr. Roth again after swearing in as Administrator, after being confirmed and swearing in. And one of the first things I wanted to do was understand the exact nature of the failures that occurred, how they represented, and so that we could begin to address the root causes, as you had mentioned earlier.

We have put a tremendous amount of effort into not just determining the instant failures, but reaching back through the organization to figure out what systemically was going on that brought

this to it, because as you may also be aware, we have had other such discoveries of failures in the past.

Mr. CONNOLLY. Mr. Chairman, it may be useful at some point to have a classified briefing where we get fully briefed on that.

One final question I'm going to sneak in in my last 18 seconds. But Mr. Neffenger, one of the problems, and you've raised it, too, that has occurred is, you know, because it's now a lucrative business to charge for baggage, it has forced passengers to try to compensate by bringing in overhead luggage as much as possible. This affects your business and your mission. Could you just address that?

Mr. NEFFENGER. There's a lot more baggage coming through the checkpoint now than there used to be, and that baggage is much more packed with gear than it used to be. This is a challenge for anybody to screen it. I know that the airlines have been trying to—trying hard to enforce their one-plus-one rule, but sometimes that enforcement doesn't take place until you get to the actual loading gate and that—and so, multiple bags have come through the checkpoint.

So we've been working very closely with the airline industry and with the airports to see what we can do to reduce some of that stress on the checkpoint, but it's just a fact of modern life that there's more stuff arriving at a checkpoint than used to arrive.

Chairman CHAFFETZ. I thank the gentleman.

I now recognize the gentleman from Michigan, Mr. Walberg, for 5 minutes.

Mr. WALBERG. Thanks, Mr. Chairman, and thanks to the panel for being here.

I wasn't—I wasn't here in Congress when TSA was instituted, and I don't have a lot of answers to how you do it. I just know that when I enter the airport in Detroit, I go through multiple contacts with multiple agents, including TSA. I would also hasten to say at a meeting like this, while there are concerns and there are problems we have to deal with, overwhelmingly, I've been treated well by TSA even when they didn't know I was a Member of Congress. And the fact of the matter is that only two incidences can I remember the exact airport where I was not treated well: Los Angeles and Dulles. That says, for the most part, your personnel, doing a job I wouldn't want to do, are at least attempting to work with—and I want to applaud you for that. We can—we can jump on you, but I think there is also something to say about having an untenable job to do, where you have to be right all the time.

And fortunately since 9/11, as a result of TSA's efforts and others' efforts, including airlines and passengers, we have not had a downed plane, and we want that to continue.

But I do want to ask you some questions. Mr. Neffenger, in our hearing today, you have pledged to fix some things. During other public crises, other TSA administrators have pledged to fix things. What will be different this time?

Mr. NEFFENGER. Thank you for that question. It really goes to what I was saying earlier, and that is, when you have—so my experience is—I've been in operating—an operator my whole career. I spent 34 years in the United States Coast Guard. In many respects, a lot of similarities between the Coast Guard and the TSA

in this sense: both have—are mission-based organizations, both have, in some respects, missions that have a no-fail quality to them, both have a distributed frontline workforce that's responsible for carrying out that mission.

So in my experience, what—what makes operating agencies challenging and exciting at the same time is, challenging in that you have something you have to do every single day, and that tyranny of the right now can lead you to simply address the problem in its—in its presentation. By that, I mean you have a failure at a checkpoint, you work with the team at that checkpoint, you work with the team at that airport and you say, Look, you failed, here's how you failed, don't do it again. That may seem like it fixes the problem, but it really doesn't over time.

What you find is that—is that typically, if you have failures like that in a dedicated frontline workforce, and I really appreciate the words you had to say about that workforce, then it means you've got something more systemic going on, and it's hard sometimes for an operating agency to take the time to do that. I really—

Mr. WALBERG. How will you monitor that bigger picture, then?

Mr. NEFFENGER. Well, it starts by recognizing that there is a bigger picture, and saying it out loud, so that's something I said when I first came in. Any time you have multiple failures that look the same over time, that means something else is going on. And, so, we're going to stop, we're going to look at the entire approach of the organization, how well do we understand our mission? How well have we articulated that mission in terms of what it needs to succeed? How well have we deployed the equipment that we think addresses that need? How well have we trained our people to work that equipment? And what kinds of processes have we given them and procedures? For example, we found that there were 3,100 independent tasks that we expected a screener to memorize. That's an impossible task. You can't do that.

So we—it gets additive over time. So you've got to step back to first principles and say this is about the mission, first and foremost, and it's about the performance of that mission in an environment in which we have so much at stake. It pays—you have to look at what's already been done by third-party independent auditors. I greatly value the work of the GAO and the IG's offices, because they give me a third-party independent assessment of what are some of those challenges, and I can use that as a way to go back and begin to dig into the deeper issues in the organization.

Mr. WALBERG. Let me add on to what my friend, Mr. Connolly, started with you, and I think it goes to this idea of bigger picture. How will you work with airports, airlines, and others to disrupt the incentives that can emphasize speed over security?

Mr. NEFFENGER. Well, as I mentioned, I've met with a number of those of the—actually, all the major airlines in the U.S. as well as their associations and other stakeholders. It starts by recognizing that this is an interactive system. TSA doesn't work alone inside the aviation system. It works in conjunction with all the other players, and everyone has a role to play in the security of the system.

And, so, it's not simply a hand-off in a transaction from one entity in the system to the other. It's a continuous interaction. And

that interaction requires that they be aware of the challenges that their system imposes upon our responsibility for security, just as we have to be aware of the challenges that our security responsibilities impose on them. I will tell you that they've been very receptive to that.

There's a lot more work we can do to connect more effectively to the various players in the system. And so, I've established a number of regular meetings now with my counterparts in the private sector as well as across the system to begin to address what I think are these longstanding, overarching issues that have been, not necessarily ignored, but have not been attended to appropriately.

Chairman CHAFFETZ. I thank the gentleman.

Mr. WALBERG. I yield back.

Chairman CHAFFETZ. I now recognize the ranking member, Mr. Cummings, for 5 minutes.

Mr. CUMMINGS. Thank you very much.

Director Grover, when you were talking about the problems, I wrote two words, and I wrote the words "culture gap." In other words, I think from just listening to you, a culture has been established, and I think that culture is, in part—and I want you all to comment on this. I'm just listening and reading. You know, the chairman will tell you again when we, when dealing with the Coast Guard—not the Coast Guard, but the Secret Service, one of the things that we worried about was a culture of complacency. Not just people are not good people, but you get used to nobody jumping over the fence at the White House, so you—because everything's going to be all right.

And, so, what happens is that people get sort of lulled and slow, but it's a culture, and they—things are going to be all right. And then, Administrator, when you combine that with this thing about making sure you get the people through quickly and you put the quickness over, you know, the mission, then, I think, you have a combination for problems, and I think those kind of problems are very difficult to address, and I'm trying to figure out—first of all, would you comment on that, Ms. Grover?

Ms. GROVER. Yes, sir. Thank you for the opportunity.

So TSA was originally stood up in a culture of crisis, where they had to be responsive, and they had to be responsive fast. But at this point, it is time to transition to a culture of accountability for effectiveness. I am—TSA definitely is aware of the importance of ensuring their programs are effective, and I appreciate Administrator Neffenger's remarks about enhancing that culture throughout the workforce. But at the end of the day, for GAO, it comes down to a very simple question, which is: Does the program work? And how do you know? And no matter how much the staff are educated in the current failures or retrained, no matter how much there is an emphasis on new SOPs, at the end of the day, there has to be measurement, like the Administrator said, and they have to have a systematic process to follow through to make sure their programs work, and that is what lies beneath a strong culture of accountability for effectiveness.

Mr. CUMMINGS. You don't know what you've just said. I think you hit—you just hit the nail quite well. So they started with a culture of emergency, and so everybody's, we got to make sure that

we protect ourselves, and then when the emergency seems to wane, you can slowly move into what I talk about, the culture of complacency. But now we've got to change our whole dynamic and create a new normal, and that is a new normal of accountability.

Now, you—you've got a plan, right? You have a plan?

Mr. NEFFENDER. Yes, sir, I do.

Mr. CUMMINGS. And you plan to implement it by March of 2016? Is that right?

Mr. NEFFENDER. Well, there are a number of steps in that, but—

Mr. CUMMINGS. That's what I wanted to ask you. What will we—what will the status of the screening process be at that date? Will it have reached what you envision as peak effectiveness, or will it still be in the process or improving mode?

Mr. NEFFENDER. Well, so in answer to that question, let me say, I think that you have to always be in a continuous improvement mode, I think you hit it on the head, otherwise you do go complacent. The day you think you get the screening process or security process right is the day you'll be defeated, and I believe that entirely. So this is continuous focus on the mission, continuous focus, and continuous evaluation through key measures of your performance of that mission.

Now, that said, what have we done to address these immediate challenges? We've retrained the entire frontline workforce. And I know that sounds easy to say, but let me explain what that means. We went—we called it mission essentials threat mitigation, and we called it—I wanted to call it mission essentials for a reason. It's about reminding people that we have a mission, first and foremost, and it is truly a no-fail mission in the aviation system, and to remind them and to reactivate that desire in them that they exhibited when they raised their hand and said, I swear to support and defend the Constitution of the United States.

Mr. CUMMINGS. And how do you do that? How do you do that, what you just said?

Mr. NEFFENDER. Well, I think you do—first, you say it out loud.

Mr. CUMMINGS. Right.

Mr. NEFFENDER. It starts by at the very top of the organization saying what you do is critically important, and I'm going to make sure that everything I do is designed to make sure you succeed at your mission, to focus, first and foremost. So I start at the mission every day and I work backwards. That means I start with the junior-most person in this organization that's standing on a screening line, and I think about what it means for that individual to do their job effectively, and what do I need to do and what does everybody between me and that individual need to be focused on to make that happen? This isn't about me as an individual, it's not about making myself look good or anybody between me and that person; it's about every one of us remembering that we serve a higher order here, and we engage in a higher order.

That is surprisingly important for a frontline workforce to hear. I learned that in my years in the Coast Guard. That—it may seem simple, but that's the most powerful thing you can—you can tell somebody, is what you do is important, and it's so important that

I'm going to spend every waking moment paying attention to getting that done right.

Mr. CUMMINGS. Just one last comment, Mr. Chairman.

I hope that you took note of what Director Grover said, and I hope that in your discussions with your staff, that you—that you remind them about this, what she said: One time it was a culture that was about emergency, now it's about accountability, because I think that that makes a lot of sense.

Mr. NEFFENGER. Yes, sir.

Mr. CUMMINGS. And hopefully we'll get another chance to ask a few questions. Thank you.

Chairman CHAFFETZ. I thank the gentleman.

I now recognize the gentleman from South Carolina, Mr. Gowdy, for 5 minutes.

Mr. GOWDY. Thank you, Mr. Chairman.

Mr. Neffenger, we're all, I guess, kind of creatures of our own personal experience, but I'll tell you, having—most of us travel on a regular basis. And the airports that I use, which are primarily Greenville, Spartanburg, and South Carolina, Charlotte, and DCA, I have never had anything other than professional encounters with TSA folks, ever. There's not a single instance where I can think of where it wasn't A-plus in terms of professionalism.

So, you know, we're only creatures of our own—and I don't wear a member pin, so don't anybody think it's because they figured out what I do for a living. They didn't. And I don't, thank the Lord, look like most of my colleagues, so I don't think that it was for that reason.

I think it's tough being in law enforcement, period. I think, quite frankly, without digressing into a broader conversation about that, I think it's become even tougher in the last couple years to be in law enforcement.

So what I want you to tell me is where are your applicants coming from? What is the source of the poor morale, other than that you only make the news when something goes wrong? If there's a TSA agent who is involved in stealing, or if there's a TSA agent that does something wrong, that's when you make the news. But you don't ever make the news for just simple professionalism. So what's the source of the morale issues? Where do you draw your applicants from? And what is your plan on bolstering morale?

Mr. NEFFENGER. Well, thanks for your question, Mr. Gowdy, and thank you for your good words about our workforce.

I will echo the fact that I think the majority of the TSA workforce, particularly the screening workforce, are truly dedicated, responsible and—and patriotic Americans. These are people who, as somebody has already mentioned, have taken an oath to do a job that many people in this country would not want to do and very few people would choose to do.

That said, so what's the source of morale? Again, my experience, it's a well-defined mission statement and a clear mission of importance. I think we have a clear mission of importance. I don't know that we've always clearly defined that to our workforce. So it's re-connecting the workforce to the desire that they had in the first place to join, to become part of something that's important, that means something and that means something to our Nation. That's

first and foremost. That's what—that's what—that's what the military is all about, and that's what my experience there tells me.

Then it's having clear and unequivocal standards of performance. And what I mean by that is what causes high morale is if people know that they're held to a high standard of performance, and that people who don't meet those standards aren't going to be part of your workforce anymore. So I think you have to—and you have to be consistent across that, across the organization.

And then you have to train them appropriately; that is, you train them, train them in not just how to do their job, but how to engage the system, how the system works. I think we need to do some work on that score.

One of the things that we discovered in the course of the root cause analysis after the covert testing failures was that we actually had not explained to the majority of the frontline workforce what the technology capabilities were, so what can the machines do, what can't they do.

No one ever did that to me when I was in the military. They never handed me a piece of equipment and said, just go figure out how it works. So when you connect them to their system—and we never asked their opinion on what they thought of the challenges of working that checkpoint. You need feedback from your frontline workforce. This isn't just a one-way transmission. You've got to engage them.

So I think the components of morale are clearly important mission; support for that mission; training to accomplish the mission; understanding of the equipment that we give you to do that; and then engaging you and getting some feedback from you and letting you be part of the solution that goes forward. There's nobody who knows that mission better than the people who are conducting it every day.

So those are the things that we're start—that we're putting into place. It takes some time to see the results of that, but I see lots of opportunity on those points to really reengage the workforce in a much more effective way and to actually activate, as I said, that—that which brought them to the job in the first place.

With respect to recruiting, we currently use a third-party contractor to help screen recruits, but we recruit from all over the country and we recruit from all walks of life. The astonishing thing is the talent that exists within the workforce. I have people with Ph.D.'s who are frontline screeners who have retired and come back into the workforce, I have people with music degrees, I have people from all walks of life. So there's a—as you might expect in a workforce of 44,000 screeners, you have a broad range of people at all ages.

Mr. GOWDY. One last question, because my time's almost up. If we were to interview 100 folks who had left, not for cause, but just left, what would be—what would be the dominant reason they cited for why they—either their expectations weren't met, or they lost interest? Why do folks leave?

Mr. NEFFENGER. Well, I'll give you some thoughts I have, because I haven't—I haven't done those interviews myself. I think it's probably a combination of factors. You always have some people who just decide that it's not the job for them, and they move on.

But let's address some of those concerns that you have with morale. I think it's not feeling like you've—you're doing the mission that you thought you were going to be hired to do.

So I think if I'm a screener and I think it's about effectiveness and screening properly, and I'm being told to move people through the line more effectively, that's probably going to cause me to say I'm not sure that this organization cares about the things that they said they did. It's, did I get the proper training? Do you feel like I'm being supported? Do I feel like I have advancement opportunities? And do I get continuous development over the course of my career.

I think all of those are the things that go into deciding whether or not you're with an employer you'd like to stay with, or you want to move on and look for some other opportunity.

Chairman CHAFFETZ. I thank the gentleman.

We'll now recognize the gentleman from Massachusetts, Mr. Lynch, for 5 minutes.

Mr. LYNCH. Thank you, Mr. Chairman. And I thank the ranking member. Thank you to our panelists, Mr. Neffenger and Inspector General Roth and Ms. Grover. Thanks for your help. I think you've been very honest in your testimony, both with the strengths and failures.

Just following up on Mr. Gowdy's questions, Mr. Neffenger, have you ever thought about offering a bonus or a bounty for a screener that actually gets somebody with a gun coming through the checkpoint or with some malicious intent?

Mr. NEFFENGER. Well, you know, we've actually looked at all sorts of new incentive—potential incentive programs. I'm a big fan of incentivizing the right behavior.

Mr. LYNCH. Okay. I want to move on, because I have got some other questions. This is such a target-rich environment; we have so many problems. I actually reviewed the—I went to the classified briefing with the chairman and other members, the ranking member. And while Inspector General Roth has used the word, you know, "disappointing" and "troubling," I would—I would use "pathetic" in looking at the number of times people got through with guns or bombs, you know, these covert testing exercises. It really was pathetic.

And when I say that, I mean pitiful, the number of times people got through. I mean, I fly a lot, my family flies a lot, and just thinking about the breaches there, it's—it's horrific. So one of the things we can do is just be honest about the degree of the breaches and the scope of it, and I think you've got at that. I think you've really looked at the cultural problems here and what we've got to get at, and I appreciate that. So I'm supporting you. I'm not just criticizing you. I'm supporting you in your changes.

Mr. LYNCH. But the nature of the threat has evolved as well. So now you have ISIS asking for lone wolf attacks which, you know, probably presents a greater vulnerability to rail, passenger rail security, than it does to airlines perhaps. But I just—I'm just wondering about what we're doing to evolve with that threat? And the other big gap that I see is in terms of people with credentials in airports in secure areas, we're having major gaps there. We're letting people in that have connections with terrorism. There's indicia

of connections with terrorism, and they're getting through our screening process and getting into secure areas of the airport, and being awarded credentials. I think we had 73 instances of that.

Are we re-doing this? And also, you know, I'd like Inspector General Roth also to speak to that issue, because I know you've been relentless and you've been very good about this. In the past, there's been denial. I don't think we're hearing that from you, Mr. Neffenger, I don't think we are at all. But in the past, there has been a culture of denial. And we need to get at this. We're going to have a major, major disaster here on a commercial airline or on a train, and we're not going to be able to—well, people will say we didn't see that coming, but we did, we did, we have, we see it now. And I'm just wondering what our response is going to be to address that issue?

Mr. NEFFENGER. Let me see if I can address a couple of the points you made there with respect to what we're doing. Let me start with the last point first, on the insider threat concern, people with badges in airports. As you know, there's been some concern about the security of the badge population. This is a trusted population, or should be a trusted population. So how do you determine whether your trusted population is truly to be trusted? So what safeguards do you put in place? I think there's work to be done there. And I'm encouraged by Secretary Johnson's reach to, earlier this year, prior to my confirmation, he had asked the Aviation Security Advisory Committee, which is a standing statutory committee of industry members that advise the Department and the Administrator.

They took a hard look at this problem, and they came up with 28 recommendations, with which TSA fully concurred and is in the process of looking for an implementation plan for that. That said, what did they say was the challenge? First of all, it's having real-time access to the appropriate databases to screen people. TSA does, in fact, recurrently vet against terrorist databases. One important point to note with respect—

Mr. LYNCH. We've got gaps in that. You're taking an awful lot of time to give me very little answers.

Mr. NEFFENGER. With the 73 members, it's actually 69 discreet individuals, they were not actually on the terrorist—any terrorist watchlist, but they had incomplete indicia in what is called the Terrorist Information Datamark Environment. But their—but that information wasn't sufficient to raise to known or suspected terrorist status. I'm not just mincing words. It's just clear that they were not—and we don't make those determinations, that's an FBI determination.

With respect to ensuring that we pay attention to the evolving threat, I am directly connected to my counterparts across the intelligence community. I get a daily intelligence briefing. It's a synthesis of what everyone is seeing. I'm very concerned about how complex and dynamic the threat environment is. I think, in some respects, it's the most complex we've seen since 9/11. And what makes groups like ISIL particularly concerning is that they are intending to inspire, and the intent to operation phase is compressing.

Mr. LYNCH. Mr. Chairman, could I ask the Inspector General if he would give his version of that? I didn't hear a lot there. But I still think we've got a problem. And I'm still worried about it. And I'm not hearing, you know, decisive action being taken in that regard.

Chairman CHAFFETZ. We're well over time. But if the Inspector General would care to comment.

Mr. ROTH. Just briefly. And thank you for the question.

Mr. LYNCH. Thank you for your indulgence, Mr. Chairman. I appreciate that.

Mr. ROTH. This goes to sort of what I call beyond the checkpoint. Certainly, our focus has been on the checkpoint. But there's a lot of security risk that is out there that is beyond the checkpoint. Aviation worker vetting is one of them. For example, we did an audit of TSA's job as a regulator. In other words, the airports have the duty to manage the sight of badges, the restricted access badges and adjudicate criminal histories of those aviation workers. And, yet, what we found in a recent audit, for example, is that as a regulator, TSA only examines, perhaps, 1 percent of all the adjudications that the airports do.

So any time you have an issue where the airports have part of the responsibility, and TSA has part of the responsibility, you have those seams in there. That's what worries me. So the fact that you have those seams, as well as how TSA is doing as a regulator, I think we're going to be paying more attention to that as time goes on.

Mr. LYNCH. Thank you. Thank you, Mr. Chairman.

Chairman CHAFFETZ. Thank you. I'll now recognize myself for 5 minutes. And, Administrator, quick, quick answers if we could. If you try to bring a gun through a checkpoint and you get caught, what happens to that person?

Mr. NEFFENGER. Depends on the State that you're in and the airport you're at, but it's turned over to local law enforcement.

Chairman CHAFFETZ. But do they go on a database that you administer? Do you note that person in your database?

Mr. NEFFENGER. We do, we do note that individual's name, yes.

Chairman CHAFFETZ. Do they go on a no-fly list?

Mr. NEFFENGER. They do not necessarily go on a no-fly list. It depends upon the nature of the, of how they present it. The no-fly list, as you know, is a terrorist watchlist.

Chairman CHAFFETZ. Right.

Mr. NEFFENGER. And it's managed by, primarily by the FBI. So the no-fly list, you specifically put on based upon your connection as a known or suspected terrorist.

Chairman CHAFFETZ. So trying to bring a gun onto an airplane does not put you into a category of potentially a nefarious terrorist type of person, correct?

Mr. NEFFENGER. It will ensure that you get increased scrutiny when you travel. And you'll lose—if you're a pre-check member or an expedited screening member, you'll lose that. And you'll lose that—

Chairman CHAFFETZ. For how long?

Mr. NEFFENGER. For a minimum of 90 days. It depends upon the nature of the incident.

Chairman CHAFFETZ. So you try to bring a gun on a plane, whether it's an accident or not, and just for 90 days you just don't get pre-check, that's the penalty?

Mr. NEFFENGER. You'll get additional, you'll get significant additional screening, which will include—

Chairman CHAFFETZ. But you go day 91, you get back into pre-screen. I saw somebody who was pretty well-known in Utah, they were found to have a gun. They said it was an accident. I'm sure it was. But I also saw that person back in pre-check pretty quick. And life goes on. If you're on a no-fly list, does that mean you can't fly?

Mr. NEFFENGER. Unless they're given a specific waiver request that comes from the FBI, yes, sir, that's correct.

Chairman CHAFFETZ. So if you're on the no-fly—how many people are on the no-fly list?

Mr. NEFFENGER. I'll have to get you that number. I don't know. I don't know off the top of my head.

Chairman CHAFFETZ. What percentage of the TSA's time is spent on aviation? And where are the other areas in which you're allocating resources?

Mr. NEFFENGER. The vast majority of our effort is spent in the aviation security system, because it's the Federal responsibility.

Chairman CHAFFETZ. Right.

Mr. NEFFENGER. So if you're just looking at allocation of resources, you've got a large personnel component of that, which takes a great deal. It's over 90 percent of our resources are on the aviation—

Chairman CHAFFETZ. But what other things is the TSA spending their time on?

Mr. NEFFENGER. We have a responsibility across all surface modes of transportation, so passenger and light rail, over-the-road motor carriers and buses, pipelines, and maritime. But maritime we do in conjunction with the U.S. Coast Guard.

Chairman CHAFFETZ. Tell me a little bit more, if you could, I want to go Director Grover. There are some things that have been on this list that you've been concerned about for year after year after year. And I really did like, as Mr. Cummings did, how you solve that cultural problem. But does anybody have any consequence if they fail in this mission? I mean, are they holding people accountable?

Ms. GROVER. We have a study underway on that issue right now. There are annual exams that the screeners have to pass in order to keep their jobs. Beyond that, there are requirements for retraining if there are errors.

Chairman CHAFFETZ. What about—and maybe the Inspector General or the director can answer—the behavioral profiling part of this, the SPOT part of the program, can you comment on this real quick, how well that's being implemented?

Ms. GROVER. Sure. This is about \$200 million a year, and it is for behavioral detection activities. And the premise is that the officers will be able to spot individuals who pose a threat to the Nation's security.

Chairman CHAFFETZ. Does it work?

Ms. GROVER. TSA doesn't have evidence that is sufficient for GAO. So we don't know.

Chairman CHAFFETZ. We don't know?

Ms. GROVER. We don't know.

Chairman CHAFFETZ. Inspector General, have you looked at this at all?

Mr. ROTH. We looked at this in May of 2013. What we found is that there were no metrics that TSA had provided as far as what success looks like in the program. They had very poor data collection. They had insufficient training of the BDOs. I mean, keep in mind what the whole idea behind this is, that you're going to be able to take this population and figure out who it is that's the greatest risk.

Chairman CHAFFETZ. Now, are they putting too many—sorry, I'm jumping because my time has run out. Are they putting too many people into the TSA pre-lines?

Mr. ROTH. That was our concern. And based on several, sort of, audits that we did in the spring of this year, we believe that the administrator has taken fairly significant and drastic action to reduce the number of individuals in the pre-check who had not been individually vetted. We made a number of recommendations. The prior administrator had rejected those recommendations. But since Administrator Neffenger has come in, there has been a change as to whether or not those recommendations are adopted.

Chairman CHAFFETZ. And this is—again, my concern here is that the behavioral profiling is an important part of what we're doing. But how to train and implement that is a critical component. I'm also a big fan of the K-9 teams. They're mobile. There's a perception that they are able to detect things that I think would make somebody very nervous. The presence of a K-9 in conjunction with behavioral profiling, going through a metal detector, would be much more effective and efficient. It's certainly what the military came to the conclusion of doing. And I think we need to pay keen attention to that. My time has expired. I now recognize Ms. Kelly for 5 minutes.

Ms. KELLY. Thank you, Mr. Chair. Good morning. Screening lanes designated as pre-check lanes are available at more than 150 airports, according to TSA's Web site. Travelers who go through such lanes receive expedited screening. There are several ways that travelers can access the pre-check lanes. Under one procedure, individuals apply to the program, pay a fee, provide data on themselves, and undergo background checks. If an applicant is determined to be a low-risk flyer, the applicant is enrolled in the pre-check program. However, TSA has been directing some travelers to the expedited pre-check lines, even if they did not enroll in the program. Specifically, travelers can be directed to the pre-check lanes through procedures that have been called managed inclusion 1 and managed inclusion 2.

Administer Neffenger, in your testimony, you wrote that at your discretion, TSA has phased out the practice known as managed inclusion 2. Can you discuss what this program was and why it was ended, and what has been the impact of the elimination of this program on passenger volume in expedited screening lines?

Mr. NEFFENGER. Yes. The managed inclusion 2 program that you referred to was a term given to the practice of randomly assigning people that were in a standard screening lane to the expedited screening lane. And it was simply done with a random generator. You would get a yes/no, and they would move people in. That was pushing at its peak about 14 percent of average daily travelers through expedited screening lanes. And these are people who had not been through the pre-check, through any kind of a pre-check vetting. There were some things that were done that were intended to buy down the risk of those individuals, some additional randomized measures that were taken after you got pushed into that lane.

It was my opinion, when I took over, that that was an untenable risk. And so I discontinued that practice. And as of September 12, it was eliminated completely. We had to ramp it down slowly so we didn't shock the system. But we eliminated that completely.

Ms. KELLY. How long did that go on?

Mr. NEFFENGER. How long did that process go on? I think it was about a year and a half or so that that was run. There's another form of moving of people into expedited screening lanes, a much smaller number, you referred to it as managed inclusion 1. But what it really is is the use of passenger-sniffing K-9s to randomly assign some people from standard screening into the expedited screening lanes, but using the K-9s. And then additional screening measures are applied to each of them. That's a very small percentage of the daily travelers, and I'll get you the exact number on that. But I'm a big fan and a big proponent of a fully-vetted population in an expedited screening lane. I think the only way we can—going back to the earlier comments about risk-based security, I really want to know as much as I can about an individual traveling as they come through, given that the vast majority of people are safe to do so.

So the goal is to significantly expand the truly vetted pre-check population over the coming months, and to completely eliminate the random assignment of anyone in the pre-check lane who's not already been vetted precise.

Ms. KELLY. Maybe I missed this, but do you feel that more people are going through the pre-check program so they are, they can go through the faster lines? Because it seems like the last couple of times I've traveled, there's been many more people on the pre-check line, and I'm at O'Hare, so.

Mr. NEFFENGER. Well, we're seeing a huge spike in enrollments over the past couple of months. So we're averaging about 50,000 enrollments a month right now, which is encouraging to me. And that's before the response to our recent request for proposals to expand the marketing opportunities for up to three additional private sector vendors to look for more retail opportunities to enroll in pre-check.

I know that I've worked with—talked with the airlines and the travel industry. They're advertising, and if you've flown recently, you may have seen on the in-flight screens advertisements for pre-check. So the industry is working very hard to increase enrollments as well.

Ms. KELLY. Thank you. Inspector General Roth, you wrote that you were pleased to report that we have recently made significant

progress in getting concurrence and compliance with recommendations. The Inspector General's Office has made regarding pre-check, but that TSA is continuing to use some risk-assessment tools you have recommended that they discontinue. To that extent, can you—in this open setting, can you discuss the recommendations your office has made to the TSA regarding access to expedited screening processes that TSA has not acted on at this point?

Mr. ROTH. Certainly. And thank you for that question. Just as an overlay, we had a number of open recommendations, or recommendations that TSA did not agree with. And those are set forth, I think, starting at about page 20 of the appendix of my testimony. And one of the things that I wanted to do was highlight in bold those that have changed in the last 6 months. And it is significant. There's almost no disagreement now between TSA and the Office of Inspector General as to what needs to be done.

There is a fairly narrow point, and unfortunately, because this is an open setting, it's not possible to discuss it, but there's a certain risk profile, a certain type of passenger that we believe should not be on expedited screening. But we are in discussions with TSA about it. These are good-faith discussions as to what is an appropriate level of risk. And I'm highly confident we're going to get to a place that both protects the American people but also moves passengers in an expedited way.

Ms. KELLY. I have one more. And does TSA—am I past the time?

Chairman CHAFFETZ. Yes.

Ms. KELLY. Oh, I'm sorry. I yield back.

Chairman CHAFFETZ. Thank you. I now recognize the gentleman from North Carolina, Mr. Meadows, for 5 minutes.

Mr. MEADOWS. Thank you, Mr. Chairman. I thank each of you for your testimony. Inspector General Roth, I'm glad to hear that you say that a lot of the disagreement has disappeared. Because previously, that was a major concern, as we had GAO and the IG making recommendations, and yet, TSA somehow believes that they had their Carnac hat on, and they're able to figure out what to anticipate and what not to anticipate.

So I would encourage that continued, I guess, partnership. But speaking of partnerships, I want to focus on the partnership for public service, and specifically, with regards, Administrator, to low employee morale. We have held hearings in this very room about some of the worst places to work, which, perhaps, that title was not the best title to pick. But we've also found that there is a tremendous opportunity in terms of employee morale on how to encourage the workforce. Your survey has consistently—well, let's just say that it's not something that you would try to attain.

Do I have your commitment today to reach out to some of those agencies that get good marks on that survey to find out the best practices that they have? NASA, in particular, continues to get high marks? Do I have your commitment to do that?

Mr. NEFFENGER. Yes, sir. And so does the workforce.

Mr. MEADOWS. Okay. Let me go a little bit—Director Grover, let me come to you, because I'd like you, if you could, briefly summarize some of your concerns as it relates to the AIT machines, and the procurement thereof, and some of the challenges that we've had there.

Ms. GROVER. That's a really important issue because it is one of the main technologies that TSA relies on for screening passengers. What we originally found was that TSA had considered the effectiveness of the technology in a laboratory, but hadn't considered the broader picture of the employees who use them in the airport environment. And they have taken steps to address that in the procurement of the next version of the AIT systems.

They have begun measuring the effectiveness of the entire system, and looking at the detection rate of the entire system working together, and that's really important. One recommendation that we still have open is that TSA should pay close attention to its understanding of the false alarm rate on those machines. It is significant. And it has repercussions for both security effectiveness, because if screeners are used to a high false alarm rate, then they begin to think that there may not be anything there when the alarm goes off.

And it also has repercussions for financing. Because every time the machine alarms, that person has to go through a pat-down. So if the false alarm rate could be reduced, then it would have financial implications as well. And that is something that TSA is working on. But they do not yet have system-wide understanding of the operational false alarm rates.

Mr. MEADOWS. So, Administrator, I see you shaking your head. You're willing to work with GAO on that and make sure that we come up with a matrix on how to—here's one of the concerns I have. We all talk about how we're going to work on it. And, yet, we don't really put parameters in there to judge whether we're successful or not. So will you work on a matrix that satisfies GAO as it relates to false alarms?

Mr. NEFFENGER. Not only that, but we're actually, we've been working very hard to completely restructure the process we use for doing this. I think that Director Grover has raised some important points. And they're key to—they are the key challenges that we face. But you can't do it unless you change the way you do business. So it's really given us an opportunity, it's given me an opportunity to completely restructure the way we do business.

Mr. MEADOWS. All right. Let me, when we talk about restructuring the way that we do business, one of the things that happens a lot is administrators come here and say we just need more money. And I think that on, in a bipartisan fashion, we're willing to give you the resources necessary to do it if you're willing to look at not only the recommendations that the IG and GAO have looked at, but look at recreating the way that you do business from a security standpoint.

The chairman mentioned K-9 units. Is there a plan to look at K-9s, to bring them in during those high-peak, high times of travel, you know, not 1 a.m. In the morning, you know, when you have two TSA personnel there, but during those—to help alleviate some of the backlog? Are you willing to come up with a proposal and submit to this committee on how you might implement that?

Mr. NEFFENGER. I will. In fact, I think I have a good story to tell this committee with respect to K-9s. One of the first things I did was look at the current disposition of K-9s units, K-9 teams across the Nation, repositioning a number of those from small, lesser-trav-

eled airports to the large, high-volume airports. We're bringing a number of new teams on board this year. I will get you a full report for the committee, because I think it's a good report, and it shows that we're moving, I believe, in the right direction with respect to thinking of the system.

And I just want to make one comment with respect to your comment, I absolutely agree with you that you have to take a systemic view of this. If you look at discrete elements of the system, all you'll do is look at discrete elements of the system, and you won't think about how they interact with one another. So it's looking at the entire environment that we call aviation security, and understanding how all of these components interact with one another and how effective they are. It speaks to everything from false alarm rates to the proper use of K-9s to other things. And I'm happy to provide a much fuller brief at the committee's discretion on how we're doing that.

Mr. MEADOWS. I yield back.

Chairman CHAFFETZ. I thank the gentleman. I will now recognize the gentlewoman from the District of Columbia, Ms. Norton, for 5 minutes.

Ms. NORTON. Thank you very much, Mr. Chairman. This is an important hearing. Before I ask my questions, Administrator Neffenger, this is a copy of the District of Columbia license. We've had to have the Administrator in, the Deputy Administrator in, because it changed from saying Washington, D.C. to saying District of Columbia. And, apparently, this really befuddled the screeners. And so some of them asked for their passport because they—this license had no sense of the place where you are now wasn't recognized. So I want to provide you with a copy of this before you leave so that kind of periodic reminders can be made. This was a change. I understand it was changed from Washington, D.C., and there was an attempt by the Administrator, the Deputy Administrator worked closely with me. Since you're new, I want to make sure that this doesn't have to come up on your watch.

Mr. Neffenger, I have sat, for example, and seen what we have experienced at the airport, mentioned with respect to screeners who try to get, who sit, for example, at the Capitol or in Federal buildings. I must say, I think this needs a study by psychologists, people who know something about the human mind and how it operates, because all you have to do is ask for a GAO study, and you will always get that they, in fact, don't catch bombs, they don't catch pistols.

We need to learn more, instead of just trying to catch people, because we are getting the same results no matter where they are, whether they're magnetometers or whether they are TSA. For example, for TSA, we have had people who bring bombs in shoes to try to detonate their shoes. We've had a so-called underwear bomber. And it's interesting to note that with respect to those items, that they went through multiple layers of security. And it was passengers, not TSA, who, in fact, were called on to put down those very dangerous people.

This leads me to ask whether or not TSA is really equipped—for example, to discover these, we had this matter before the Congress, these plastic handguns. I mean, if they can't find ordinary items

like bombs and pistols, and they are, as you can see, very inventive, what I'm wondering is, does TSA have access to the intelligence to meet their adaptiveness in light of emerging threats?

They're not going to do the same thing that passengers took them down for before. Do you have access to that intelligence? Or do you have to depend upon some other agency? And if so, how do they relay to you what the emerging intelligence reveals?

Mr. NEFFENDER. Thank you for that question. And, first, just to be clear, the underwear bomber and the Richard Reid shoe bomber, those were not screened by TSA because they came from overseas in.

Ms. NORTON. Yeah. I understand that.

Mr. NEFFENDER. So those—and it's one of the reasons that we were—we became concerned about the non-metallic threat. I do have access to intelligence. And as I noted earlier, every morning I get an intelligence briefing. And it's a compilation of intelligence from across the intelligence community. I meet regularly with other members of the community. And we have people embedded in all of the major intelligence components, so the National Counterterrorism Center, the National Targeting Center, the CIA, NSA.

Ms. NORTON. Do you screen yourselves instead of waiting for an outside agency to do it?

Mr. NEFFENDER. We do. We do the recurrent vetting of the trusted populations, as well as the current vetting of people in the secure flight—that enter into secure flight, put a passenger reservation in, and then continuous recurrent vetting of individuals who are in the trusted traveler programs.

Ms. NORTON. No, I understand that your screeners often pass their own tests when you do your own internal vetting. That is why I ask this question about trying to understand, particularly people who have to stand in one place for several hours, doing the same thing, seeing the same thing. Don't we need to know more about how the human brain operates with respect to that kind of work, so that we can better equip screeners to do this, frankly, very boring job?

Mr. NEFFENDER. I think that's a key point, and one of the things that we looked at, as we looked at the—at what are the repeated causes of these things that we keep seeing over and over again?

Ms. NORTON. So who was looking at that?

Mr. NEFFENDER. Well, we initially looked at it through an assigned team. The Secretary referred to it as the tiger team, but I've inherited it. It's really the team—the root cause analysis team. And the next thing you have to do then is say, okay, now that I've found these root causes, can we correct them ourselves, or do we need help in doing so?

Ms. NORTON. I'm just going to ask you, finally—I know my time is up—if you would consider getting an outside study from people equipped to understand the human brain and how it operates after repetitiveness of this kind, so that we can get ahold of this?

Mr. NEFFENDER. Yeah, I think it's important to look at human factors. You're absolutely right. So I would consider it.

Ms. NORTON. Thank you.

Chairman CHAFFETZ. I now recognize the gentleman from Georgia, Mr. Carter, for 5 minutes.

Mr. CARTER. Thank you, Mr. Chairman. And thank all of you for being here today. We appreciate your presence. Mr. Roth, I understand that some of this information may be classified. And, certainly, if I overstep my bounds, I'm sure you'll let me know. But I would appreciate your cooperation. I would like to ask you what I would consider a little bit more detailed question. And that is, first of all, it's been reported that the undercover investigators were, what areas were they specifically looking at? Was it the typical area that a passenger goes through?

Mr. ROTH. For this round of covert testing, what we did was simply act like an ordinary passenger and try to get prohibited items through the checkpoint. So, that would be either the AIT machine, the Advanced Imaging Technology machine, or, for example, if they were part of managed inclusion, through no sort of action on their own but was simply sent to a magnetometer, going through that way as well. So they just acted like normal passengers, except they had things concealed on them.

Mr. CARTER. So this particular operation did not really look at where the employees are going or anything outside, it was just typical passengers?

Mr. ROTH. Correct. We did some covert testing 2 years ago on that very issue, that is, trying to get into the very secure areas, you know, sort of unguarded access to aircraft or jet baggage and that kind of thing. And the results were disappointing.

Mr. CARTER. You mentioned the imaging machines. Were there actually guns or simulated bombs that you were able to get through? Did they go through the imaging machine as well?

Mr. ROTH. I can't talk about the specifics unfortunately. But we did test the imaging machine, and we did test it with significant numbers of prohibited items. And, again, the results were disappointing.

Mr. CARTER. As well as the X ray machines?

Mr. ROTH. Correct.

Mr. CARTER. Okay. Mr. Roth, earlier this year, you testified before the Senate Committee on Homeland Security. And during that time, you said that your office, the testing found layers of security simply missing. And then you seemed to indicate that those results were expected. Is that true?

Mr. ROTH. One of the things that—yes, the results were expected. The degree of the results, I think, were a bit surprising to us. But keep in mind that we've done covert testing over the years with very similar results to the ones that we did this year. And I would add that once we did the results this year, we discovered that TSA itself had done covert testing with very similar results. So everything had been consistently poor for a number of years, which, of course, was both exasperating and troubling to us.

Mr. CARTER. Mr. Neffenger, given these results and these findings, what are your plans? What do you plan to do to address what has been called missing layers of security?

Mr. NEFFENGER. First, it's a full-system review. It started with understanding the nature of the failures that existed, to look at how those were similar to other discoveries in past years, and as I had mentioned before, to really figure out what's the systemic reason for this? Because if you have, if you assume you have a gen-

erally talented workforce that really wants to do a good job, but they're failing, then it tells me that there's something else going on. And I do think we have a generally talented workforce that wants to do a good job, that wants to come to work to protect this Nation on a daily basis.

So there must be a reason or something for repeated failures of the same type system-wide. First of all, it's recognizing that it's a system that operates, and not just a point failure at a given airport, or a given number of airports. Second, it's looking back over the way in which your—what is your leadership of the organization? What are the environmental influences? And so on and so forth. And then beginning to reevaluate from core essential mission facts, you know, what is it we are supposed to do? Do we understand our mission the way we should? So we're in the process of doing that right now.

Mr. CARTER. And all that is good and fine. But what about specifics? Can you tell me something specifically, we changed this or we changed that?

Mr. NEFFENGER. Yes, sir. So proper use of the technology. So we dramatically changed the way people use that technology. Because as it turns out, we hadn't taught them how important it was to use it properly. And without getting into classified details, and I would be happy to provide those in a closed session, I could tell you specifically why some of those failures existed. So we fixed that. We actually told them how the equipment works. That was something we had never done before. We streamlined the number of procedures that we expected them to memorize. I mentioned there were 3,100 separate tasks, and 88 different forms of pat-downs. So that was just, it's impossible. There's no one who can do that. So we've now streamlined that down to about a 25-page quick-response guide which outlines in very specific detail with pictures, here's exactly what you do. And we've significantly improved our ability. So we trained specifically to do things very differently at the checkpoint.

Mr. CARTER. My time has expired. Mr. Chairman, I yield back.

Mr. PALMER. [presiding.] The chair recognizes Mr. Cartwright for 5 minutes.

Mr. CARTWRIGHT. Thank you, Mr. Chairman. Mr. Chairman, TSA is a frontline counterterrorism organization. And its transportation security officers, those TSOs we've been talking about, they have to get it right every time. Mr. Neffenger, thank you for being here. I want to ask you, do TSOs receive annual performance review testing?

Mr. NEFFENGER. They do.

Mr. CARTWRIGHT. Do the TSOs typically know when they're going to be tested for their annual employee performance reviews?

Mr. NEFFENGER. Typically, yes.

Mr. CARTWRIGHT. Okay. And on average, how do they perform during these annual performance review tests?

Mr. NEFFENGER. On average, they perform well.

Mr. CARTWRIGHT. But, yet, what we find out is that the covert tests conducted by the Inspector General, GAO, and your own internal teams, revealed significant problems in screener's performance. It seems as though TSOs tend to bring their A game when

they know the test is coming, but not so much at other times. Inspector General Roth, nice to have you back in our committee room. Would you say covert tests of screener skills and knowledge bear out this concern I'm talking about?

Mr. ROTH. Yes.

Mr. CARTWRIGHT. Now, according to TSA documents, of the 38 metrics used to assess the performance of field leadership at airport checkpoints, the majority have been focused on wait times for passengers, rather than safety concerns. And I want to ask all of our witnesses, including you, Director Grover, would you agree that if TSA employees were told they're being judged, at least in part, on how expeditiously they move passengers through the system, this may signal to screeners that speed takes priority over other considerations?

Mr. NEFFENGER. Is that question for me? You're absolutely right. I couldn't agree with you more. That's exactly what I found in the course of our analysis of the issue.

Mr. CARTWRIGHT. And I note that under TSA's new plan, it appears to put the focus back on security. Am I correct in that?

Mr. NEFFENGER. Yes, sir. You're correct.

Mr. CARTWRIGHT. In responding to the new "safety before speed" goals, one TSA employee was reported to be glad that, "The agency finally is going back to basics, emphasizing security over customer service and wait times." But another employee doubted the new plans will be implemented. And he or she thought that management will still be very focused on wait times and throughput. And I want to ask you, Mr. Neffenger, how will you convince frontline employees that the metric on which they will be evaluated will be security?

Mr. NEFFENGER. Well, I suppose, I mean, you have to get a little trust up front and you teach them over time. But I will assure you that one of the first things I did was to eliminate wait time as a primary measurement. Now, it's not that wait time isn't important. There's some issues associated with people packing up outside the sterile area. But effectiveness and security is the primary measure. And what I've said to, not just my leadership team, but to everybody in the organization, and I've done it through direct contact, through video messages, through weekly messages from me, I've said, Your number one job, if you're a screener, is to screen effectively.

I will let management—it's management's responsibility to work with the airports and the airlines and others to do queue management. But we were putting that burden on the backs of the screeners. And it's no surprise to me that if you hold them accountable for moving people more effectively, more efficiently through the line, that they're going to do just that. You get what you measure. And you get what you emphasize. It's also no surprise that they do really well on the performance test and do poorly in the other way, because that's about keeping your job. So it tells me they're capable of doing their job well. We just have to give them that—we have to back them in that score 100 percent.

Mr. CARTWRIGHT. All right. Fine. Let me ask you this, Administrator Neffenger: When will performance assessments using the new metrics begin to be used? And will any aspects of the perform-

ance evaluation process change to track performance over time rather than performance on a single test? In other words, how are you going to ensure TSOs are at the top of their game every day, not just when their job performance reviews are happening?

Mr. NEFFENGER. Well, those performance metrics have already changed. And they've been explained and announced to the workforce.

Mr. CARTWRIGHT. All right. Now, finally, let me ask you how will you balance increased wait times with the focus on security, and ensure that security considerations don't give way when balanced against increased wait times, particularly during busy travel periods like the upcoming holiday season?

Mr. NEFFENGER. Well, we are seeing an increase in wait times, not, not—and it's SPOT-significant. But, two things: One, I really want to grow this trusted traveler population. And I want to do it in the smart way, which is a true vetted population. And so we're working very hard with the—both with the current vendor, who you may have seen some of the opportunities in the airports, and we're looking to expand it considerably through a request for a proposal that's out. Also working with the industry itself to look for opportunities to market it more effectively. And we are seeing a significant increase in enrollments. That's one way of doing it. The second is to provide surge staffing to those airports that we know are going to be under the greatest pressure during the upcoming travel season. But at the same time, not to put any of that burden on the backs of the screeners, but to move that into the management team where it belongs.

Mr. CARTWRIGHT. All right. I'm out of time. And I yield back, Chairman Palmer.

Mr. PALMER. Thank you. The gentleman's time has expired. The chair recognizes Mr. Hice from Georgia.

Mr. HICE. Thank you, Mr. Chairman. And thank each of you for being here with us here today. In my short time in Congress, I have already seen and heard far too many reports, be it from the Office of the Inspector General or GAO, wherever, dealing and detailing TSA's prohibitively expensive technology, either not working to properly screen passengers, or the TSA agents not properly reading the technology one way or the other in the various red tests, red team tests that have taken place.

As you well know, Hartsfield-Jackson Atlanta International Airport, hundreds of thousands of people every day flying out of there, one of, if not the most busiest airport in the world. I fly out of there myself almost every week. And I could not agree any more with my colleagues here today that the recommendations that have come from OIG and GAO, it's just vitally critical for these to be implemented.

And you, Mr. Neffenger, just being in this position 4 months, hats off to you. I thank you for your comments here today and your willingness to admit the problems that you're facing, and the willingness to attack those head on.

As some of the results have come back from some of the various tests, a word was used earlier describing those results as "pathetic." And you, yourself, I think, are fully aware of that. Another word that hit me earlier is the word "culture" that's been within

TSA. And I believe Inspector Roth said that culture is the most important issue that you saw that needs to change immediately. So that being said, what have you done to this point to transform the culture at TSA in such a way that the vulnerabilities are adequately addressed?

Mr. NEFFENGER. Mr. Hice, thank you for that question. And that is a key point. You know, as I looked at TSA, I tried to understand, so I come from an agency with 225 years of culture, the United States Coast Guard. And that's a lot of time to build an identity for an organization in the sense of who you are. TSA is still largely an amalgam of the cultures of the places that everybody came from. It really hasn't had time to grow a leadership core from within. And so you have this combination of people.

So what do you do to jump start the culture in an organization? I think there's a couple key things you can do, and it comes from both the top and the bottom. Let me start with the bottom. First, I think one of the greatest challenges TSA has amongst its workforce is that we train on the job across 75 different airports. So if you hire into TSA right now, if you hire into Atlanta, you actually just join the Atlanta-Hartsfield workforce. It's not clear to me that there's a—that there's a real engagement with the broader sense of who you're part of.

So one of the things I've proposed and I've asked for in the FY '16 budget, is to begin almost like a boot camp training at the Federal Law Enforcement Training Center in Glynco, Georgia, so that I can conduct all new hire training there. That's one way to begin to engage from the bottom up this connection to a larger organization and a sense of culture, and to begin to inculturate people.

At the top level, it takes somebody at the very top of the organization, and that's me right now, saying this is important—first of all, saying the word “culture” out loud, and identifying where the culture isn't connected, and then identifying what you expect that culture to be. So I'm about to issue my administrator's intent in which I, very clearly, in a few succinct pages, outline what the culture of our organization is, and what I intend it to be, and how we intend to work towards that.

And then you have to then begin working on that on a daily basis. So there's a series of efforts that I have planned over the coming months to begin to talk and train in the culture that you expect.

I think that's the best way to begin to jump start it. And then it has to take root and grow over time. But it takes continuous attention. This is one of these things that will fade away if you don't pay attention to it.

Mr. HICE. Well, and it is a huge task. And in the middle of that, you have both the safety issue and the efficiency issue trying to get passengers through. You mentioned some metrics a while ago that you are currently already implementing. I want to know from Mr. Roth and Ms. Grover, do you believe those metrics are adequate to both provide safety, security that we need, and also efficiency?

Mr. ROTH. I agree with the Administrator that you get what you measure. So, certainly, if you measure the right things, you're going to get the right things. As part of our audit process, what we'll do is 90 days after the completion of our report, we're going

to look back on it in sort of a rigorous, systematic way to determine whether or not these metrics are going to work. Until then, we're going to be skeptical about it because that's our job is to be skeptical. So we will keep the Congress informed as we go forward.

Ms. GROVER. Time will tell. Our biggest task for TSA at the moment would be to make sure they put in place a systematic, coherent approach to measuring the outcomes that they want to achieve, and then monitoring them and following up on them with the workforce. Because that's the only way to make sure that they get improved, consistent effectiveness.

Mr. HICE. Again, I thank each of you for your accountability and working, partnering together. Mr. Chairman, thank you for the time. I yield back.

Mr. PALMER. The gentleman's time has expired. The chair now recognizes Mr. DeSaulnier.

Mr. DESAULNIER. Thank you, Mr. Chairman. Mr. Neffenger, let me just say how encouraging it is to hear your forthrightness, and also your comments about going to root cause and human factors. So when we look at human factors, I know when I talk to people in my district in the national laboratories, or, I should say, in the edges, who do studies on human factors in different environments and all they're learning from neuroscience, one of the things that comes up is making sure that those individuals can focus on what their jobs are.

And that also reinforces the things you say about culture, that you're trying to eliminate things that are distracting them. So, for individuals who aren't getting paid a lot of money but are dealing in a stressful retail environment where the customers aren't always the great—always in the best mood, I wanted to ask you questions about your relationship with the airline industry.

So it strikes me that, having been a frequent traveler for many years, going through the experience, you don't go to TSA to find out what's the best way for you as a customer to go through wherever you're going, whether it's the general customers going through, or pre-check. But the more we continually reinforce this is what you should expect, this is what you need to do; and on the back end, your conversations with the airline industry, and specifically, for charges for checked baggage, which you have mentioned, stated that this trend, and more checked baggages creates a stressed screening environment at airport checkpoints.

So both of those things. How do you deal with the airlines so that when some of the airlines start charging for check baggage, and we have more and more people trying to carry on more, it seems to—just as an observer—create more stress for the screeners. And then, secondarily, how do you help with the airline so that when we're going to our apps to understand for people who don't fly frequently, they are helping you reinforce how to get customers and educate customers how they can best be prepared to get through the line?

Mr. NEFFENGER. Thank you for that question. And I think that—so I'm still relatively new in the game, but I've been—I've met—I've spent a lot of time over the past 4 months meeting with both industry representatives, the association that represent them, as well as the individual CEOs of each of the major U.S. airlines. I've been very encouraged with their openness and their response. They

recognize some of these same challenges. I think that there's a great deal of work we can do to tie ourselves more closely together. There's nobody with a higher vested interest in security of the system than the people who are flying in the system. And I think that recognizing that, that gives you a lot of grounds for, we have the same objective in mind, even if we approach it from different motivations and different requirements.

So I'm encouraged that a number of airlines and the travel associations that support them have begun to do more to advertise the trusted traveler programs like global entry and pre-check. I think there's a lot we can do to simplify the application procedures and to make them more common across the various programs that the Government offers. I think that you can never market that enough.

But I do believe that it really comes down to understanding that we're all in the same system together. We have different roles to play, but we can play those roles in a complementary fashion. The airlines have been working very hard to enforce the 1+1 rule, meaning the one carry-on bag and one handbag or one briefcase. They're challenged as well.

You know, it's not my business to address their business model, but I can tell you it's just a fact that a lot more stuff is arriving. It's packed more—full of more things. People have electronics in there. All of that poses a challenge for the screeners to deal with. And they have to be very attentive to it.

Mr. DESAULNIER. But you work with the airline industry, so that you knew these changes were coming, or your predecessor knew, that it had the potential to put more pressure on the screeners when they were going to start charging for checked baggage?

Mr. NEFFENDER. I mean, I think that would have been the expectation.

Mr. DESAULNIER. Do we have a mechanism to do that going forward?

Mr. NEFFENDER. Absolutely. I've asked the—and the airlines have promised to work closely together. I think both sides have to be aware of the impact of the decisions they make. And I'm interested in the decisions and the business models of the airline industry and how it affects our business, because we support that business.

Mr. DESAULNIER. And also they may be transferring costs that you might pick up that they would normally expect to be part of their costs?

Mr. NEFFENDER. At a minimum, to let them know what the consequence of that decision will be, that it may, indeed, lead to slower throughput at checkpoints, because we have to screen and clear these bags.

Mr. DESAULNIER. But, in this instance, would there be some kind of analysis that they are making more money by checking—charging for checked bags, but it's costing us more money, either because it's putting more stress on the system, you're adding more people, they're working overtime? And do you have a relationship with the revenue stream that's going in there? Should they compensate you for that if there's a cost benefit that shows that there is?

Mr. NEFFENDER. Well, I have not looked at the specific cost analysis. So I would have to take that back for action. But I think that,

certainly, I would want to know what the impact is on me; if it requires me to have additional resources, then I need to be aware of that.

Mr. DESAULNIER. Thank you, Mr. Neffenger. Thank you, Mr. Chairman.

Mr. PALMER. The chair recognizes Mr. Russell from Oklahoma.

Mr. RUSSELL. Thank you, Mr. Chairman. And thank you all for being here today and your dedication for trying to help secure our republic. And, Administrator Neffenger, thank you for your long and dedicated service to our republic. With regard to some of the issues on the screening partnership program, would you say that the partnerships have been better or worse performers than TSA? And what concerns do you have about that, if any?

Mr. NEFFENGER. In my initial look at the difference, or the potential differences between private sector screeners and the public, we haven't seen any significant differences in performance, assuming that they're trained appropriately and the like. If I have any concerns at all, it's that we have a clear set of standards and expectations, and that those are consistently maintained across that program. But, again, I don't see any evidence that there's any particular performance differences between the two.

Mr. RUSSELL. Thank you. With regard to the turnover, what percentage of new hires would you say turn over within 1 year, or 2 years, just a ballpark?

Mr. NEFFENGER. You know, I just saw these numbers. I'll have to get you the exact number. But it's a fairly high turnover rate. Well, it depends. Part-time is different from full-time. So in the full-time workforce, it's about 10 percent I think is the number. And in the part-time workforce, it's been as high as about 25 percent.

Mr. RUSSELL. And you had mentioned some of the reasons before. But, obviously, that's got to be a drain on your experienced, long-time personnel because they're constantly having to break in new employees, and you have the expense of training them. So these are really dollars that are lost. How will you mitigate that in the future?

Mr. NEFFENGER. I think some of it goes back to that overarching discussion we had about connection to mission, connection to agency. As I think about what is it that would make somebody decide that this is not for them, aside from the odd individual who just says that's just not what I thought I was signing up for. It's typically, did the thing I thought I was going to do, is that what the agency actually expects me to do? So am I connected to the mission? Am I connected to my agency? And do I see a future in the agency? Are there opportunities for training? Further advancement? And so forth.

I think all of those are components of turnover, I think, some of which can be addressed, are beginning to be addressed by establishment of a common training program, and an engaged sense of belonging to something larger than you. I think it continues with a clearly-defined sense of progression in the organization, an understanding of what your opportunities are, and incentivizing performance, understanding if I perform well, I'll get rewarded for it, and a feeling of engagement with my leadership.

Mr. RUSSELL. Thank you. What concerns do you have with cargo screening?

Mr. NEFFENGER. Well, cargo, as you know, has been a concern for some time. There have been a number of procedures put in place for that. I think that the question is a recognition of the fact that this is a much larger system than just the checkpoints. Even assuming you get the checkpoint 100 percent right, there are many other potential vulnerabilities in the aviation environment, cargo being one of them.

We have a very robust set of requirements for cargo on domestic aircraft, as well as cargo that is coming inbound to the U.S. on foreign and domestic carriers coming from outside the U.S. And that reaches all the way back to the individuals who are actually packing the cargo container for shipment. It is an ongoing challenge. It's an ongoing threat. And it's one that you can't take your eyes off at any point.

Mr. RUSSELL. I guess on the TSA pre-program, a lot of issues have been addressed with that. I mean, I understand the benefits of certainly having low-risk travelers set aside for expedited screening. And you made it a point to, in your testimony here today, to try to stop the managed inclusion where people are benefiting from the program, but really have no vetting whatsoever. Based upon the needs and the shortfalls of the pre-program, how much of that was from managed inclusion by vetted passengers?

Mr. NEFFENGER. Are you speaking with respect to the covert testing failures?

Mr. RUSSELL. Yes.

Mr. NEFFENGER. Well, I think that it is the case that some of the—without getting into details—that, as Inspector General Roth noted, some of the people who were coming through the system were diverted into it. And that may have contributed to some of the failures that we saw.

I felt that the managed inclusion, as I said before, injected unacceptable risk into the system. I didn't know anything about these individuals. And I thought that they were best put back into standard screening until such time that they presented themselves in a direct way for vetting to come into the program.

Mr. RUSSELL. Thank you, Mr. Chairman, for your indulgence.

Mr. PALMER. The chair recognizes the gentlelady from New Mexico, Ms. Lujan Grisham.

Ms. LUJAN GRISHAM. Thank you, Mr. Chairman. And thank you all very much for your testimony today. Mr. Neffenger, I'm a big supporter and proponent of evaluative testing and review of large employee organizations, because it can be very difficult, particularly when it's so broad-based, and it's a national organization, to really get at the heart of what is occurring at a day-to-day basis; and in my own State, created undercover or anonymous care evaluations of long-term care facilities. I think today it's still the only State-authorized, or I think the authority exists, but we have a statute that re-confirms that not only does the authority exist, but it should be encouraged, and you should undertake these anonymous care evaluations.

And I appreciate very much that your leadership recognized that this might be a way to either confirm the data that you have,

which, at the time, suggested that things were operating fairly well, and you might have some complaints, or an anomaly, or you would have the opposite, right, which is exactly what occurred here that you've identified that you've got significant issues.

And in the course of your responses to questions, and certainly in your testimony, you've—and I appreciate that—have accepted that there's a culture problem in the organization that needs to be addressed. And you've got a 10-point plan.

And so I'm really interested in, even implementing that plan, it is very difficult—it's challenging to create, in large organizations, I think, a kind of top-to-bottom, bottom-to-top culture shift, because I think too often, people believe that it's a temporary investment, and then it's easier to kind of go back to the way that it was, particularly if you think random efforts at looking at one region, or one area, or one airport, or one screening system versus another. It really depends on the leadership in that particular organization.

What have you learned from this experience that, A, we can help you with in terms of really having a sustainable culture change shift with the leadership and rank and file employees? What can we take from that and use it for other Government entities that we have the same issues, Secret Service, the Veterans Administration, several others in Federal Government that I think could really use this kind of approach?

Mr. NEFFENGER. Well, thank you. There's a lot in that question, but I think it's really important, and you've hit on a number of the key concerns and thoughts that I've had with respect to this. You're absolutely right, that it's challenging to do cultural change. But, you know, but we have one great benefit, we have a really, really important mission, and it's a very defined and very specific mission. And so, that's a huge rallying point to begin cultural change, unlike an organization that might have, you know, a couple hundred different things to do.

So I like that. And it's a mission that people care passionately about and you can tie them to it. And I never forget that everybody in this workforce raised their hand and took an oath of office, and you can activate that. So that's one great advantage that you have, but it's not enough. And it's not enough for me to say I want cultural change, but no one individual makes it happen. But it is important for me to say it, because it has to start at the very top of the organization. The organization that raised their hand and took the oath has to believe that the person leading that organization took the same oath and cares about it. And so I have yet to say that out loud.

And then you have to build some institutional structures that actually support it. I mentioned a couple today. I think it's critical that I begin to do new hire training in a consistent, standardized, you know, singular way. And I think that that will do great value in building culture over time. It's not immediate, but as you do that—

Ms. LUJAN GRISHAM. I agree with that, and I hope you're going to, and I think that's a great idea, but that you—the accountability balance with incentivizing and creating long-term shifts, having an immediate shift that people believe is really taking place, is the

harder part, I think, and I'm really interested to hear more about that.

Mr. NEFFENGER. Well, the other thing I did is, and apparently for the first time ever, I brought the entire, what I termed the leadership of TSA together, that is, both the senior leaders at the headquarters office here in the D.C. area, as well as all of the Federal security directors, the regional directors, and then my—my regional directors, who are posted in overseas locations together, that was about 175 people.

So first time in the history of TSA we've done that. I spent 2 days with them, and it was 2 days of connection to culture. And during that 2 days, we talked about how we collectively define the culture of the organization. So I can say—

Ms. LUJAN GRISHAM. I'm out of time. I applaud your efforts. And I would, with the chair's discretion, just encourage you balance accountability with incentivizing and creating a clear operating system, because I don't believe it's sustainable unless you do. Thank you very much for your leadership.

Thank you, Mr. Chairman.

Mr. MICA. [Presiding.] I thank the gentlelady. I recognize Mr. Palmer.

Mr. PALMER. Thank you, Mr. Chairman.

We've had a lot of discussion about equipment technology, and we've gotten into the personnel issue as well. The Inspector General has stated that the TSA's problems come, I think, largely from a lack of training. Mr. Roth, is that correct?

Mr. ROTH. That is certainly one aspect of it.

Mr. PALMER. Mr. Neffenger, how do you plan to address the training issues?

Mr. NEFFENGER. Well, we did immediate address of the current results, and we—we did what were called mission essentials training, it was an 8-hour block of training across the entire workforce. And it started with the frontline workforce, we did this over the course of August and September. We trained every single screener, and now we're in the process of doing the same for the leadership of the organization. And that was designed specifically to talk about what were the nature of the failures, and then to talk about systemically why those failures existed and how they existed across the organization.

Now we have to go back and measure the effectiveness of that training, and we're in the process of doing that now, and we'll do that going forward. That is a program that we're putting into place for—on a routine basis now. We are going to do quarterly mission essentials training. And then we're looking at across the organization at all levels, what are the progressive levels of developmental training and repeated training that has to be done to ensure that you—that you identify problems before they become systemic, before you get into massive failures like we saw earlier. I think that time will tell as to how effective it is, but I'm encouraged that some initial anecdotal results show that significantly improved performance in those areas where we recently tested.

Mr. PALMER. Now, are you referencing the use of the Federal Law Enforcement Training Center? Is this your front—training for frontline people?

Mr. NEFFENGER. It's one—it's one aspect of that training that—we used it to—to bring all of our trainers in during the month of July to train them and then push them out to on-the-job training for our workforce. The—what I'd like to do at the Federal Law Enforcement Training Center is really move our new hire academy full-time to there—beginning in 2016, and then develop additional training opportunities and developmental training throughout someone's career in the TSA.

Mr. PALMER. Mr. Roth and Ms. Grover, you both can respond to this, but do you believe this basic training will help? Is it going to get us where we need to be?

Mr. ROTH. It absolutely will help, both in the sense of mission and community that Administrator Neffenger referenced, but also some of the very basics that we found weren't being followed with regard to checkpoint operations. So I'm a firm believer in training, and that is one of our recommendations, so we're gratified that Administrator Neffenger is following through on that.

Ms. GROVER. I agree it is necessary and critical to both the development of an appropriate culture and enhancing knowledge to support security effectiveness, but it is not sufficient. Administrator Neffenger mentioned the plan to follow up to make sure the training itself was getting the desired results, and that is critical.

Mr. PALMER. Mr. Russell of Oklahoma asked a question about cargo security. I want to ask about checked bags. Mr. Neffenger, are you aware of the leak that occurred earlier this year where all of the Travel Century luggage keys, which TSA uses, have been released to the public?

Mr. NEFFENGER. I'm aware. I think you're referring to the photograph of a key that was published in a major newspaper.

Mr. PALMER. Right. That apparently they can reproduce those keys. Are you aware of that?

Mr. NEFFENGER. I am. Yes, sir.

Mr. PALMER. Can you provide the committee with any Memorandum of Understanding between your agency and the Travel Century regarding the master key program? Would you—could you do that for us?

Mr. NEFFENGER. I'll see if we have one, yes, sir.

Mr. PALMER. All right. And then my last question will be, how do you plan, or will you be able to address this issue of baggage locks if these Travel Century keys have been compromised?

Mr. NEFFENGER. Well, I think that—the first thing I would say is that it's clearly a compromise for a potential—for locking that bag outside the aviation environment. Those bags are still secure to go through the system, because they go through screening into the aviation system, so I don't see it as a threat to the aviation security system, but it's clearly a potential theft issue outside of the aviation environment. I think I need to see what the potential solution is from the Travel Century folks, and then look to see what we can institute in the future, but clearly we have to address that as a problem.

Mr. PALMER. And that's the context of my question. You have travelers who think—who are not using locks, because you use bolt cutters, and they want to know that their luggage is secure.

I thank you, Mr. Chairman. I yield.

Mr. MICA. I thank the gentleman.

Mr. Grothman, the gentleman from Wisconsin.

Mr. GROTHMAN. Okay. Well, I'd like to thank you for coming over here. I know it's a tough job. You know, you're—it's got to be a difficult thing to work. I assume you can work there for 30 years and never catch somebody who has ill intent. So you must sometimes wonder what you're doing is worthwhile, and you're also dealing with a public that, you know, usually does not consider this a wonderful thing, so you're dealing with people who aren't particularly happy to have you there.

First question I have, in general, say, in the last 5 years, have you folks caught anybody who you believe, not somebody who accidentally was slipping in, you know, a fingernail clipper or something, but somebody who really had bad intent in the last 6 or 7 years that you feel—

Mr. NEFFENGER. Within the entire system, I would say yes. Remember that there's a—there's a security environment in which you enter when you—when you first put your name into a reservation system. So I would say we have repeatedly identified people with connections to known or suspected terrorists over the years.

Mr. GROTHMAN. I mean, people who you believe at the airport, when I go through these things, if you guys didn't stop them, they were going to try to do a bad thing; not somebody who was one of thousands of people on a terrorist watchlist. I mean, somebody who you believed that if you were not there, they would have done bad things.

Mr. NEFFENGER. I believe we've caught—we had a few instances that I've been—that I've been aware of. I hope that the vast majority are deterred from trying in the first place.

Mr. GROTHMAN. Right, right. That's the goal, right. If you could maybe forward to the committee later the examples where you really feel—

Mr. NEFFENGER. Yes, sir.

Mr. GROTHMAN. —that you caught somebody who would have done a horrible thing if you hadn't caught them.

Second question, we had a hearing a while ago on this stuff. At least what I took out of it is that, you know, maybe dogs would be a better way to go about this, and there were slip-ups. Have you done any work with dogs, or used them as a trial?

Mr. NEFFENGER. We do. Actually we have quite a few K-9 teams deployed throughout the aviation system. I noted in an earlier question that—I'm in the process of moving some of those teams from what I consider to be smaller, lower risk airports to the large airports. I don't really—I think the exact number is somewhere around 112 teams currently. We've got another dozen or so teams coming on this coming year.

I think dogs are a very important additional element of security in the system. They provide a lot of capability, both for cargo screening as well as for passenger screening, so I'm a big proponent of the use of canine teams.

Mr. GROTHMAN. Could you see the day when we use more dogs and less people?

Mr. NEFFENGER. I don't know that dogs will ever replace the people component.

Mr. GROTHMAN. Not entirely, but I mean—

Mr. NEFFENGER. But I think that—I think I can see a day for using more dogs, and we're doing that as we go forward.

Mr. GROTHMAN. Would they ever—would they replace some people? Do you see the day where, you know, rather than I go through there and I see eight uniformed people, I see two uniformed people and a dog? Do you see that day?

Mr. NEFFENGER. Well, I think there's a potential, but that—that really speaks to the larger question of how that checkpoint evolves over time.

What I do see is a day when the checkpoint looks very different from what it does today. We're still largely dealing with, with the exception of the AIT, we're still largely dealing with the same kind of checkpoint we've had for the past decade or more, and I think we're on the cusp of a very different-looking checkpoint experience in the next 5 years.

Mr. GROTHMAN. Okay. A while back, I know a guy who worked for you, and he felt it was a very top heavy organization, or at least at the airport this guy worked at. Are you doing things over time to reduce the number of administrative staff as opposed to people doing the work?

Mr. NEFFENGER. We have. We've come down about a total of 6,000 people in TSA since the spring of 2013, so in the past 2 years, almost—now 3 years almost, we've reduced the workforce by about 13 percent. I think we'll continue to do so. I've asked to hold steady for the coming year as we look at the impact of the elimination of managed inclusion, and I look to correct what I see to be systemic issues in the organization, and then we'll revisit the staffing standards following—following this year, but I do see that there are more efficiencies to be gained always in an organization. I think you have to look at that continuously.

Mr. GROTHMAN. Okay. What do you pay your people starting? I mean, one of the guys that I see, or gals I see, what is the compensation they get?

Mr. NEFFENGER. It varies by location, because there's locality pay associated with it, but it's—it's roughly equivalent to—to the incoming level for a—

Mr. GROTHMAN. What is—how much is it?

Mr. NEFFENGER. You know, I think it runs somewhere around 28- to \$30,000, but I'll get you the exact figure.

Mr. GROTHMAN. Do you have a hard time finding people or not?

Mr. NEFFENGER. We're challenged like any organization to find a workforce. We've met our recruiting goals every year, but the turnover's higher than I'd like to see it be.

Mr. GROTHMAN. Is there any reason why somebody 60 to 65 couldn't do that job, or do you discriminate against them or you'll get—

Mr. NEFFENGER. Oh, not at all. We have quite a few people who are retirees that are working in the screener workforce.

Mr. GROTHMAN. I guess I'm out of time. We'll get one more question.

Sure. I ran into a guy this weekend who was on your whatever list, the trouble list, okay, and he'd been on it for quite a long period of time. He wasn't as mad about it as I would be. I mean, one

time he walked through the thing, and apparently the people all ducked down and they called the police on him and, you know, people came in with their guns drawn. He was somebody if you just looked at the guy, you'd think, what? I mean, this is some guy who lives in a little town in Wisconsin. It was like, really?

How quickly does it take people to get off this list? I mean, when you guys make a mistake like this, how quickly should it be?

Mr. NEFFENDER. Well, there's—there's a redress process that we—that we partly manage. It's managed also by others in the—in the law enforcement and intelligence community. What I would say is I'm not familiar with that specific. If I can get the specifics on that, we can look at that specific case, but there is a process for if you think that you have been—been inaccurately placed on a list, there's a redress process. And it's a pretty fast redress process, as I understand it, although it's a process that you have to go through.

Mr. GROTHMAN. Long time for this guy, but I'll—

Mr. NEFFENDER. Yeah. But I'd be—I'd certainly take it for action if you've got the details for me.

Mr. GROTHMAN. Okay. Thanks much.

Mr. MICA. I thank the gentleman.

Mrs. Maloney.

Mrs. MALONEY. I thank the gentleman for calling this hearing.

TSA relies on many different pieces of equipment to carry out its screening tasks. For example, it uses Advanced Imaging Technology machines, walk-through metal detectors, explosive trace detection machines, bottled liquid scanners, and x-ray machines, among other pieces of equipment.

In May of this year, the IG's office issued a report that concluded TSA is not properly managing the maintenance of its airport screening equipment, and one of the IG's key findings was that TSA relies on self-reported data provided by the maintenance contractors, and does not validate the data to confirm that required preventive maintenance actions have been taken. TSA also does not validate the corrective maintenance data reported by its contractors.

So my question is to Inspector General Roth. If TSA has not been validating the data reported by its contractors, can it be sure that all required maintenance has been performed, and that its machines are operating correctly?

Mr. ROTH. No, they can't. And you accurately summarized what those reports are. It's the functional equivalent of giving your car to the mechanic, but not checking to see whether or not they've changed the spark plugs.

Mrs. MALONEY. Yeah. Well, that's important.

And, IG Roth, do any of the contractors responsible for the maintenance of TSA equipment have sole source contracts? Is it competitively bid, or is it a sole source contract?

Mr. ROTH. My understanding is it's competitively bid, but I think I'd need to get back to you to give you a full and accurate answer.

Mrs. MALONEY. Could you get back to me and the chairman, would you, please—

Mr. ROTH. Absolutely.

Mrs. MALONEY. —and the ranking member?

IG Roth, have any contractors ever been penalized for failing to perform any type of maintenance tasks?

Mr. ROTH. I'm not aware of any, but, again, let me take that back and be sure of the answer.

Mrs. MALONEY. And what recommendations did your office make to TSA to improve maintenance of its equipment, and what is the status of these recommendations?

Mr. ROTH. We did make a number of recommendations with regard to the process that TSA uses to verify this maintenance. That is still in process. We typically allow them some time to be able to institute those changes, but, again, I will get back to you with the specifics on that.

Mrs. MALONEY. And I'd like to ask Administrator Neffenger: Are you confident that TSA now has the systems in place to hold its contractors accountable for providing proper maintenance of its equipment? And are you confident TSA's equipment is being maintained and repaired properly?

Mr. NEFFENGER. Thanks for that question. Let me first say that I concur completely with the Inspector General's findings, and I did find that we had—not that the maintenance wasn't being done, but we had no way to verify that it was, in fact, appropriate and done, so we put the processes in place to do so. We have to—we now have to measure whether those processes are adequate to do that, but I'm confident that—that certainly I get it, and that the person I have is tasked as responsible for ensuring that it happens, understands the importance of having an auditable follow-up trail for everything that's done to ensure that this equipment is maintained to its standards.

Mrs. MALONEY. Well, I just must underscore, which I know you feel, the responsibility that you have to the American people. We know that there are many who want to harm our citizens, and that they try to do it for some reason through the airplanes, and they are continuing to break our system. Because I check with the airlines in my area, and they have incidents where they're trying to break through. So having the oversight and the audit and making sure that this is happening is critically important.

And I look forward to you getting back to the committee, Inspector General Roth, on the answers that you needed to review more for us. I think they're important questions, and I look forward to seeing what your response is.

Again, I thank you for your public service. Thank you for being here today. And I thank the chairman for calling the hearing on a very important safety issue.

I yield back.

Mr. MICA. I thank the gentlelady. And I'll finish with a round of summary questions here.

First of all, Mr. Administrator, in previous response to me, we discussed who poses a risk, and it's less than 1 percent of the travelers that are examined of the 660 million. Is that still your position?

Mr. NEFFENGER. I couldn't put an exact number on it, but I would agree with you that—

Mr. MICA. The vast majority.

Mr. NEFFENGER. —the vast majority of travelers are—

Mr. MICA. You're probably dealing with 20- to 50,000 people on some sort of a watchlist or no-fly list that we're looking to not board who may pose a risk, but we're spending about 95 percent of our resources, again, on folks who pose no risk.

You talked about where you're going, and I saw some of your report and I was pleased to see that you're looking to the future. Here's my boarding pass. I've been to Europe. Last year I was there twice, once in Italy and once in Germany. There was no TSA-type screener at the entry point. I have pictures of it. I'd be glad to show you. You go up and you put your boarding pass on, and the stile lets you through. If it doesn't let you through, there is a person who would subject you to additional screening. That's almost commonplace now in Europe in the domestic arena. Maybe you saw that when you—

Mr. NEFFENGER. I did, yes. Yes, sir.

Mr. MICA. Yeah. We have people going through this. Some of the dumbest things I've ever seen—where's your cell phone? Let me borrow your cell phone a second. You go up and put your cell phone down and they let you through, but then you've got another TSA—if you don't have it on your electronic device, then you have someone who takes time and they go through and circle each thing. I mean, it—there's just—just things like that, and where we are not.

Can you name any countries, other than Bulgaria, Romania, or Poland, sort of in the more sophisticated countries, that have all Federal screening?

Mr. NEFFENGER. I'll get back to you. I know—

Mr. MICA. There are none.

Mr. NEFFENGER. —most of the—

Mr. MICA. There are none.

Mr. NEFFENGER. —European countries do private screening.

Mr. MICA. Israel. Yeah, but it's under Federal supervision.

Mr. NEFFENGER. Right.

Mr. MICA. I have never said do away with TSA. I have said change your role, change the resources to connecting the dots, to security. That's what's going to get us. And every time we've been successful in stopping someone, it's connecting the dots. But, again, we are—you said it may be 5 years before we could get to this. This should be tomorrow.

Mr. NEFFENGER. Well, actually, I think we'll get to that much faster.

Mr. MICA. Yeah. And we should be embedding the information here. I saw that in German—in Nuremberg demonstrated in 2003, completely operational. It will stop people, they won't be able to board. The systems exist. We just keep falling further behind, adding more people.

Now you're saying you're training them, you're sending them back to basics to a law enforcement training program?

Mr. NEFFENGER. No. It's at the Federal Law Enforcement Training Center. It's not a law enforcement training program. It's usual—

Mr. MICA. Well, I have to make it clear. And some of my colleagues don't even know that TSA screeners are not sworn personnel, right?

Mr. NEFFENGER. That's correct. This is not—

Mr. MICA. Okay. They are not sworn personnel.

Mr. NEFFENGER. That's right.

Mr. MICA. They are screeners.

Mr. NEFFENGER. That's correct.

Mr. MICA. And, again, you have this huge bureaucracy trying to recruit. And maybe you've gotten better, you know, I—this goes, we're hiring them off of pizza box ads, and above discount gas pump advertisements for screeners, that hopefully has stopped. But you can recruit all you want, you can train all you want. You have actually trained more people than you employ, and—at this time. You know that? You've actually trained more people. They're gone. Your turnover has been—some places it's horrendous, other place—and granted, some markets are very difficult, but—okay.

So we've got equipment, and this is about equipment. I've heard—and the AIT failures to maintain, to operate, to train people for it, Advanced Imaging Technology. The deployment is a disaster. How many machines do we have? 700 and what?

Mr. NEFFENGER. About 750 machines currently.

Mr. MICA. 750 machines. They're at how many airports?

Mr. NEFFENGER. They're at—

Mr. MICA. 160 is the answer. How many airports do you have? Say over 400—

Mr. NEFFENGER. About 400 over—about 450.

Mr. MICA. So about 300, 290 airports that don't even have an AIT machine. I'm Mr. Dumb Terrorist. Okay? Where am I going to go under the system? AIT is the best equipment we have, but it can be thwarted. I know it can be thwarted. I'll get it in the airport, but it's the best device we have available. You've made some refinements to it, but personnel are human beings, they're going to fail. I will bet the staff a dollar—okay, Mike, I'm going to bet you a dollar, they'll be back here, we'll do it next September, we will do the same hearing, we'll have covert testing. Maybe you'll improve slightly, but it will still be a disaster. It's been a disaster in every classified hearing I've sat in, the failure rate. If it was publicly known, people would scream for some change.

So, again, I want to get you out of the personnel business, which is that huge—again, they're not law enforcement, but screening team. Again, you need to be in intelligence and connecting the dots and security, setting the protocols, the standards, seeing who is not performing, getting rid of them if it's a private firm that's operating.

Okay. So here's our AIT's, we have 450 airports, we're at 160 locations. Then you go to the locations when they put them out. It was mind boggling. And how are you going to change that? It costs hundreds of thousands of dollars for the equipment, then it costs the airports and you a fortune to put them in place.

You go to some concourses, and they've got two or three of them in one concourse. It was never intended for that. It's intended to be a secondary screening device. And then in other concourses, even at National you go to, one of our airports in some of the concourses have none. So you have started—I mean, God bless you, you're trying to change a mess, but even the deployment of that important machine has been a disaster.

When we spoke, I asked you about reducing some of the overhead. You've got thousands of people in overhead, 46,000 screeners. It was up to 15,000, we found either within the 46 over here in Washington. One time there were 4,000 making \$103,000, on average, just within 20 miles of where we're sitting. And some of those may be important responsibilities, but, again, paring that down.

We have the public-private screening partnership, and I'm a firm believer in that. They probably—well, I know they perform a little bit better than you, because I've had that tested. And they came back and told me, you know what the response was when there was a fair, open testing? They said that private screening performed—under Federal supervision, private screening under Federal supervision performed statistically significantly better.

Now, I don't care how polite your agents are. It's nice to have them polite, you've impressed some of the members. What I care is if they are able to deter a terrorist from getting through. And they are not law enforcement personnel, they are screening personnel. You've got your whole billions of dollars, billions of dollars focused on people who don't pose a risk. So we need to get away from that model.

A Member of Congress, Mr. Walberg, who testified, he's got an ID card. Sometimes they don't even recognize a Federal ID and ask you for a driver's license. But I've had hearings here on driver's license and ID's, TWIC cards and others that can and have been duplicated. That's one of the easiest things you can do. And I can take and make you the fanciest boarding pass, I'll challenge you, be glad to go out and take one, and I can get through any of your gates at National, or anyplace else, with just a little bit of work on a computer.

So, again, we've set up a system that is destined to fail. You'll be back here, maybe slight improvement, training some more folks, maybe a little bit better retention.

Back to the partnerships. In Rochester, one of several dozen public-private partnerships, I told you they had, at one time, 15 to 18 people, most of them making between 60 and 100-and-some thousand dollars. They have 1.1 million passengers. I went to Canada and looked at similar operations. They have one Federal person. And I think you need a Federal person, someone who's charged with the intelligence, someone who's charged with conducting the oversight audit on a daily basis and making certain it works.

Is there any hope of getting a reduction of some of the people we don't need at these programs where we have the public-private partnership?

Mr. NEFFENGER. As you know, we actually have reduced the number of oversight directly for the partnership, but there's a—the additional responsibility of TSA has members, there's a surface inspection in transportation, so a number of those people are involved in compliance examinations and the surface examinations.

Mr. MICA. And there's anything that can't be done through a contract—

Mr. NEFFENGER. Well—

Mr. MICA. —written in a contract? But okay. Two, three, four people at an airport like Rochester, not 15 or 16. Again—and I know the game. You pack it so it makes it look like it costs more

or as much for private screening under Federal supervision. We're going to have a report that will be released soon and show some of the costs. At least it costs less under that. Not that I'm trying to do it on the cheap. They're just more efficient. I support Federal wages, no change in that. I support union membership. I put that in the bill in the beginning bill. In fact, in the private screening in San Francisco, they had folks belonging to unions long before the most recent signup of folks across the area.

I have another question the chairman wants me to get in. Will you let the committee know today, or within the period we keep the record open, we want a complete response on when you will—will you—you will finish and address all of the recommendations that the IG and GAO have put forward. Could you—could you give us that today, do you think? Or do you want to give it to us for the record?

Mr. NEFFENGER. I'll give you a schedule for the record. What I will tell you is what I told both the Inspector General and Director Grover, and that is, that I'm committed to addressing all the remaining open recommendations as well as any that remain that are nonconcurrers and getting those closed.

Mr. MICA. And if you can get the committee in the next—what are you going to leave this open, 10 days, Mr.—

Mr. CUMMINGS. Yes, 10 days.

Mr. MICA. 10 days. Without objection, so ordered. We'll leave it open for 10 days.

Mr. CUMMINGS. No. I have—

Mr. MICA. No, I'm not finished. I was just leaving it open and I'm making certain they comply with your wishes, too.

Mr. CUMMINGS. Okay. That's fine.

Mr. MICA. Okay. But in any event, 10 days, and we would like that made part of the official record, and as exact a date, because, again, I'm going to—I'm going to hold a subcommittee hearing if we don't hold a full one within a year, give you a chance. You're here, and I love your attitude, I love your willingness to be open with the committee. You've inherited one of the most difficult tasks.

You're the, what, sixth Administrator? I've dealt with them all, and I think you're one of the most capable that we've—we've been fortunate to have, but we need to look at rewriting the ship on this whole security thing, get you out of the business that gives you the headaches.

And I know you'll go back and people will say, oh, Mica's full of it and don't listen to him, but as long as you keep trying to manage a \$46,000 HR department, you are going to have problems with recruiting, with training, with retaining, with managing. You will never get it right, I can assure you. Not that it's your fault. You're dealing with human beings. And then using all of that resource to go after 99 percent of the people who don't pose a risk, not expediting their passage, and not redirecting those resources towards the bad guys, connecting the dots, security, making certain that you set the standards.

And then as the Inspector General and Director Grover have said, that you—you bear down on those that are not meeting the standards that you have, you kick their butts out, you fire them,

you—and terminate their contract. That's your—I believe, your role.

So, again, welcome. Isn't this great? You want to reconsider? No. He's—no. You're—but you are a true hero to come forward. I have the greatest respect for you and what you're going to try to do. I'm trying to get you to see a year from now what you're going to face when you—when you come back here and where we'll be.

With that, thank you. And I want to yield to the ranking member, Mr. Cummings.

Mr. CUMMINGS. Thank you very much, Mr. Chairman. I want to thank all of you for your patience. I know it has already been a long morning, and I only have a few questions.

As all of you know, our Nation has one standard credential for merchant mariners and employees who need access to secure areas of ports, it is called the Transportation Worker Identification Card, or TWIC card. You said the TWIC was required by the Maritime Transportation Security Act, and each TWIC is issued by the TSA.

Administrator Neffenger, I'm curious, given your background with the Coast Guard, which model do you think is better? Should credentials for access to facilities, secure areas be issued by each individual facility, or should they be issued by a national entity like TSA?

Mr. NEFFENGER. I don't know if I have a good direct answer to that. And by that, I mean this: When you have a nationally issued ID card, that creates a lot of challenge in managing it and issuing it, and introduces some concerns with respect to its—its viability across a large organization.

That said, I think that both systems can work effectively if they're—if they're—if the oversight is what it should be. I think as I look at the badging environment in the airports, airports would argue that they like the fact that the badges are different, because it means you can't move from one airport to another and show up and get access. You have—you have to have something that says your airport on it.

I think that we can do a lot more to ensure the security of those—of those badges, and to ensure the accountability of those badges as we move forward. There was an awful lot of information that came out of what the Aviation Security Advisory Committee study told us about the—the way to manage and to ensure the integrity of those badges going forward, as well as to look at the oversight of those. I think the Inspector General has pointed out some important areas for us to consider.

So I don't—I don't really know which—which approach is better. I think both approaches can work very effectively, but they need a lot of oversight no matter which way you take it. As you know, there have been some challenges in the TWIC program as well.

Mr. CUMMINGS. Yeah. Yeah. The—are you confident that full implementation of your plans will ensure that TSA's screening systems will pass future covert tests by the Inspector General and TSA's own covert testing teams?

Mr. NEFFENGER. Well, testing will tell, but I—I'm confident that we're on the right track. I hope it means that we will—we will see dramatic improvement in the future. I believe it will, but I don't believe that we can just declare it done and move forward. I think

that this is a continuous process, and it's a continuous attention. This is one of these things that, as I said before, you can't just fix this and assume you've got it right. This is—what it's allowed us to do is see that this is a—this is an ongoing attention that needs throughout the entire life of the organization. There is no fixing it. There is addressing the challenges, learning from what you've addressed, testing yourself, learning from those testing and that continuous improvement as we go forward.

So what I will tell you is that, certainly for the duration of my tenure, that I don't ever take my focus on continuing to test this system, evaluating the processes and training that we put in place, the procedures, continuing to adjust them as we discover whether they work or don't work, and then looking for how to distribute those—the best practices that we find across the whole system, and that includes looking to our international partners for anything that they might be doing that can inform the way we do business, because this global system relies on global standards and global consistency.

Mr. CUMMINGS. Now, as you've heard GAO state today, TSA has not always established performance—performance measures that clearly align with its goals. How will you know if you have altered the pervasive cultural problems in TSA and what performance metrics will confirm it?

Mr. NEFFENGER. Well, we took a look at the—I took a look at the entire measurement system, and essentially said, look, the current—the current way we're measuring isn't leading us to improving the system. So I think there's a readiness component. I want to know if the workforce is ready, meaning are they trained, do they know what the mission is, do they have the support of the leadership, and is there ongoing attention to that, and then I want to look at their performance. Then I have to test them. Did all that stuff work? Did what I think about their readiness actually show itself in their performance?

The system has to have the same sort of measures. You need to know is the system ready, meaning, have we maintained it appropriately? Can we verify that we've maintained it appropriately? Is it meeting the standards before we deploy it that we expect it to meet? And all those other things that go into does it work? And then the second piece is how well does it perform when you plug it into the system? And so then you have to go back and you test that as well.

So you're testing the people, the processes, and the technology, both its readiness to do its mission as well as the actual production of that mission, and it's a continuous process. I will tell you that right now I get a report on a weekly basis directly to me on those measures. We have a ways to go yet. We're putting—we're getting the organization used to a new way of thinking, it's measuring effectiveness, it's focusing on the security component and the effectiveness of that; it's defining that mission in a very clear way, and then looking to see what we're learning as we're—as we're studying it.

So we've actually learned quite a bit already about—about system readiness, both in the workforce as well as in the—in the technology, and it's leading to some things that we have to do to im-

prove that on both scores, and it's also beginning to point the way towards how we're going to effectively measure performance, and that will include working with the Inspector General and the GAO as we go forward.

I see this as a very valuable partnership, even—even recognizing that they have to be independent and they're skeptical, and I want them to stay that way, but they give me valuable information about how my system's working.

Mr. CUMMINGS. Well, let me say this, that the—one of the things that I have pushed with the Coast Guard, with the Secret Service and the Baltimore city police, is I've said that I want them to create an organization which is the elite of the elite. In other words, a feeling that we are the best and that our standards are high. And I believe that when you have—when you get there, the people who are caught up in a culture of mediocrity will fall off, because they won't feel that they belong, period. You won't have to fire them; they'll leave. Some of them you may have to fire, but most of them will just back off.

So, you know, as I've heard the testimony today, one of the things that just gnaws at me is the idea that we have now an agency that's willing to accept the recommendations. And, Director Grover, I keep going back to some of the things you said about accepting these recommendations and then trying to do them. But we're still having those gaps. And, you know, as I was sitting here and I was listening to all of this, I was saying to myself, well, maybe it's not just all the things that you've just said, but you have to add something else to it. See, I think that when you—when we have recommendations, and then your agency looks at them and says, Oh, yeah, we got to do this, yeah, we missed that, we got to do that, it may go back to that whole idea of trying to impress or get it done, but not concentrating on why they're doing it, you know, why that's important. And some kind of way I think to get to the elite of the elite, I think people have to have a full understanding of why it is and the fact that bad things can happen, and perhaps, if you're not on guard, they will.

And I keep—for some reason, I keep going back to Katrina. I'm telling you, I think about Katrina almost every day, because it's one of those situations, Director Grover, where we claimed that we were ready. We couldn't even communicate across town. And like I said, when they said the rubber meets the road, we didn't have a road. And our country is so much better than that.

And so I think one thing is leadership, I think another is metrics, and I'm hoping that—I will talk to Chairman Chaffetz, and we—he has been very open to accepting the model that we used in the Coast Guard Subcommittee where we constantly brought folks back so that we could actually, you know, see where we were going, because one of the things that you heard me say many times, a lot of times agencies, and I'm not bringing—I'm not saying you did this, but agencies will wait out a Congress and then, you know, and so there's no real accountability, going back to what you said, Ms. Grover, Director Grover, you've got to have accountability. One of the best ways to have accountability is set deadlines, and then can come back and report. And it may be that you don't achieve every single thing you want to achieve, but hopefully, we can get

in—you know, see our progress. And by the way, I think when the agency sees its progress, that, again, helps them feel like the elite among the elite.

And finally, you know, I just—I thank all of you for working together, and I thank you for having the attitude that you have. I think one of the biggest mistakes that we make is sometimes we act like, you know, the Inspector General and Director Grover, that we're all on different teams. But what you're saying is that we're all on the same team trying to lift up the American people and keep them safe. That's the team that we're on. That's our team.

And so if I've got a member of the team that can see things that I can't see, and can bring them to my attention and help me become better, and, again, become the elite of the elite, I think that's what we ought to be about. And I thank you for having that kind of attitude, because that's what—that's what's going to get us where we've got to go. And I think we're—and I go back to what Mr. Gowdy said a little bit earlier. I'm going to tell you, I have had nothing but good experiences with TSA, I mean, everywhere I go. And I know that we've got some great men and women working for that organization, and—but at the same time, I know they're also very—they're human.

And so I think we have to constantly find those ways to keep the work exciting to keep it—you know, refreshing their skills and reminding them of how important their job is and how we appreciate them, because I can tell you, when you've got somebody—you've got hundreds of people every day trying to rush to get to a flight, that some of them are very upset, they've got the kids, they got the stroller and all this, and then they've got to be checked, I'm sure that's just an opportunity for people's frustrations to get out of hand, but, yet, it's still—I've seen over and over again where TSA officers have just been very patient, understanding, and tried to do the right thing at all times and, at the same time, protect us.

And so again, I thank you all. We look forward to seeing you again. Your testimony has been extremely meaningful, and I think it can lead us into effectiveness and efficiency. I've often said that there's nothing like having motion, commotion, and emotion and no results. We have to have results, and I think we can get there and I think you all are—have given us a roadmap to get there. Thank you.

Mr. MICA. I thank the gentleman. I thank the members for participating today. We've—we've gone through all the membership, and you all have been most accommodating. I realize the task that you have, Administrator, but I particularly want to thank the Inspector General and also the Director. You have an important role with your oversight. The committee conducts some oversight, we rely on you and your independence in going forward. And the goal here is to keep the American public safe, to make certain that we don't have another 9/11, and that we do the best that we can with the resources given to us by the taxpayers.

So with that being said, there being no further business before the committee—I will mention, too, the staff has said that we will be submitting to you, all as witnesses, additional questions in this interim time for response, so we want you to know those responses will also be made part of the record.

There being no further business, this hearing of the Government Reform and Oversight Committee is adjourned. Thank you.
[Whereupon, at 12:51 p.m., the committee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

November 3, 2015
10 a.m. – Rayburn 2154
Congressman Gerald E. Connolly (VA-11)

**Committee on Oversight and Government Reform:
“TSA: Security Gaps”**

Mr. Chairman and Ranking Member Cummings, I look forward to hearing from the new head of the Transportation Security Administration on what reforms he is pursuing in response to recent revelations of shocking security breaches during routine covert testing of airline passenger screening. Administrator Neffenger was confirmed by the Senate in June, not long after the Oversight Committee’s last hearing examining the TSA’s efforts to secure our nation’s airports. I am encouraged by the swift steps he already has taken to address the security, technology, and management shortcomings identified by the Department of Homeland Security’s Inspector General and the Government Accountability Office.

The daunting task of the Transportation Security Administration cannot be overstated. It is responsible for screening more than 1.8 million passengers and their baggage every day at 450 airports across the nation. The threats TSA agents are working to detect and deter are constantly evolving in sophistication. It is sobering to hear the Administrator say that today, 14 years removed from the terrorist attacks of 9/11, “we face threats more dangerous than at any time in the recent past.” That is why Congress is determined to provide robust oversight to ensure the TSA itself is evolving to meet these new threats. Inspector General Roth succinctly captures the challenge facing the TSA, which “cannot afford to miss a single, genuine threat without potentially catastrophic consequences, and yet a terrorist only need to get it right once.”

Both the IG and GAO have raised concerns with TSA’s expedited passenger screening process. On multiple occasions, the GAO has noted TSA does not have adequate performance metrics to assess its progress toward achieving its screening goals, and the IG has questioned whether the program is too broad and, thus, creates unnecessary risks. I appreciate the competing demand TSA agents face to thoroughly vet each passenger and piece of luggage against known threats and to do so as quickly as possible to reduce the amount of time passengers spend waiting in line. I welcome the Administrator’s efforts to partner with airport operators and the airlines to “reduce stress” at airport checkpoints, and both airports and airlines do have an important role to play in that effort. For example, I would be curious to hear from the Administrator about what effect the airline practice of charging for checked baggage has had on the passenger screening process and the volume of carry-on bags that need to be vetted at the security checkpoint. Further, I hope that collaboration with industry includes a discussion about sharing the cost burden for ongoing security efforts.

I would also like to hear more about how TSA plans to improve the management of its IT investments. Technology plays a central role in the screening process, so it is critical that the TSA have standards to

measure the effectiveness of that technology before it's deployed and then proper protocols to maintain it. The IG noted in May that the TSA did not have adequate policies and procedures in place to ensure routine maintenance was being performed. In addition to recommending that such verification metrics be established, the IG recommended future maintenance contracts include penalties for such work not being completed. Beyond that, I would be interested in hearing how the TSA's CIO is implementing the new authorities and metrics created by the Federal IT Acquisition Reform Act, which I co-authored with the former chairman of the Oversight Committee, to improve the efficiency and effectiveness of the TSA's overall IT investments.

I want to thank the Administrator for setting a new tone with respect to welcoming robust oversight and working with the IG to address its findings and recommended corrective actions. The new training and program evaluations he already has initiated are a welcome first step, but the cultural reforms necessary to ensure the TSA is fulfilling its multi-faceted mission will require a sustained commitment from everyone involved, from the Administrator down to frontline passenger screeners.

JASON CHAFFETZ, UTAH
CHAIRMAN

ONE HUNDRED FOURTEENTH CONGRESS

ELIJAH E. CUMMINGS, MARYLAND
RANKING MINORITY MEMBER

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 415-5074
MINORITY (202) 415-5074
FEDERAL GOVERNMENT

November 10, 2015

The Honorable Peter V. Neffenger
Administrator
Transportation Security Administration
U.S. Department of Homeland Security
601 South 12th Street
Arlington, VA 22202

Dear Administrator Neffenger:

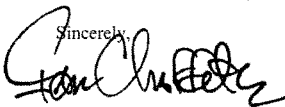
Thank you for appearing before the Committee on Oversight and Government Reform on November 3, 2015, at the hearing entitled, "TSA: Security Gaps." We appreciate the time and effort you gave as a witness before the Committee.

Pursuant to the direction of the Chairman, the hearing record remains open to permit Members to submit additional questions to the witnesses. Attached are questions directed to you. In preparing your answers to these questions, please include the text of the question along with your response.

Please provide your response to these questions by November 20, 2015. Your response should be addressed to the Committee office at 2157 Rayburn House Office Building, Washington, DC 20515. Please also send an electronic version of your response by e-mail to Sarah Vance at Sarah.Vance@mail.house.gov in a single Word formatted document.

Thank you for your prompt attention to this request. If you need additional information or have other questions, please contact Sarah Vance at (202) 225-5074.

Sincerely,



Jason Chaffetz
Chairman

Enclosure

cc: The Honorable Elijah Cummings, Ranking Member

To: Mr. Peter Neffenger
Administrator
Transportation Security Administration
U.S. Department of Homeland Security

From: Mr. Chaffetz
Chairman
Committee on Oversight and Government Reform

November 3, 2015 Full Committee Hearing
"TSA: Security Gaps"

1. Does TSA have a memorandum of understanding with Travel Sentry regarding the master key program? Please provide the Committee with any current and past memoranda of understanding or similar documents concerning the master key program.
2. How many individuals are currently on the no-fly list?
3. What are the one-year and two-year attrition rates for new TSA hires? Please provide rates for all employees, full-time employees, part-time employees, and Transportation Security Officers.
4. Have any contractors been penalized by TSA for failing to perform maintenance tasks?
5. Are any of TSA's maintenance contracts sole source contracts?
6. Please provide the committee with a schedule for completing and addressing all open GAO and OIG recommendations. Please also provide a specific calendar date by which TSA expects to complete all GAO and OIG recommendations.
7. Please provide the committee with a breakdown of instances in which TSA believes its screeners prevented individuals from engaging in potential harm had they been allowed to proceed past the security checkpoint and the nature of their intent, if known.
8. Please provide a detailed description of the proposed FLETC training including the number of new screeners TSA hires per year, whether the proposed FLETC training will be held on a recurring basis, and the metrics TSA plans to use to determine the training's effectiveness.

9. What is the estimated cost per new hire of the proposed training at the Federal Law Enforcement Training Center (FLETC)? Please also provide an estimate of the annual training-related TDY travel expense.
10. What is the range in the number of different credentials airport employees may need to possess to fulfill their duties within a single airport?
11. When passenger surges occur (typically during the summer), what is the wait time in TSA lines at the 5 largest airports? What has been the trend in these times – are they getting better or worse? Can you provide specific responses for the record based on data for NYC, LAX, Houston Hobby, Dallas/Love Field, O'Hare, and Atlanta?
12. How specifically do TSA staffing models accommodate shifts in the airlines' use of specific terminals and changes in their baggage policies? What has been learned from the recent application of these models at JFK?
13. At some U.S. airports nearly 20,000 credentials are issued. Does TSA track the cost of issuing credentials? To the extent it is known, what is the cost of issuing credentials at the 5 largest airports and what does TSA see as the key issues in management of such large numbers of credentials?
14. To what extent are the biometric aspects of credentials being used? What percentage of airports is equipped with the appropriate readers and where are these employed?
15. Please provide the number and cost of the following: (1) deployed AIT machines; (2) handheld ETD scanners; (3) active canine units; (4) Behavioral Detection Officers.
16. Under what circumstances, if any, can a traveler currently be sent for secondary screening *based solely on observations made by a Behavior Detection Officer (BDO)*? If none, what additional investigative techniques or methods are employed by TSA in conjunction with the BDO's observations before a traveler is sent for secondary screening?
17. As promised during the hearing, please provide the number or percentage of daily travelers reassigned to expedited screening based on clearance by canines and any additional screening measures that applied to the travelers.

Question#:	1
Topic:	Travel Sentry
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: Does TSA have a memorandum of understanding with Travel Sentry regarding the master key program? Please provide the Committee with any current and past memoranda of understanding or similar documents concerning the master key program.

Response: Yes, the Transportation Security Administration (TSA) has a memorandum of understanding (MOU) with two companies, Travel Sentry and SafeSkies, for the TSA Recognized Baggage Lock Program. Per Representative Palmer's request, a copy of TSA's MOU with Travel Sentry was previously provided on November 3, 2015. Copies of the MOUs will be provided directly to Committee staff.

Question#:	2
Topic:	No-fly list
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: How many individuals are currently on the no-fly list?

Response: The Transportation Security Administration (TSA) is a consumer of the Terrorist Screening Database (TSDB) No Fly List. The No Fly List is maintained by the Federal Bureau of Investigation's Terrorist Screening Center (TSC). Inquiries about the No Fly List should be directed to TSC which, as the originator of and the entity responsible for maintaining the TSDB, may be in a position to provide specific details regarding the No Fly List.

Question#:	3
Topic:	Attrition rates
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: What are the one-year and two-year attrition rates for new TSA hires? Please provide rates for all employees, full-time employees, part-time employees, and Transportation Security Officers.

Response: The table below represents employees by category that separated from the Transportation Security Administration (TSA) within one year and two years respectively as a percentage of new hires during the same period.

Separation Rate of TSA Employees for FY 2015		
Category	<1 Year Length of Service Loss Ratio	<2 Year Length of Service Loss Ratio
Transportation Security Officers (TSOs) ¹	29.87%	12.38%
Non-TSO Employees ²	37.85%	36.68%
All TSA Employees	30.40%	14.00%

¹ The vast majority (over 90%) of TSOs are hired as part-time employees and transition to full-time status over the course of their first two years of service. This transition period varies greatly from airport to airport depending on need.

² Only two percent of non-TSO new hires are part-time employees, making any separation in this category create a misleadingly high separation ratio.

Question#:	4
Topic:	Maintenance tasks
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: Have any contractors been penalized by TSA for failing to perform maintenance tasks?

Response: The Transportation Security Administration (TSA) has not penalized current or previous contractors for absolute failure to perform required maintenance tasks. All TSA maintenance contracts contain financial disincentives associated with maintenance requirements. TSA has frequently invoked financial penalties when contractors did not meet service level agreements; however, these penalties have been due to lack of timeliness in performing maintenance.

Question#:	5
Topic:	Maintenance contracts
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: Are any of TSA's maintenance contracts sole source contracts?

Response: The contracts for the maintenance of Explosives Detection Systems were awarded on a sole source basis to the Original Equipment Manufacturers. All other contracts for the maintenance of Transportation Security Equipment were competitively awarded. Congressional Notification was provided prior to award for each of these contracts.

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

Question: Please provide the committee with a schedule for completing and addressing all open GAO and OIG recommendations. Please also provide a specific calendar date by which TSA expects to complete all GAO and OIG recommendations.

Response: Estimated completion dates (ECDs) for all open Government Accountability Office (GAO) and Department of Homeland Security (DHS) Office of Inspector General (OIG) recommendations for the Transportation Security Administration (TSA) are provided in the tables below. Where ECDs have passed or the date remains to be determined (TBD), explanatory notes are included.

DHS OIG Recommendations

Report Number	OIG-09-103		
Report Name	Effectiveness of the DHS Traveler Redress Inquiry Program (TRIP)		
Date Issued	9/11/09		
Recommendation		ECD	Notes
24. Collect and report on redress-seeker impressions of the TRIP website, different aspects of the redress experience, and their overall satisfaction with the program, with the aim of using this information to identify areas for improvement.		2/28/16	
Report Number	OIG-12-26		
Report Name	Covert Testing of Access Controls to Secured Airport Areas		
Date Issued	1/18/12		
Recommendation		ECD	Notes
5. Sensitive Security Information (SSI) Recommendation dealing with identification verification		12/31/16	
Report Number	OIG-12-128		
Report Name	TSA Management and Oversight at Honolulu International Airport		
Date Issued	9/27/12		
Recommendation		ECD	Notes
2. Revise the position descriptions to clarify the roles and responsibilities for checked baggage supervisors and managers, and define the expectations for direct supervision. This should ensure that assigned staff are performing screening duties in accordance with all standard operating procedures.		2/28/16	

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

DHS OIG Recommendations

Report Number	OIG-13-123		
Report Name	TSA Office of Inspection's (OOI) Efforts to Enhance Transportation Security		
Date Issued	9/24/13		
Recommendation	ECD	Notes	
3. Conduct an objective workforce analysis of OOI, including a needs assessment, to determine the appropriate staffing levels to accomplish the office's mission cost effectively. In conjunction with this analysis, perform a position classification review of OOI to ensure that all staff positions are properly classified and ensure that those conducting the review, such as the TSA Office of Human Capital or the Office of Personnel Management (OPM), are independent of the process.	TBD	TSA recently provided OIG with a copy of the Statement of Work for the OPM proposed new Workforce Analysis needed to close this recommendation. OIG evaluated the Statement of Work and indicated via a memo dated 12/7/15 that the Statement of Work meets the intent of their recommendation. TSA will now execute the Workforce Analysis agreement with OPM, which will then begin the analysis.	
4. Upon completion of the workforce analysis and position classification review, reclassify criminal investigator primary positions that do not or are not expected to meet the Federal 50 percent minimum legal workload requirement appropriately. In addition, ensure that secondary law enforcement positions are properly classified in accordance with Federal regulations. So long as they are supervisors, their proper classification depends on the correct classification of the individuals they supervise.	TBD	TSA recently provided OIG with the a copy of Statement of Work for OPM's proposed new Workforce Analysis needed to close this recommendation. OIG evaluated the Statement of Work and indicated via a memo dated 12/7/15 that the Statement of Work meets the intent of their recommendation. TSA will now execute the Workforce Analysis agreement with OPM, which will then begin the analysis.	

Report Number	OIG-14-132		
Report Name	Audit of Security Controls for DHS Information Technology (IT) Systems at Dallas/Fort Worth International Airport (DFW)		
Date Issued	9/5/14		
Recommendation	ECD	Notes	
1. Comply with DHS policy concerning physical security, temperature, housekeeping, and electronic power supply protection at locations at DFW that contain TSA IT assets.	2/28/16		
3. Establish a process to report Security Technology Integrated Program (STIP) computer security incidents to TSA Security Operations Center.	12/31/17		
5. Provide required vulnerability assessment reports to the DHS Vulnerability Management Branch.	12/31/17		

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

6. Establish interconnection security agreements to document interconnection between the STIP and non DHS baggage handling systems.	1/31/16	The TSA CIO and CTO met with the OIG Assistant IG for IT Audits on 11/17/15. These officials agreed upon language to resolve the recommendation.
---	---------	--

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

DHS OIG Recommendations

Report Number	OIG-14-142		
Report Name	Penetration Testing of Checked Baggage Screening		
Date Issued	9/16/14		
Recommendation	ECD	Notes	
2. Increase checked baggage testing activities for training and development purposes using cluttered bags and distractors to: challenge Transportation Security Officers (TSO) in making correct decisions; reduce potential complacency; monitor compliance with the Standard Operating Procedure; and ensure TSOs focus on the bag environment.	2/28/16		
4. Develop procedures to assist the Office of Security Capabilities in identifying the cause for equipment-based test failures that result from internal or external penetration testing.	3/30/16		
5. Accelerate development and deployment of a test kit to independently validate deployed explosive detection systems equipment performance.	6/30/16		
Report Number	OIG-15-18		
Report Name	Audit of Security Controls for DHS Information Technology Systems at John F. Kennedy International Airport		
Date Issued	1/7/15		
Recommendation	ECD	Notes	
6. Designate the intrusion detection and surveillance Security System as DHS IT systems and implement applicable management, technical, operational, and privacy controls and reviews.	9/30/15	On 9/11/15 TSA provided OIG with a request for closure. A memorandum excluding Closed Caption Television (i.e., surveillance security systems) from DHS IT Systems signed by the DHS Chief Information Officer on 9/3/15 was submitted as supporting documentation.	

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

DHS OIG Recommendations

Report Number	OIG-15-29		
Report Name	Security Enhancements Needed to the TSA Pre✓* Initiative		
Date Issued	1/28/15		
Recommendation	ECD	Notes	
1. SSI recommendation for the TSA Chief Risk Officer regarding TSA Pre✓* eligible populations.	12/31/19	TSA sent a memorandum to Inspector General Roth on 12/1/15, changing its position to concur and including a plan to gradually implement the recommendation.	
2. SSI recommendation for the TSA Chief Risk Officer regarding Transportation Worker Identification Card (TWIC) and Hazardous Material Endorsement waivers.	12/31/17		
4. SSI recommendation for TSA Pre✓* Application Program Adjudicators.	6/30/16		
5. SSI recommendation for the Office of Intelligence and Analysis (OIA) regarding 24-hour recurrent vetting for TSA Pre✓* members.	12/31/17		
6. SSI recommendation for the Office of Security Operations (OSO) regarding the applicant vetting process.	12/31/15		
7. SSI recommendation for the TSA Chief Risk Officer regarding revocation of TSA Pre✓* eligibility.	2/28/16		
9. SSI recommendation for the TSA General Manager of Security Threat Assessment Operations regarding TSA Pre✓* membership revocation.	2/28/16		
10. We recommend that the TSA Assistant Administrator (AA) for OIA: Employ exclusion factors to refer TSA Pre✓* passengers to standard security lane screening at random intervals.	6/30/16		
13. We recommend that the TSA AA for the OSO: Develop and implement a strategy to address the TSA Pre✓* lane covert testing results.	6/30/16		
14. SSI recommendation for OSO regarding AIT.	1/30/16		
16. We recommend that the TSA AA for OIA: Coordinate with Federal Government and private partners to ensure all TSA Pre✓* eligible populations receive the rules and responsibilities when notifying participants of eligibility.	6/30/16		
17. We recommend that the TSA Chief Risk Officer: Develop consolidated guidance outlining processes and procedures for all offices involved in the TSA Pre✓* initiative.	1/31/16		

DHS OIG Recommendations

Report Number	OIG-14-45
Report Name	Allegation of Granting Expedited Screening through TSA Pre✓® Improperly

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

Date Issued	3/16/15		
Recommendation	ECD	Notes	
1. SSI Recommendation for the TSA Chief Risk Officer regarding discontinuation of specific rules within Secure Flight.	12/31/19	TSA plans to provide a memorandum to Inspector General Roth, changing its position to concur and including a plan to gradually implement the recommendation.	
Report Number	OIG-15-86		
Report Name	TSA Does Not Properly Manage its Screening Equipment Maintenance Program		
Date Issued	5/7/15		
Recommendation	ECD	Notes	
1. Develop and implement a preventive maintenance validation process to verify that required routine maintenance activities are completed according to contractual requirements and manufacturers' specifications. These procedures should also include instruction for appropriate TSA airport personnel on documenting the performance of Level 1 preventive maintenance actions.	12/31/15	TSA submitted documentation and requested closure of these recommendations on 10/27/15.	
2. Develop and implement policies and procedures to ensure that local TSA airport personnel verify and document contractors' completion of corrective maintenance actions. These procedures should also include quality assurance steps that would ensure the integrity of the information collected.	12/31/15	TSA submitted documentation and requested closure of these recommendations on 10/27/15.	
3. Enhance future screening equipment maintenance contracts by including penalties for non-compliance when it is determined that either preventive or corrective maintenance has not been completed according to contractual requirements and manufacturers' specifications.	12/31/15	TSA submitted documentation and requested closure of these recommendations on 10/27/15.	
Report Number	OIG-15-88		
Report Name	Audit of Security Controls for DHS Information Technology Systems at San Francisco International Airport (SFO)		
Date Issued	5/7/15		
Recommendation	ECD	Notes	
14. Provide required vulnerability assessment reports to the DHS Vulnerability Management Branch for STIP servers tested, similar to those operating at SFO.	12/31/16		
15. Update the operating systems on STIP servers to a vendor-supported version that can be patched to address emerging vulnerabilities.	12/31/16		
17. Determine whether it is necessary and cost effective to use 'type' authorization for STIP servers.	1/31/2016		
Report Number	OIG-14-153		
Report Name	Use of Risk Assessment within Secure Flight (OSC File No. DI-14-3012)		
Date Issued	9/9/14		
Recommendation	ECD	Notes	
1. SSI Recommendation to explore the feasibility of encrypting commercial aircraft carrier boarding passes with certain data.	6/30/16		

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

DHS OIG Recommendations

END OF Recommendations

Report Number	OIG-15-98	
Report Name	TSA Can Improve Aviation Worker Vetting	
Date Issued	6/4/15	
Recommendation	ECD	Notes
1. Follow up on TSA's request to determine if its credential vetting program warrants the receipt of additional categories of terrorism related records.	12/31/16	
2. Issue guidance requiring that TSA's annual security inspection process include verification of original documentation supporting airport adjudication of an applicant's criminal history and work authorization.	9/30/15	TSA provided OIG with the updated guidance and the request to close this recommendation on 9/30/15.
3. Pilot the Federal Bureau of Investigation's Rap Back program and take steps to institute recurrent vetting of criminal histories at all commercial airports.	12/31/16	
4. Require airports to put an end date to credentials of individuals allowed to work in the United States temporarily.	12/31/15	TSA provided OIG with an update on 12/15/15 with updated requirements issued to the airports and the request to close this recommendation.
5. Analyze TSA's denials of credentials due to lawful status issues to identify airports with specific weaknesses, and address these weaknesses with airport badging officials as necessary.	3/31/16	
6. Implement all necessary data quality checks necessary to ensure that all credential application data elements required by TSA Security Directive 1542-04-08G are complete and accurate.	12/31/16	
Report Number	OIG-15-118	
Report Name	TSA's Management of its Federal Employees' Compensation Act Program	
Date Issued	8/7/15	
Recommendation	ECD	Notes
1. The AA, Office of Human Capital (OHC) for TSA and the Federal Air Marshal Service (FAMS) implement the contracted nurse case management web-based system across the organization.	6/1/16	
2. The AA, OHC for TSA and FAMS conduct a cost-benefit analysis to ensure all costs are considered to implement one medical case management system for TSA, including its FAMS.	6/1/16	
Report Number	OIG-15-150	
Report Name	Covert Testing of TSA's Passenger Screening Technologies and Processes at Airport Security Checkpoints	
Date Issued	9/22/15	
Recommendation	ECD	Notes

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

1. Classified recommendation dealing with screening Standard Operation Procedures, screening technologies, training and testing.	TBD	All-encompassing recommendation tied to ongoing internal review; An ECD will be determined after the Tiger Team final report.
--	-----	---

GAO Recommendations

Report Number	GAO-11-657		
Report Name	Transportation Worker Identification Credential (TWIC): Internal Control Weaknesses Need to Be Corrected to Help Achieve Security Objectives		
Date Issued	5/10/2011		
Recommendation	ECD	Notes	
1. Perform an internal control assessment of the TWIC program by (1) analyzing existing controls, (2) identifying related weaknesses and risks, and (3) determining cost-effective actions needed to correct or compensate for those weaknesses so that reasonable assurance of meeting TWIC program objectives can be achieved.	TBD	TSA considers the weakness assessment complete although actions to close several weaknesses identified (e.g., establish a recurrent vetting capability for criminality) are long-term and not complete. We have provided this input to GAO status requests in the past.	
2. Conduct an effectiveness assessment that includes addressing internal control weaknesses and, at a minimum, evaluates whether use of TWIC in its present form and planned use with readers would enhance the posture of security beyond efforts already in place given costs and program risks.	TBD	Joint TSA/United States Coast Guard (USCG) responsibility. USCG completed its effectiveness assessment in August 2015, however, the assessment was not based on an internal control review and did not evaluate whether using TWIC in its present form and planned use with readers would enhance the posture of security beyond efforts already in place. TSA will reassess a way forward to implement this recommendation.	
3. Use the information from the internal control and effectiveness assessments as the basis for evaluating the costs, benefits, security risks, and corrective actions needed to implement the TWIC program in a manner that will meet stated mission needs and mitigate existing security risks as part of conducting the regulatory analysis on implementing a new regulation on the use of TWIC with biometric card readers.	TBD	The TWIC reader rule regulatory analysis was provided to GAO (it's a public document posted along with the reader rule Notice of Proposed Rulemaking). We consider the USCG's TWIC reader rule and supporting documentation sufficient to satisfy this recommendation. Documentation to support the rule includes the regulatory analysis mentioned above as well as an extensive risk assessment using the USCG's Maritime Security Risk Analysis Model.	
Report Number	GAO-12-44		
Report Name	Transportation Security Information Sharing: Stakeholders Generally Satisfied, but TSA Could Improve Analysis, Awareness and Accountability		
Date Issued	11/21/11		
Recommendation	ECD	Notes	

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

5. Clearly define and document the specific information sharing programs, activities, roles, and responsibilities for each TSA division and provide this information to the appropriate stakeholder groups.	2/28/2016	
---	-----------	--

GAO Recommendations

Report Number	GAO-13-624		
Report Name	TSA Could Strengthen Monitoring of Allegations of Employee Misconduct		
Date Issued	7/30/13		
Recommendation	ECD	Notes	
4. Develop reconciliation procedures to identify allegations of employee misconduct not previously addressed through adjudication.	12/31/2015		
Report Number	GAO 14-37SU/14-159		
Report Name	TSA Should Limit Future Funding for Behavior Detection Activities		
Date Issued	11/1/13		
Recommendation	ECD	Notes	
1. Limit future funding support for the agency's behavior detection activities until TSA can provide scientifically validated evidence that demonstrates that behavioral indicators can be used to identify passengers who may pose a threat to aviation security.	NA	TSA non-concurred with this recommendation but explained, that we continue to seek additional scientific validation of SPOT. GAO, in turn, submitted the matter of limited funding for Congressional consideration.	
Report Number	GAO 14-83C/14-357		
Report Name	AIT: Changes Needed to Program Before Procuring Next Generation Systems		
Date Issued	12/13/13		
Recommendation	ECD	Notes	
2. Establish protocols that facilitate the capturing of operational data on secondary screening of passengers at the checkpoint to determine the extent to which AIT-Automated Target Recognition (ATR) system false alarm rates affect operational costs once AIT-ATR systems are networked together.	6/29/2016		

Report Number	GAO 14-98SU		
Report Name	AIT: TSA Needs To Assess Technical Risk Before Acquiring Enhanced Capability		
Date Issued	6/10/14		
Recommendation	ECD	Notes	
1. Conduct a technical risk assessment to determine the extent to which AIT products need additional development to meet requirements. TSA should complete this assessment prior to award of production units and should seek an independent review from a knowledgeable party, such as the DHS S&T Directorate.	11/30/2016		

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

2. Ensure that information from technical risk assessments is used to inform all future iterations of TSA's roadmap for enhancing AIT capabilities.	12/31/2016	
---	------------	--

GAO Recommendations

Report Number	GAO-14-484SU		
Report Name	Secure Flight: TSA Should Take Additional Steps to Determine on Program Effectiveness		
Date Issued	7/2/14		
Recommendation	ECD	Notes	
1. To further improve the implementation of Secure Flight at the screening checkpoint, develop a process for regularly evaluating the root causes of missed selectees across airports so that corrective measures can be identified	Completed	GAO is in the process of closing this recommendation.	
2. To address the root causes of selectee misses, thereby reducing the likelihood that TSA will fail to appropriately screen selectees at the screening checkpoint, implement the corrective measures TSA identifies through a root cause evaluation process.	1/31/2016		
3. To assess the progress of the Secure Flight program toward achieving its goals, develop additional measures to address key performance aspects related to each program goal, and ensure these measures clearly identify the activities necessary to achieve progress toward the goal.	12/31/2016		
4. To provide Secure Flight program managers with timely and reliable information on cases in which TSA learns retrospectively that the Secure Flight system has missed an individual on the No Fly, Selectee, or other high-risk lists, develop a mechanism to systematically document the number and causes of such cases, for the purpose of improving program performance.	12/31/2015	TSA submitted an update to GAO on 11/5/15. TSA feels documentation submitted is sufficient to close recommendation.	

Report Number	GAO-14-727SU/GAO-15-150		
Report Name	Aviation Security: Rapid Growth in Expedited Passenger Screening Highlights Need to Plan Effective Security Assessments		
Date Issued	9/29/14		
Recommendation	ECD	Notes	

Question#:	6
Topic:	GAO and OIG recommendations
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV REFORM (HOUSE)

1. To ensure that TSA's planned testing yields reliable results, GAO recommends that the TSA Administrator take steps to ensure that TSA's planned effectiveness testing of the Managed Inclusion process adheres to established evaluation design practices.	6/30/2016	
2. To ensure that TSA has accurate information by which to measure the performance of its expedited screening programs, GAO recommends that the TSA Administrator ensure that the expedited screening performance goals and measures align.	11/13/2015	TSA requested closure of this recommendation on 11/13/15.

GAO Recommendations

Report Number	GAO 15-135SU				
Report Name	TSA Should Take Additional Actions to Obtain Stakeholder Input when Modifying the Prohibited Items List (PIL)				
Date Issued	12/15/14				
Recommendation	ECD	Notes			
1. Establish a formal process to ensure the solicitation of input from relevant external stakeholders on proposed changes to the PIL, including when in the PIL modification process TSA officials are to coordinate with such stakeholders, before deciding to make a PIL change.	2/19/2016				
Report Number	GAO 15-171SP				
Report Name	Homeland Security Acquisitions: Major Program Assessments Reveal Actions Needed to Improve Accountability				
Date Issued	4/22/15				
Recommendation	ECD	Notes			
2. Ensure future baselines for all of TSA's major acquisition programs capture the overall historical record of change.	4/30/2016				

Question#:	7
Topic:	Security checkpoint
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: Please provide the committee with a breakdown of instances in which TSA believes its screeners prevented individuals from engaging in potential harm had they been allowed to proceed past the security checkpoint and the nature of their intent, if known.

Response: The Transportation Security Administration's (TSA) role is to ensure that any and all prohibited items brought to TSA screening locations are never permitted to make their way onboard an aircraft or into the sterile area of the airport. TSA does work with other agencies, including the intelligence community, to mitigate threats to America's aviation and transportation systems, but these activities are typically classified. For further detail regarding these activities, we can arrange for a joint briefing.

TSA screens approximately two million passengers every day. As part of TSA's security screening process, at times, TSA discovers passengers carrying guns, knives, and other prohibited items. Upon the discovery of a prohibited item by a Transportation Security Officer (TSO), immediate notification is made to local law enforcement to secure the item. In many instances, local law enforcement will follow their own protocol regarding why the passenger had the prohibited item, which could include investigation into that passenger's intent. During Fiscal Year 2015, TSA discovered 2,547 firearms, 114,550 flammables/irritants, 1,707 fireworks, and 53 explosives. TSA employees have prevented dangerous items from being brought onboard commercial aircraft. While the intent may never be known, TSA has exercised their authority to deny boarding to a passenger at the checkpoint.

Question#:	8
Topic:	FLETC training
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: Please provide a detailed description of the proposed FLETC training including the number of new screeners TSA hires per year, whether the proposed FLETC training will be held on a recurring basis, and the metrics TSA plans to use to determine the training's effectiveness.

Response: All basic training for new hire Transportation Security Officers (TSOs), which is currently conducted at individual airports, will be migrated to the Transportation Security Administration (TSA) Academy located at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia starting January 2016. Beginning January 4, 2016, TSA will operate eight concurrent classes of 24 students each, for total seat capacity of 192. Once fully implemented, TSA anticipates that it will be training upwards of 5,800 newly hired TSOs annually.

Initially, TSA will be using performance metrics linked to the results of TSA's internal covert testing programs to identify potential improvements in detection rates and training effectiveness. TSA will also be monitoring the attrition rates associated with new hire TSOs, to determine what impact the expanded curriculum and TSA Academy delivery model may have on the retention rate.

Question#:	9
Topic:	Cost per new hire
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: What is the estimated cost per new hire of the proposed training at the Federal Law Enforcement Training Center (FLETC)? Please also provide an estimate of the annual training-related TDY travel expense.

Response: The total estimated cost per new hire for the proposed training at the Federal Law Enforcement Training Center (FLETC) is \$2,500. This estimate includes \$1,670 for FLETC-specific costs per student cost and \$830 for related temporary duty travel expenses per student.

Question#:	10
Topic:	Credentials 1
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: What is the range in the number of different credentials airport employees may need to possess to fulfill their duties within a single airport?

Response: The Transportation Security Administration doesn't track airport employee badges. However, it is estimated that the range of badges one employee at one airport may hold would be from one to five. In the vast majority of cases, employees carry only one badge. There are many different duties fulfilled by airport employees, by way of example: mechanics, ramp workers, baggage handlers, ticket agents, taxi drivers, and employees of concessions. Each requires one or more credentials to obtain access to their work location. Additionally, a worker at an airport may have as many as three or four different credentials. Furthermore, airports vary in badge issue procedures. Some airports issue one badge that can be linked to several employers and some airports issue a distinct badge per employer. For example, Philadelphia International Airport (PHL) issues one badge that can be linked to as many as three employers, with different access levels for each employer. There are airport workers who work for more than one employer. Conversely, other airports issue a separate badge for each employer an airport employee may have.

Question#:	11
Topic:	Passenger surges
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: When passenger surges occur (typically during the summer), what is the wait time in TSA lines at the 5 largest airports? What has been the trend in these times – are they getting better or worse? Can you provide specific responses for the record based on data for NYC, LAX, Houston Hobby, Dallas/Love Field, O’Hare, and Atlanta?

Response: Wait times have been steadily increasing as non-Transportation Security Administration (TSA) Pre✓® passenger volumes have grown. This is due in part to an increase in overall travel volume, as well as recent TSA risk decisions made to decrease the number of non-pre-vetted passengers in TSA Pre✓®.

Even at the five largest airports [Los Angeles International (LAX), John F. Kennedy International (JFK), Chicago O’Hare International (ORD), San Francisco International (SFO), and Hartsfield–Jackson Atlanta International (ATL)], wait times differ significantly due to space considerations, configuration differences, passenger demographics, arrival curves, etc. Attached is a listing of the top airports (as well as those mentioned above) with trends over the last 27 weeks (with the high records highlighted for each category). Also attached is a graph showing National trends for the past six months, spanning May 10, 2015 – November 7, 2015.



Wait Time Trends (060114 - 110715).pdf



Wait Time Trends (050315 - 110715) - Selected Airports.pdf

Question#:	12
Topic:	TSA staffing models
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: How specifically do TSA staffing models accommodate shifts in the airlines' use of specific terminals and changes in their baggage policies? What has been learned from the recent application of these models at JFK?

Response: The Transportation Security Administration's (TSA) Staffing Allocation Models includes the ability to designate the terminal and concourse for each specific flight departure. The level of detail for this designation is at a flight instance basis for a given week. As an example, Delta Flight #4031 from John F. Kennedy International (JFK) to Ronald Reagan Washington National (DCA) may be designated to depart JFK Terminal 2 on Mondays and Terminal 4 on Tuesdays.

TSA's Staffing Allocation Model also accommodates the ability to designate a specific baggage per passenger distribution for each flight instance. TSA generally uses established baggage ratios for international flights versus domestic flights, but each location may provide data and justification to use an adjusted baggage ratio that will improve the accuracy of its respective staffing model.

For example, TSA utilized the Staffing Allocation Model to modify operations at JFK due to the change that occurred with volume shifting from Terminal 7 to Terminal 4. United Airlines has reduced flights in Terminal 7, which has reduced staffing requirements in Terminal 7. Alternatively, volume has increased in Terminal 4, where the staffing requirement has increased as a result of the additional screening requirement.

Question#:	13
Topic:	Credentials 2
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: At some U.S. airports nearly 20,000 credentials are issued. Does TSA track the cost of issuing credentials? To the extent it is known, what is the cost of issuing credentials at the 5 largest airports and what does TSA see as the key issues in management of such large numbers of credentials?

Response: Through the respective airport security programs, airport operators are responsible for the cost and tracking of credentials and badges they issue. Accordingly, the Transportation Security Administration (TSA) does not track the cost of airport-issued credentials. However, TSA conducts, at a minimum, a comprehensive yearly audit of badges, which may be based on a number of factors, including the airport's history, and if the number of unaccounted for badges of any given type reaches a certain threshold, the airport is required to re-issue all badges of that type. All airports are also required to conduct self-audits of their badges throughout the year and provide the results of those audits to TSA upon demand. Many airport operators choose to proactively provide results to TSA monthly, and/or quarterly.

Question#:	14
Topic:	Credentials 3
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: To what extent are the biometric aspects of credentials being used? What percentage of airports is equipped with the appropriate readers and where are these employed?

Response: Access control, including deciding whether to use biometric reader technology to control airport worker access to secured areas, is the responsibility of each individual regulated airport, subject to federal requirements and pursuant to a Transportation Security Administration (TSA)-approved Airport Security Plan (ASP). Nevertheless, TSA encourages the use of biometric readers where appropriate and cost effective, but does not track the implementation or removal of these systems nationally. Airports employing biometrics use a two-step verification process consisting of a Security Identification Display Area (SIDA) card reader with a personal identification number or passcode, and fingerprint or iris recognition to access designated secured areas.

A sample query of U.S. airports identified the following 20 locations using biometrics:

Code	Name	Category
BOS	Logan International Airport	CAT - X
BWI	Baltimore-Washington International Airport	CAT - X
CVG	Cincinnati/Northern Kentucky International Airport	CAT - X
DEN	Denver International Airport	CAT - X
DFW	Dallas/Fort Worth International Airport	CAT - X
EWR	Newark Liberty International Airport	CAT - X
LAS	McCarran International Airport	CAT - X
MSP	Minneapolis-Saint Paul International Airport	CAT - X
ORD	O'Hare International Airport	CAT - X
SEA	Seattle-Tacoma International Airport	CAT - X
SFO	San Francisco International Airport	CAT - X
BNA	Nashville International Airport	CAT - I
IND	Indianapolis International Airport	CAT - I
LIT	Clinton National Airport	CAT - I
MDW	Chicago Midway International Airport	CAT - I
DAB	Daytona Beach International Airport	CAT - II
FSD	Sioux Falls Regional Airport	CAT - II
MFR	Rogue Valley International – Medford Airport	CAT - II
ROA	Roanoke-Blacksburg Regional Airport	CAT - II
ACK	Nantucket Memorial Airport	CAT - III
GRK	Killeen/Fort Hood Airport	CAT - III

Question#:	15
Topic:	Number and cost
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: Please provide the number and cost of the following: (1) deployed AIT machines; (2) handheld ETD scanners; (3) active canine units; (4) Behavioral Detection Officers.

Response:

- 1) As of November 30, 2015, the Transportation Security Administration (TSA) has deployed 792 Advanced Imaging Technology (AIT) units to airports nationwide. This amount includes both first generation (AIT-1) and second generation (AIT-2) systems. Since Fiscal Year (FY) 2007, TSA has obligated over \$160 million on the procurement and installation of AIT systems. Based on all previous contract awards (AIT-1 and AIT-2 systems), the average cost to purchase and install one AIT unit is approximately \$153,000.

Since FY 2007, TSA has also obligated over \$33 million for the maintenance of AIT systems, with the average annual maintenance cost at approximately \$15-18 thousand per unit. When TSA first buys equipment, the initial procurement contract includes a 12-24 month Original Equipment Manufacturer (OEM) warranty. During the warranty period, the OEM is responsible for all preventive and corrective maintenance actions as specified in each technology acquisition contract. The OEM warranty period begins when the equipment passes a Site Acceptance Test. After warranties expire, all TSA screening equipment is under a maintenance contract throughout its life cycle.

- 2) As of November 16, 2015, TSA is utilizing approximately 20 handheld Explosives Trace Detection (ETD) units at surface test beds. All of these units are on long term loan from the vendors to surface transport venues for longer term suitability assessments. It is important to note that no handheld ETD in the current marketplace meets passenger aviation detection requirements, although they do meet surface Person Born Improvised Explosive Device (PBIED) detection requirements.

Unit costs vary but are approximately \$30,000 per unit depending on modules ordered. However, to date, TSA has not procured any handheld ETD units so final pricing would be determined by a subsequent acquisition.

- 3) TSA is funded for a total of 997 canine teams, comprised of 675 legacy teams led by Law Enforcement (LE) at a cost of \$50,500 per team, and 322 teams led by TSA's Office of Security Operations at an average cost of \$154,290 per team. The cost for TSA-led teams includes the payroll and benefits of the canine handler; the canine; and supplies for the canine including food, kenneling, and veterinary services. The vehicle and maintenance costs to transport the canine are also included in this figure. LE-led

Question#:	15
Topic:	Number and cost
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

teams are funded in part by TSA, and each team is provided a stipend of \$50,500 for their service. As of November 2015, 561 of the 675 LE-led legacy teams are certified/active, and 95 are In-Transition. Of the 322 TSA-led canine teams, 243 are certified/active, and 41 are In-Transition.

- 4) For FY 2015, TSA deployed 2,660 Behavior Detection Officers (BDO) – including BDO Transportation Security Managers – at an average cost of \$75,981 for personnel compensation and benefits.

Question#:	16
Topic:	Secondary screening
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: Under what circumstances, if any, can a traveler currently be sent for secondary screening based solely on observations made by a Behavior Detection Officer (BDO)? If none, what additional investigative techniques or methods are employed by TSA in conjunction with the BDO's observations before a traveler is sent for secondary screening?

Response: Behavior Detection Officers (BDOs) use a set of scientifically substantiated indicators to identify possible high risk passengers. A team of two BDOs observes passengers as they proceed through the screening process. If one or both BDOs observe that a passenger reaches a predetermined point threshold, the BDOs direct the passenger to additional screening where BDOs further engage the passenger in casual conversation. If warranted, a physical search of the passenger and his or her belongings may also be conducted.

A joint briefing can be arranged for further detail regarding behavior detection activities.

Question#:	17
Topic:	Expedited screening
Hearing:	TSA: Security Gaps
Primary:	The Honorable Jason Chaffetz
Committee:	OVERSIGHT & GOV RFORM (HOUSE)

Question: As promised during the hearing, please provide the number or percentage of daily travelers reassigned to expedited screening based on clearance by canines and any additional screening measures that applied to the travelers.

Response: In the last month, from October 11, 2015 – November 7, 2015, the Transportation Security Administration (TSA) used canines as part of Managed Inclusion (MI-1) operations to clear over 1.4 million travelers (2.6 percent) for screening at a TSA Pre✓® lane. See the following chart showing performance over the last 27 weeks. Additional measures are not typically conducted when passengers are screened using both canine and TSA Pre✓® protocols. However, additional screening measures apply to all passengers in the TSA Pre✓® lanes when an alarm warrants the use of additional measures, regardless of the initial use of canines.

2015 Week of Year	MI-1 Throughput	Total Passengers	% of MI-1
5/3-5/9	283,436	13,382,234	2.12%
5/10-5/16	276,866	14,009,523	1.98%
5/17-5/23	335,828	14,671,051	2.29%
5/24-5/30	288,446	13,437,074	2.15%
5/31-6/6	298,106	13,993,889	2.13%
6/7-6/13	312,292	14,789,648	2.11%
6/14-6/20	394,659	15,167,808	2.60%
6/21-6/27	457,626	15,235,584	3.00%
6/28-7/4	410,268	14,258,748	2.88%
7/5-7/11	471,380	14,815,227	3.18%
7/12-7/18	456,351	15,153,380	3.01%
7/19-7/25	472,769	15,323,377	3.09%
7/26-8/1	471,262	15,352,295	3.07%
8/2-8/8	486,567	15,171,382	3.21%
8/9-8/15	446,965	15,001,871	2.98%
8/16-8/22	441,368	14,464,667	3.05%
8/23-8/29	380,633	13,373,999	2.85%
8/30-9/5	345,809	13,034,592	2.65%
9/6-9/12	306,321	12,836,372	2.39%
9/13-9/19	318,476	13,426,499	2.37%