

**PREVENTING THE NEXT ATTACK: TSA'S ROLE
IN KEEPING OUR TRANSPORTATION SYSTEM
SECURE**

HEARING

BEFORE THE

**COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES**

ONE HUNDRED FIFTEENTH CONGRESS

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PREVENTING THE NEXT ATTACK: TSA'S ROLE IN KEEPING OUR TRANSPORTATION SYSTEM SECURE

Wednesday, November 8, 2017

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to notice, at 11:20 a.m., in room HVC-210, Capitol Visitor Center, Hon. Michael T. McCaul (Chairman of the committee) presiding.

Present: Representatives McCaul, Rogers, Barletta, Perry, Katko, Donovan, Gallagher, Higgins, Thompson, Langevin, Keating, Watson Coleman, Rice, Correa, Demings, and Barragán.

Chairman MCCAUL. The Committee on Homeland Security will come to order. The committee is meeting today to hear from the administrator of the Transportation Security Administration David Pekoske on his plans for leading a work force of approximately 60,000 employees, the security operations at nearly 450 airports throughout the United States, the Federal Air Marshal Service, and shared security for highways, railroads, ports, mass transit systems, and pipelines.

I now recognize myself for an opening statement. Today our committee is meeting to discuss TSA's role in keeping our transportation system secure. Before we begin, I would like to welcome and thank Administrator David Pekoske for joining us this morning to discuss a range of important topics relevant to America's aviation security.

We, and I say, we the committee, have just been briefed in a Classified setting by the DHS inspector general and the administrator about specific vulnerabilities to our aviation security. But quite frankly, I think I speak for all of us when I say that we found that briefing disturbing.

We need to do more to confront the growing threats aimed at the aviation sector, and I want to work with you so we can remedy this situation as soon as possible given the threat level.

I am hopeful that TSA is successful with implementing the eight recommendations that should improve screening checkpoint operational effectiveness.

While all Members on this committee share my concerns, I do want to remind the Members that the information shared and exchanged in that briefing must remain Classified.

Today, we are 16 years past the horrendous 9/11 attacks that claimed the lives of almost 3,000 people. However, we are only 9

days past the latest terror attack to hit downtown New York. While the latest attack was carried out with a truck instead of an airplane, it was a reminder that the threats we face are still real.

Before he was killed, ISIS leader Sheik Adnani called for lone-wolf attacks begging followers to kill the kuffar in his backyard by any means necessary. Today, international terrorists are still determined to spread fear by killing innocent people and destroying our way of life.

I know many live on other continents. They are only one flight away. If we are going to be successful in keeping our homeland safe, we must make sure that TSA has the tools and resources it needs to carry out its mission. We understand, however, that this is no easy task.

Even though there are approximately 60,000 TSA employees helping safeguard nearly 450 airports throughout the United States, our aviation sector remains the crown jewel of terrorist targets. America's enemies only have to be right once, while we have to be right 100 percent.

With millions of people traveling into our country from all over the world, we must expeditiously implement policies and procedures that instill confidence and make our transportation system safe and secure.

Fortunately, our committee has been dedicated to working together with TSA and other components within DHS to get the job done. Over the last several years, we have helped strengthen our aviation security with the legislation from this committee that was signed into law.

This legislation included bills that enhanced security at last-point-of-departure airports into the United States and required emergency response and active-shooter exercises for TSA personnel on a regular basis.

We also passed legislation that directs the TSA administrator to develop and update a strategic 5-year technology investment plan to report and provide to the private sector with a realistic roadmap of the agency's technology needs.

These are certainly steps in the right direction, but as we saw from our previous briefing, we have a lot more to do. In 2015 we also learned through leaked reports from the DHS inspector general that TSA's passenger screening record was, in their words, abysmal.

This was very discouraging to this committee and very dangerous to the American people. Even though some changes have been made to correct this problem, we cannot be satisfied until we know it has been properly addressed.

But the Government cannot solve this problem alone. Working with the private sector, we need to find ways to meet our security needs. These partnerships can produce new and innovative technologies that can advance our screening process, including the use of biometrics like fingerprints and facial recognition.

This will make it hard to slip past screeners at the airport. New technology will also strengthen our ability to keep up with emerging threats.

I think as we discussed previously, the CAT scan, the C.T. technology, is really going to be key here in protecting not only the

traveling Americans, but Americans who could be the victim of an airplane being blown up in the skies.

Taking down airplanes is a constant goal of the terrorists, but how they go about trying is always changing. In late July of this year, counterterrorism officials in Australia thwarted an attack and seized material that could have been used as an improvised explosive device to blow up an airplane.

We are also seeing reports that terrorists are looking for ways to use laptops and other electronic devices as bombs that will be detonated on airlines. This is a serious threat, if not the most serious threat that we face from the radical Islamists.

It is a threat that must be addressed, and I look forward to discussing with you, sir, the ways in which we can confront these issues head-on.

[The statement of Chairman McCaul follows:]

STATEMENT OF CHAIRMAN MICHAEL T. MCCAUL

NOVEMBER 8, 2017

Today, our committee is meeting to discuss TSA's role in keeping our transportation systems secure. Before we begin, I would like to welcome and thank Administrator David Pekoske for joining us this morning to discuss a range of important topics relevant to America's aviation security.

We have just been briefed in a Classified setting by the DHS inspector general and Administrator Pekoske about specific vulnerabilities to our aviation security. Quite frankly, I found that briefing disturbing. We need to do more to confront the growing threats aimed at the aviation sector.

I want to work with you so we can remedy the situation as soon as possible and I am hopeful TSA is successful with implementing the eight recommendations that should improve screening checkpoint operational effectiveness.

While all Members on this committee share my concerns, I want to remind everyone that the information shared and exchanged in that briefing, must remain Classified.

Today, we are 16 years past the horrendous 9/11 attacks that claimed the lives of almost 3,000 people. However, we are only 9 days past the latest terror attack to hit downtown New York. While the latest attack was carried out with a truck instead of an airplane, it was a reminder that the threats we face are real.

Before he was killed, ISIS leader Sheik Adnani called for lone-wolf attacks, begging followers to kill by any means necessary.

Today, international terrorists are still determined to spread fear by killing innocent people and destroying our way of life. And though many live on other continents, they are only one flight away.

If we are going to be successful in keeping our homeland safe, we must make sure that TSA has the tools and resources it needs to carry out its mission. We understand however, that this is no easy task. Even though there are approximately 60,000 TSA employees helping safeguard nearly 450 airports throughout the United States, our aviation sector remains the crown jewel of terrorist targets.

America's enemies only have to be right once, but we have to be right 100% of the time. With millions of people traveling into our country from all over the world, we must expeditiously implement policies and procedures that instill confidence and make our transportation system safe and secure. Fortunately, our committee has been very dedicated to working together, with TSA, and other components within DHS to get the job done.

Over the last several years we have helped strengthen our aviation security with legislation from this committee and then signed into law. This legislation included bills that enhance security at last-point-of-departure airports to the United States, and require emergency response and active-shooter exercises for TSA personnel on a regular basis.

We also passed legislation that directs the TSA administrator to develop and update a strategic 5-year technology investment plan to report provide the private sector with a realistic roadmap of the agency's technology needs. These are certainly steps in the right direction but there is still much more that can be done. In 2015, we learned through leaked reports from the DHS inspector general that TSA's pas-

senger screening record was abysmal. This was very discouraging. And even though some changes have been made to correct this problem, we cannot be satisfied until we know it's been properly addressed.

But the Government cannot solve this problem alone. Working with the private sector will help us find ways to meet our security needs.

These partnerships can produce new and innovative technologies that can advance our screening process, including the use of biometrics, like fingerprints and facial recognition. This will make it much harder to slip past screeners at the airport.

New technology will also strengthen our ability to keep up with emerging threats.

Taking down airplanes is a constant goal of terrorists, but how they go about trying is always changing. In late July of this year, counter-terrorism officials in Australia thwarted an attack and seized material that could have been used as an improvised explosive device (IED) to blow up a plane. We are also seeing reports that terrorists are looking for ways to use laptops and other electronic devices as bombs that will detonate on airlines.

This is a serious threat that must be addressed and I look forward to discussing how we can confront these issues head-on.

Again, I want to thank Administrator Pekoske for joining us this morning. We all look forward to working with you and the men and women of TSA who work very hard to keep their fellow Americans safe and our homeland secure.

Chairman McCAUL. Now with that, the Chair recognizes the Ranking Member.

Mr. THOMPSON. Thank you very much, Mr. Chairman. First, I want to begin my expressing condolences to the family and friends of those who have lost their lives in the heinous terrorist attack in New York City last week and thank the brave first responders who came to the aid of the injured. Our thoughts and prayers are with them all.

I also want to express my condolences to the loved ones of those killed in Sunday's horrific shootings at the First Baptist Church of Sutherland Springs, Texas. Yet another American community has been devastated by a mass shooting, once again, at a place of worship.

This week, I sent Chairman McCaul a letter asking to move my legislation, H.R. 1486, the Securing American Non-Profit Organizations Against Terrorism Act of 2017 as a stand-alone bill.

H.R. 1486 establishes a program to authorize grants to non-profit organizations including faith-based communities to assist them with acquisition or installation of security equipment and training related to preventing and protecting against attacks.

I appreciate the Chairman's prior cooperation on this issue and hope H.R. 1486 will be considered at the next scheduled markup to expedite consideration of this important legislation in the Senate.

I would be remiss if I did not follow up on a letter I sent the Chairman last week urging him to reschedule without further delay the abruptly postponed full committee hearing to examine the Federal Emergency Management Agency's disaster preparedness and response activities originally scheduled for November 1.

Our fellow Americans in Puerto Rico and the U.S. Virgin Islands are counting on us to ensure the Federal Government provides desperately needed emergency relief to their devastated communities, as it has for those affected by recent hurricanes in Florida and Texas. I look forward to the committee holding this important hearing without further delay.

Focusing on the issue at hand, I thank the Chairman for holding today's hearing and welcome Administrator Pecoske to the committee.

Mr. Administrator, we appreciate the task you have to secure the Nation's transportation system. The fact that the Department considered banning devices larger than a smartphone from all U.S.-bound passenger planes earlier this year, reflects the seriousness of the threats to aviation today.

Indeed, while the September 11 attacks were 16 years ago, new and more dangerous threats are constantly emerging. To address these threats, the Trump administration must invest in aviation security to strengthen TSA's effectiveness.

Instead, the administration appears hell-bent on squandering billions on a boondoggle border wall that will do nothing to make the Nation more secure. Meanwhile, \$1.28 billion in aviation security fees are diverted, excuse me, from TSA operations annually, ostensibly to fund deficit reduction.

That \$1.28 billion that is being collected could go a long ways toward helping us secure our aviation vulnerabilities. At the same time, House Republicans are currently pushing a tax package that would add at least \$1.5 trillion to the deficit while helping the wealthy and well-connected and leaving the middle class to pick up the tab. It simply defies common sense.

In addition to providing the financial resources necessary for the agency to do its job effectively, TSA must address the work force challenges that have plagued it since its creation.

TSA has consistently struggled with low morale across the work force, ranking 303 out of 305 Government agencies in 2016. Low morale has a nexus to the high turnover rate within the ranks of TSOs.

TSOs represent 70 percent of the TSA work force, yet have been denied full collective bargaining rights, whistleblower protection, and opportunities to effectively raise issues and dispute to an independent third party such as the Merit Systems Protection Board.

Additionally, TSOs are subject to a pay and performance system that does not track with the primary wage system for Federal workers. In order to move the work force forward and see necessary changes in vision, it is imperative for TSA front-line personnel to receive these critical protections.

Democrats stand ready to work with you, Mr. Administrator, to ensure that TSA has the resources necessary to effectively train and maintain the work force it needs to carry out its vital mission.

Again, I thank the Chairman for holding this hearing and the administrator for joining us today. I look forward to a productive hearing and close oversight of TSA going forward. I yield back.

[The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

NOVEMBER 8, 2017

I want to begin by expressing my condolences to the family and friends of those who lost their lives in the heinous terrorist attack in New York City last week and thank the brave first responders who came to the aid of the injured. Our thoughts and prayers are with them all.

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other American community has been devastated by a mass shooting, once again at a place of worship.

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I would be remiss if I did not follow up on a letter I sent the Chairman last week, urging him to reschedule without further delay the abruptly-postponed full committee hearing to examine the Federal Emergency Management Agency's disaster preparedness and response activities originally scheduled for November 1.

I must say I found the Chairman's rationale for the postponement perplexing, as our witness, the Mayor of San Juan, Puerto Rico, was invited in full compliance with House and Committee Rules. The Majority had scheduled the hearing for a date of its choosing and had more than ample time to invite State and local witnesses, if they had wanted to do so.

Our fellow Americans in Puerto Rico and the U.S. Virgin Islands are counting on us to ensure the Federal Government provides desperately needed emergency relief to their devastated communities, as it has for those affected by recent hurricanes in Florida and Texas. I look forward to the committee holding this important hearing without further delay.

Focusing on the issue at hand, I thank the Chairman for holding today's hearing and welcome Administrator Pekoske to the committee. Administrator Pekoske, we appreciate the task you have to secure the Nation's transportation system.

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At the same time, House Republicans are currently pushing a tax package that would add at least \$1.5 TRILLION to the deficit, while helping the wealthy and well-connected and leaving the middle class to pick up the tab. It simply defies common sense.

In addition to providing the financial resources necessary for the agency to do its job effectively, TSA must address the workforce challenges that have plagued it since its creation. TSA has consistently struggled with low morale across the workforce, ranking 303 out of 305 Government agencies in 2016.

Low morale has a nexus to the high turnover rate within the ranks of Transportation Security Officers (TSOs). TSOs represent 70% of the TSA workforce, yet have been denied full collective bargaining rights, whistleblower protections, and opportunities to effectively raise issues in dispute to an independent third party, such as the Merit Systems Protection Board.

Additionally, TSOs are subject to a pay and performance system that does not track with the General Services (GS) wage system, the primary wage system for Federal workers. In order to move the workforce forward and see the necessary changes envisioned, it is imperative for TSA's front-line personnel to receive these critical protections.

Democrats stand ready to work with Administrator Pekoske to ensure that TSA has the resources necessary to effectively train and maintain the workforce it needs to carry out its vital mission.

Chairman MCCAUL. Thank the Ranking Member.

Other Members are reminded opening statements may be submitted for the record.

[The statement of Hon. Jackson Lee follows:]

STATEMENT OF CONGRESSWOMAN SHEILA JACKSON LEE

NOVEMBER 8, 2017

Chairman McCaul and Ranking Member Thompson, I thank you both for the opportunity for the full committee to hear from the Department of Homeland Security's new Transportation Security Administrator David P. Pekoske.

As a senior Member of the Homeland Security Committee and former Chair of the Subcommittee on Transportation Security, I look forward to your testimony.

Administrator Pekoske, I thank and commend you for your decades of service to the Nation.

In 2010, you concluded 33 years of active military service as the 26th Vice Commandant of the Coast Guard.

Your immediate predecessor, Vice Admiral Neffenger, to serve as Transportation Security Administration (TSA) Administrator also served as Vice Commandant of the Coast Guard.

This hearing is your first appearance before the committee since you were confirmed by the Senate.

I view the work of the TSA as vital to our Nation's homeland security.

On the morning of September 11, 2001, nearly 3,000 people were killed in a series of coordinated terrorist attacks in New York, Pennsylvania, and Virginia.

The attacks resulted in the creation of the Transportation Security Administration, which was designed to prevent similar attacks in the future by removing the responsibility for transportation security from private entities.

The Transportation Security Administration predated the creation of the Department of Homeland Security by several years.

The Aviation and Transportation Security Act, passed by the 107th Congress and signed on November 19, 2001, established TSA.

The agency mission is to protect the Nation's transportation systems to ensure freedom of movement for people and commerce.

The Committee on Homeland Security is here to provide the needed policy guidance and funding to ensure that the TSA has what it needs to create and sustain the most effective transportation security as a high-performing counterterrorism organization.

The work of the TSA is a front-line Department of Homeland Security and it is not easy—it can in fact be very dangerous.

Like many of my colleagues, I recall the shooting incident at LAX that killed Gerardo Hernandez, who became the first TSA officer killed in the line of duty; and the machete attack at the Louis Armstrong New Orleans International Airport that resulted in injuries to Senior Transportation Security Officer Carol Richel.

These incidents only highlight the difficult work that the men and women of the TSA must perform each day to keep our Nation's airports and flights safe.

2017 HOLIDAY TRAVEL SEASON

Recently, TSA announced new screening procedures at our Nation's airports regarding portable electronic devices that are larger than a cell phone.

This change will undoubtedly impact millions of holiday travelers.

We know that longer lines may occur as travelers who do not remove smaller electronic devices from carryon bags are sent for secondary screening.

This opportunity will allow Members to ask you questions about your priorities as TSA administrator, as well as the manner in which you intend to address the issue of longer lines this holiday season, which may result due to changes in the security rules related to portable electronic devices.

Administrator Pekoske you are leading an agency that is a critical link in our Nation's first line of defense against terrorism.

As TSA administrator you will lead the primary effort to safeguard transportation throughout the Nation; protect ports of entry from those who would do our Nation harm; fight human trafficking; smuggling; and deter threats too varied for them all to be named.

Each day, TSA processes an average of 1.7 million passengers at more than 450 airports across the Nation.

In 2015, TSA screened 708 million passengers, which is more than 1.9 million per day, resulting in more than 40.7 million more passengers than in 2014.

TSA screened more than 2 million passengers in a single day 178 times this year.

In 2016, the Bush International and the William P. Hobby Airports are essential hubs for domestic and international air travel for Houston and the region:

- Over 41 million passengers traveled through Bush International Airport (IAH) and an additional 12 million traveled through William P. Hobby (HOU).

MORALE AT THE TSA

Allegations about mismanagement, wasteful procedures, retaliation against whistleblowers, low morale, and security gaps within the agency are causes for concern. TSA has consistently struggled with low morale across the workforce, ranking 303 out of 305 Government agencies in 2016.

Low morale has a nexus to the high turnover rate within the ranks of Transportation Security Officers (TSOs).

TSOs represent 70% of the TSA workforce, yet have been denied full collective bargaining rights, whistleblower protections, and opportunities to effectively raise issues in dispute to an independent third party, such as the Merit Systems Protection Board.

Additionally, TSOs are subject to a pay and performance system that does not track with the General Services (GS) wage system, the primary wage system for Federal workers.

In order to move the workforce forward and see the necessary changes envisioned, it is imperative for TSA's front-line personnel receive these critical protections.

I look forward to the testimony of Administrator Pekoske.

Chairman MCCAUL. On August 10, 2017, retired Vice Admiral David Pekoske was sworn in as a seventh TSA administrator after serving over 30 years in the United States Coast Guard.

I want to thank you for your service, sir, and thank you for being here today to offer testimony. Your full statement will appear on the record. The Chair now recognizes Administrator Pekoske.

STATEMENT OF DAVID P. PEKOSKE, ADMINISTRATOR, TRANSPORTATION SECURITY ADMINISTRATION, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. PEKOSKE. Good morning, Chairman McCaul, Ranking Member Thompson, and distinguished Members of the committee. I will begin my remarks by reflecting on the tragic events in New York City last weekend and Sutherland Springs, Texas this past Sunday and join both of you in offering my condolences to the families of the victims and our thoughts and prayers to all of those who were injured.

Sir, thank you for inviting me here today to testify about transportation security for my first time in the role as administrator of the Transportation Security Administration.

My colleagues and I at TSA appreciate the support the committee and its Members have provided to TSA in the passage of H.R. 2825, the Department of Homeland Security Authorization Act of 2017. We are grateful for the long-standing and constructive relationship that TSA enjoys with the committee. I look forward to building on this relationship during my tenure at the helm of TSA.

I am honored by the opportunity to serve as the TSA administrator. Although I have only been on the job for a short time, I am impressed with the dedication and commitment of the men and women of TSA who provide protection to millions of people every single day, 365 days a year.

TSA's mission to protect America's transportation systems is vital to our Nation's security. Aviation security has come a long way in 16 years, but we still face a determined adversary.

The current threat environment is complex, diverse, and persistent. The threat to international aviation is high and multiple terrorist groups remain intent on attacking our surface transportation systems.

We must adapt to these evolving challenges. Successfully meeting them rests on our own evolution both in TSA and globally. We

must raise the security baseline by staying ahead of threats and quickly deploying effective countermeasures and working closely with our industry, public safety, and international partners.

We must innovate so we can detect more complex threats and prohibited items ever more quickly, consistently, and efficiently. We must ensure that our work force receives the best training and leadership available and is closely connected to the TSA mission.

To raise the baseline of international aviation security, TSA is working closely with partners across the globe. In June, TSA enhanced security measures for all commercial flights through the United States, and then in September initiated new security measures to address threats to cargo aircraft flying through the United States.

We are grateful to our many partners in industry in the public sector, at home and overseas, for their support of these efforts over the past several months.

TSA's aggressive pursuit of innovation includes exploring the use of computed tomography systems at airport checkpoints. These systems feature improved 3D imaging and enhanced detection capabilities.

As important as these technological advancements are, our TSA security professionals are vital in accomplishing the mission from those that work behind the scenes and out of public view, to those at our airport security checkpoints, on-board aircraft, and in our partnership with our surface transportation system owners and operators.

To carry out our activities effectively, we need to invest in our work force, especially in key areas such as training and communications. I communicate to employees every chance I have the message that they are valued and that their work is critically important and that their No. 1 priority is security effectiveness.

The recent terror attacks in New York City and in Sutherland Springs, Texas and overseas, are a compelling reminder of the need to remain vigilant in all modes of transportation. We need to continue building on our surface transportation security successes through stakeholder communications, coordination, and collaboration to protect these open-by-nature systems.

I have received input from key stakeholders in all surface modes regarding the views on how TSA can help them improve security. Mr. Chairman, I value and appreciate the oversight provided by this committee, by the Department of Homeland Security inspector general, and by the General Accountability Office, and I pledge during my tenure as administrator to be open, transparent, and responsive to every Member of this committee.

My key priority is improving job satisfaction that will equate to improve security performance and efficiency. I appreciate and will build upon the already outstanding relationships that TSA has with our airport, airline, and surface transportation system owners and operators with our public safety partners throughout the United States, internationally, and certainly with our international organizations and partners.

Sir, this concludes my statement. I am honored to serve in this capacity, and I very much look forward to your questions today.

[The prepared statement of Mr. Pekoske follows:]

STATEMENT OF DAVID P. PEKOSKE

NOVEMBER 8, 2017

Good morning Chairman McCaul, Ranking Member Thompson, and distinguished Members of the committee. Thank you for inviting me here today in my new role as administrator of the Transportation Security Administration (TSA) to testify about transportation security.

My colleagues at TSA and I appreciate the support of the committee and its Members in the passage of H.R. 2825, Department of Homeland Security Authorization Act of 2017, and we are grateful for the long-standing and constructive relationship that TSA enjoys with the committee. I look forward to building on this relationship during my tenure at the helm of TSA.

I am honored by the opportunity to serve as the TSA administrator. TSA's mission to protect America's transportation systems is vital to our Nation's security. Although I have only been on the job a short time, I am impressed with the dedication and commitment of the men and women of TSA, from those who work behind the scenes and out of public view, to those whose presence at our airport security checkpoints, on-board aircraft, and in our surface transportation venues provide protection to millions of people every day.

In September, we solemnly reflected on the 9/11 attacks. Aviation security operations have come a long way in 16 years, but we still face a determined adversary. The current threat environment is complex, diverse, and persistent; the threat to international aviation is high, and multiple terrorist groups remain intent on attacking civil aviation. Additionally, we must not ignore the real threat to surface transportation.

These terrorist groups are using technology and social media to inspire, direct, and facilitate attacks. We also know they are doing their homework on our countermeasures. They are "crowd-sourcing" terrorism by publishing instructions to build bombs and devices designed to evade airport security or to derail trains; laying out road maps for soft target and public area attacks; and calling for their aspirants to hit targets of opportunity, whether at an airport, a passenger railroad station, or an inner city mass transit station.

Certainly, we must adapt to evolving challenges. I believe this adaptation should include three key components: First, we need to continue to raise the global aviation security baseline around the world and surface transportation security domestically in collaboration with our industry and international partners; second, we need to continuously innovate; and third, we need to invest in our most valuable resource, our people.

We continue to work with our partners across the global aviation community to collaborate, innovate, and implement new security practices in the face of evolving threats. To raise the baseline of international aviation security, TSA issued a Security Directive and Emergency Amendment in June to enhance security measures for all commercial flights to the United States. These measures—some of which are noticeable to passengers and some of which are not—include enhanced screening of passengers and electronic devices, and heightened security standards for all direct flights to the United States from overseas airports.

All of these measures are necessary, given the gravity of current threats. TSA continues to work closely with U.S. aircraft operators, foreign air carriers, as well as host governments as they implement these measures. Also, in September we initiated new measures to address specific threats to cargo aircraft inbound to the United States. These measures require certain carriers to provide additional data to allow TSA, in partnership with U.S. Customs and Border Protection, to better assess the risk of shipments prior to loading. We continue to review ways to address threats and raise the baseline of cargo security screening overseas.

Our industry and Government partners know the importance of adapting and innovating to stay ahead of our adversaries and have been critical in the effort to raise the global aviation security baseline. Additionally, I would be remiss if I did not thank the airports and airlines for their support during the summer travel season. This summer was an incredibly busy one for TSA. In fact, it was our busiest summer on record. Between the Memorial Day and Labor Day weekends, we screened more than 239 million passengers; a 4 percent increase from the 230 million screened during the same period last year. This would not have been possible without the excellent partnerships we have developed with airports and airlines.

TSA continues to engage with our domestic and international stakeholders to share best practices and align security with evolving and emerging threats. We work with industry operators through the Intermodal Security Training and Exercise Program to exercise their security and response plans to prevent and respond

to active-shooter events or improvised explosive devices, similar to the one recently planted at the airport in Asheville, North Carolina. TSA has also been working with our partners in efforts to increase public area security. Events such as the terror attacks in Brussels and Istanbul, and the January 2017 lone-shooter rampage at Fort Lauderdale Airport, highlight the need for vigilance in the public areas of our Nation's airports, as well as surface transportation venues. It is critical that we learn the lessons of these attacks and use that knowledge to improve security.

To that end, TSA and the Department of Homeland Security (DHS) National Protection and Programs Directorate launched a series of Public Area Security Summits last fall, collaboratively engaging with industry, Government, academia, and public officials to establish general principles for success in enhancing public area security. We have had four of these summits so far, with another scheduled for February 2018.

International organizations also play a vital role in advancing TSA's mission to strengthen transportation security around the globe. For example, the United States is a member state of the International Civil Aviation Organization (ICAO), an arm of the United Nations that works with 190 other member states to set safety and security standards for international air travel, among other things. I recently spoke at ICAO's annual Aviation Security Symposium, encouraging members to join us in embracing innovation and raising the baseline of global aviation security. This message was echoed throughout the symposium. I will reiterate this message next week at the International Air Transport Association's (IATA) AvSec World Conference in Abu Dhabi.

Another key element in raising the global aviation security baseline is investing in and leveraging new and emerging technologies for screening purposes. Acting Secretary Duke and I will work with this committee to identify and secure the necessary resources to pursue the most promising technologies. As just one example, TSA is exploring the use of 3D-imaging Computed Tomography systems to meet emerging and evolving threats at airport checkpoints. These systems offer a more enhanced imaging platform over legacy AT X-ray systems and are a proven technology that has been used for screening checked baggage. I believe that Computed Tomography will enhance carry-on screening for the current threats and improve overall checkpoint security effectiveness and efficiency.

Identity verification and vetting are central underpinnings of the passenger security process. To address this capability need, we are actively working multiple paths to evaluate technology for potential future deployment. We have started testing credential authentication technologies at a number of airports. We have also assessed biometric fingerprint reading technology through the Innovation Task Force (ITF). Recently, we collaborated with the U.S. Customs and Border Protection on their biometrics pilot for identity verification of travelers exiting the country. Supporting this pilot is important for ensuring joint requirements across the Department. The intent of these efforts is to move TSA forward in the ability to verify passengers' identity, ticketing, and vetting status.

To further improve the passenger security process, we are working to enhance our on-person screening to include advanced imaging technology. This should increase detection of threats, lower false alarm rates, and increase passenger throughput. Other technologies with promise are mobile hand-held solutions that quickly and easily identify explosives.

We will continue to work with public and private partners to provide a platform for Government, industry, and stakeholders to gather requirements for new and innovative approaches to transportation security and accelerate the development and deployment of new technologies such as the ones I just described. During the requirements definition process, TSA leverages the robust DHS Joint Requirements Council framework and partners with DHS Science and Technology to develop and leverage cross-component solutions. Additionally, through TSA's ITF, we are seeking to improve collaboration with our partners through two-way knowledge exchanges and co-creation of security technologies. ITF actively seeks new partners and provides industry an opportunity to demonstrate their solutions in the field, capture operational data, and refine solutions against threats to transportation systems.

TSA will continue to partner with industry to make improvements to our operations. We have received strong support from our airport and airline partners in our continued efforts to address increased passenger volumes. These partners provide volume projections to inform resourcing, promote the TSA PreCheck® expedited screening program, and remind passengers to arrive early. Our industry partners also participate on daily calls with TSA to ensure clear, timely communication regarding daily screening operations. All of this work with industry partners is critical to ensuring that our screening technologies, processes, and systems continue to thrive and adapt.

As important as these technological advances are, the TSA security professional at the checkpoint is vital to accomplishing TSA's mission. Since my arrival at TSA, I made it a priority to visit many airports and engage in direct conversations with front-line TSA employees. After hurricanes Harvey, Irma, and Maria, I traveled to Houston, St. Thomas, San Juan, Miami, Ft. Lauderdale, and Orlando to help our TSA colleagues get back on their feet and to ensure they received all the help we could offer. I listened to them and learned about TSA's operations and the challenges they face doing their jobs. I am consistently impressed and inspired by the dedication and commitment that they display, and I quickly realized just how passionate TSA employees are about our mission. This passion is reflected in the 885 TSA employees who deployed to support hurricane relief efforts through the DHS Surge Capacity Force, and I am immensely grateful to them. They represent the very best of TSA. I also appreciate the assistance of deployed Officers, the TSA Critical Incident Management Group, field leadership, and our airport and airline partners to reconstitute operations at affected airports.

Our workforce carries out a difficult and demanding mission every day. TSA employees vet a daily average of 2.3 million air passengers against the Terrorist Screening Database before they arrive at airports for screening, and routinely prevent known or suspected terrorists from boarding aircraft. Last year alone, our Transportation Security Officers (TSOs) screened more than 760 million passengers and more than 2 billion carry-ons and checked bags at approximately 440 airports Nation-wide. They prevented countless dangerous prohibited items from being carried onto planes, including over 3,000 firearms. In addition, TSA's Federal Air Marshals deployed on more than 250,000 domestic and international flights last year. Over 1,000 canine teams patrolled more than 100 aviation, mass transit, and maritime transportation locations across the Nation. Visible Intermodal Prevention and Response (VIPR) teams augmented transportation security Nation-wide, and recently, a number of VIPR teams contributed significantly to hurricane relief in Texas, Florida, and Puerto Rico. Last year, TSA's international inspectors completed more than 1,880 aircraft operator inspections and 135 foreign airport assessments to ensure compliance with international standards and TSA security requirements.

To carry out our activities effectively, we need to invest in our workforce, especially in key areas such as training and communication, to take TSA to the next level as an organization. We all benefit from an engaged workforce that feels connected to the mission and direction of the organization. I am committed to communicating directly with our employees and making sure they know they are valued and that their work is critically important.

In support of our managers, we are leveraging Acting Secretary Duke's launch of a "Year of Leadership." This is an initiative to reinforce DHS's culture of leadership excellence that allows supervisors and managers to receive the training and education that effective leadership requires.

In 2012, TSA established the TSA Academy at the Federal Law Enforcement Training Center's Glynco campus, to increase the rigor and professionalism of the training that TSA employees receive. Although the Academy initially focused on training supervisory screening personnel, in January 2016, it began new-hire training for all TSOs. The TSA Academy has been a powerful tool for fostering a consistent training environment and helping to spread best practices and process innovations across TSA. The TSA Academy has already demonstrated clear value to TSA in terms of morale and aviation security effectiveness, and I am dedicated to the use of the Academy during my tenure and emphasizing the need to develop TSA leaders at all levels, harnessing the "Year of Leadership" effort as a catalyst.

I believe that successfully meeting the ever-changing threat to aviation rests on our own evolution, both in TSA and in the global aviation sector. We must raise the security baseline by staying abreast of threats and quickly implementing effective countermeasures. We must innovate so we can detect more complex threats and prohibited items ever more quickly, consistently, and efficiently. We must ensure that our workforce receives the best training available and is as connected to the TSA enterprise as it is to its mission.

I would like to take the opportunity to touch on the security of our Nation's surface transportation. Recent overseas terror attacks, including the Brussels subway attack and increasing vehicle-ramming incidents, provide a compelling reminder of the need to remain vigilant. While there is no specific, credible terrorist threat to U.S. surface transportation systems, the recent incidents in Europe underscore the need to continue to build upon our surface transportation security successes through stakeholder communication, coordination, and collaboration to protect these "open-by-nature" systems. To better understand the unique nature of these systems, I will engage with key industry stakeholders on an on-going basis. I recently met with pipeline industry leaders at the Pipeline International Security Forum in Buffalo,

NY. I also toured and received security briefings from New York Metropolitan Transit Authority, New Jersey Transit, and Amtrak, which constitute some of the heaviest-travelled systems in the country. I have also invited key stakeholders from all the surface modes to meet me at TSA and give me their views on how TSA can help them improve security.

In closing, I believe a reinvigorated strategy is an essential foundation for success in our mission, and I have engaged my executive staff, with their years of experience, to reexamine and, if appropriate, to re-envision TSA's strategy. I have also recently engaged many private-sector industry partners to improve strategic partnerships and promote effective collaboration, and I look forward to on-going engagement with Members of this committee as we develop our strategic path forward for TSA.

Chairman McCaul, Ranking Member Thompson, and Members of the committee, thank you for the opportunity to testify before you today. I am honored to serve in this capacity and I look forward to your questions.

Chairman McCaul. Thank you. I appreciate that testimony. I go back to Ramzi Yousef, the 1993 Trade Center bomber Bojinka plot to blow up 12 airlines simultaneously. He escapes. Talked to his uncle. He basically plotted the 9/11 attacks.

They have still not stopped. They are relentless in bringing down an airline. Even though they have been demoralized in Iraq and Syria to a large extent, and they have called for attacks by vehicles and knives and by whatever means necessary, Khalid Sheikh Mohammed's dream is still alive and well, unfortunately. It has gone from AQAP to ISIS.

We have had our threat briefings and we know that they are still trying to bring down airlines through turning a laptop into an explosive device. We just had a briefing from the inspector general that I am not allowed to go in into detail, but he identified vulnerabilities in covert testing, vulnerabilities I think every Member at the briefing found disturbing.

I believe there are things we can start doing today and not waiting. I don't think the American people can afford to wait for the safety of Americans. You and I talked about computed tomography, or C.T.. I have seen this technology.

It goes from two-dimensional to three-dimensional. You can rotate it, and it also highlights and identifies contraband and explosive devices. We have this as a pilot program in only two airports.

My question to you is how soon can this technology be deployed to all airports in the United States and also importantly the 10 last-point-of-departure airports identified as the highest threat to airports?

Mr. PEKOSKE. Yes, sir. Computed tomography X-ray systems are a significant enhancement over what TSA currently uses at the checkpoints.

You are correct in that we are prototyping two systems in the United States right now. Because it is a system that we are prototyping it is the conveyor belt that brings the carry-on bags to the machine, and the machine process itself and plus the interface with our transportation security officers.

Sir, hypothetically we could deploy that technology throughout the system now because the technology exists. But what would happen as a result of that would be an improvement in the operator's ability to see images.

Because as you mentioned, it is 3-D and it has a lot more fidelity for the operator. So I think the operator's success in identifying

substances to look for for further inspection would be greatly improved.

However, we aren't at the point yet where we can get the throughput through the computer tomography machines that we currently have through the existing machines. But over the course of the next several months we will be relatively close to that.

So, you know, the technology does exist, it is being tested to a degree in Europe. It could be deployed really because it, you know, those machines are already being made.

I would also add that this technology, computer tomography, is already in place in our checked bag systems. So—

Chairman MCCAUL. I think that is what is a little bit confusing to us is it is already being used for checked bags.

Mr. PEKOSKE. Right.

Chairman MCCAUL. It is being used in two airports. I understand the algorithm would have to be updated at some point in time and the software associated with that.

But it seems to me, given the high threat level that we are in right now with aviation, and that is our crown jewel, why can't we move as quickly as possible to deploy C.T. technology to all airports in the United States and those 10 last-point-of-departure airports and then upgrade the software when that becomes available?

Mr. PEKOSKE. Yes, sir, we could do that. The reason C.T. technology is in the checked bag area and not in the checkpoints just yet is because it has only been recently that we have been able to get the weight and the size of those machines down to the point where they could fit in a checkpoint.

But now we have those two prototypes in Phoenix and Boston. We know that that capability for sizing exists. You are correct, sir, you know, we do need to do some work on the algorithms which would increase the range of the substances the machines are able to detect and also lower the weights to be able to detect that as well.

That algorithm development can occur after the machines are deployed. Right now our plan is to do the algorithm development first and then deployment of the machine second.

Chairman MCCAUL. Well, why can't we do it the other way around? Deploy the machines and update the algorithm later?

Mr. PEKOSKE. You could do that, sir. The only challenge to that would be the reduced throughput through the machines. The integration with the conveyor belt that brings the carry-on bags and the bins to the machine.

Chairman MCCAUL. Well, I look forward to working very closely with you. I see this as perhaps the biggest threat that we face through the radical Islamists. When you talk about large-scale attacks. So I look forward to working with you to see how rapidly we can deploy this new technology.

In addition, working with the appropriators to make that the monies are available and reprogrammed as well to get this technology out to these airports and also these last-point-of-departure airports that Members and I have gone to on many occasions. Quite frankly, the level of security is a bit frightening at some of those airports in the high-threat areas as well.

So I know—welcome to the job. I know you understand the threats very well, and I look forward to working with you.

Mr. PEKOSKE. Yes, sir. Thank you very much. You know, I would add that the computer tomography, the C.T. capability would be a significant improvement in our detection capability at the checkpoint, probably the most significant improvement we could make in that location.

Additionally, sir, in our efforts to raise the global bar of aviation security, there is a path to get to C.T. deployment at last-point-of-departure airports in the future.

Chairman MCCAUL. That is very good. Thank you.

Chair recognizes the Ranking Member.

Mr. THOMPSON. Thank you, Mr. Chairman. I think, in line with what you have just said, there is an on-going interest that this committee has had about how long it takes to get new technology deployed. It just continues to be a problem. Sometimes we are told it is acquisition, sometimes we are told it is testing of the equipment, but it just never happens.

As Mr. Katko mentioned in the earlier briefing, there are other airports around the world who already put new technology in place. You know, sometime it might just make sense to go to the airport and see what they are doing, rather than always wanting the other thing.

I am saying this to say that if we know vulnerabilities exist and new technology is somewhere being deployed, I think we would be remiss if we didn't pursue that.

To that question, we were told a few years ago that we are spending somewhere around \$9 per passenger at airports on security per passenger. Do you have an idea what we are spending on planes or buses or cruise lines per passenger?

Mr. PEKOSKE. No, sir, I don't. Of course in the airport we provide the security. At the on-board cruise lines and in mass transit systems, the security is provided by the owners and operators. We issue guidelines and guidance in that regard.

Mr. THOMPSON. So we have nothing to do with security for trains?

Mr. PEKOSKE. Oh, we do, sir. We have responsibility for security, but the way it works is the owners and operators are the ones that actually provide the security, unlike in an airport where TSA actually provides the security.

What we do in the surface transportation modes is we provide guidelines for what those surface transportation modes should do for security. Those are cooperatively developed and they are actually quite good.

Mr. THOMPSON. So you are saying we have nothing with it other than provide the guidelines? We don't provide oversight to see what they are doing or anything like that?

Mr. PEKOSKE. Yes, sir, we do provide oversight of the guidelines that we jointly develop with them. We have regular dialog with our surface transportation partners.

Mr. THOMPSON. So when someone is not meeting the standard, what do you do?

Mr. PEKOSKE. We go back to them, have a discussion of where the standard shortfall is and our experience with the surface trans-

portation modes almost universally is that they are very quick to remedy the observations that we make.

Mr. THOMPSON. So how do you rank surface transportation systems? Pass, fail, marginal, or what?

Mr. PEKOSKE. From my perspective, and I was just up in New York City and New Jersey visiting the surface transportation systems last week, I would mark them as pass at this point. There is a pretty significant security effort.

Mr. THOMPSON. Yes. I am trying to get to how do you mark it? I mean does Amtrak provide you with something and you review it and say it is OK? Or how do you do that?

Mr. PEKOSKE. What we do sir, is we collaboratively develop guidelines as to how we would provide security. That is a very beneficial process because the surface transportation owner-operator has a perspective.

We talk about the security outcomes that we would like to achieve and they come back with OK, we understand that outcome. Here is how we think as the operators of the system we can best achieve it. Then we agree on a way forward.

Mr. THOMPSON. All right. If you have any written reviews of passenger rail systems in this country, can you provide that information to the committee?

Mr. PEKOSKE. Yes, sir.

[The information follows:]

The Baseline Assessment for Security Enhancement (BASE) template is attached. The template is not SSI until scores are posted.

The role of the Transportation Security Administration (TSA) in surface transportation security includes performing voluntary assessments through efforts like the BASE program. The BASE assessment includes a comprehensive evaluation of an agency's security program elements, which include but are not limited to a transit agency's security plans, security awareness and emergency response training, drills/exercise programs, public outreach efforts, and background check programs. The BASE voluntary assessment incorporates the 17 Security and Emergency Management Action Items, which were agreed upon by the TSA, the Federal Transit Administration, and industry stakeholders, to assess the management of an agency's security program. The Action Items are considered foundational for a good security risk-reduction program. TSA Surface Transportation Security Inspectors coordinate and conduct security assessments of mass transit agencies and passenger rail systems, to include Amtrak, through the BASE program.

TSA recognizes individual agencies that have demonstrated exemplary performance in managing their security programs through designation as meeting the "Gold Standard." The criterion for achieving the "Gold Standard" in security is attained by an overall average score of 90 percent (with no one category receiving a score of less than 70 percent) on their recent BASE Assessment. Amtrak received the Gold Standard Award in 2011 and 2015.

Mr. THOMPSON. The next thing. Are you aware that there are airports in this country who invested monies in modifying their airports pursuant to TSA's direction to accommodate equipment that have not been reimbursed over 10 years later?

Mr. PEKOSKE. Yes, sir. I believe those are the inline baggage systems that some airports many years back put in place. Their understanding was that they would be reimbursed for that expense.

They have submitted a claim for that amount. We have reviewed those claims and now those claims, once they completed our review, are back with those airports.

I think 14 out of 19 that we agreed were appropriate for review, and they are back to those airports for their comments on what we adjusted if anything on their submission.

The challenge is having the funding to be able to pay for that investment that they have already made.

Mr. THOMPSON. So they have made, at TSA's direction, improvements, spent local taxpayers money, and over 10 years later we are still back and forth trying to get those airports their money?

Mr. PEKOSKE. Yes, sir. That is my understanding.

Mr. THOMPSON. Well, can you provide us the status of those, you said 19 airports?

Mr. PEKOSKE. Yes, sir. I think 14 of the 19—there were 19 total. Fourteen of them actually submitted or we approved them.

Mr. THOMPSON. Right. Can you provide that to us?

Mr. PEKOSKE. Yes, sir.

[The information follows:]

On July 22, 2016, the Transportation Security Administration (TSA) began implementation of the seven-step plan, detailed in the Reimbursement Review and Validation Plan for In-line Baggage Screening Systems, Fiscal Year 2016 Report to Congress (June 16, 2016). TSA is currently at step six. TSA provided airports with notification of the results of TSA's invoice and payment evaluation. Provision of this notice initiated a 30-day period, which concludes on November 30, 2017, during which airports may provide justification for an amount above what TSA validated. Following the completion of step six, TSA will begin step seven to develop a final airport reimbursement list and funding request to Congress for the eligible reimbursement amount, which is not available in the current appropriation.

The table below represents the funding requested by each airport in their initial application and the amount found eligible based on TSA's evaluation of submitted documentation. Initial requested amounts were based on each airport's estimate. To determine the eligible reimbursement amount, TSA used the Planning Guidelines and Design Standards (PGDS) for Checked Baggage Inspection Systems, version 5.0, Appendix F, and the TSA Funding of Checked Baggage Inspection System Project Costs policy memo, Version 2.0, to determine eligible costs and then applied the appropriate TSA/airport cost share (90/10 or 75/25), based upon airport size. In a few cases, TSA determined reimbursable amounts that exceeded an airport's initial request. This occurred when TSA found during its review of submitted invoices that there were more allowable and allocable expenditures than reflected in the airport's estimate. While the figures may change based upon potential airport feedback to the reimbursement letters, TSA currently estimates it will seek \$217,879,014.36 to reimburse the airports.

Airport Code	Airport Name	Zone(s)/Terminal(s)	Airport Requested Amount	*Reimbursement Eligible Amount
ACK	Nantucket Memorial Airport	Full airport	\$1,253,425.00	\$1,130,113.80
ACY	Atlantic City International Airport	Full airport	1,841,889.00	2,410,152.42
ANC	Ted Stevens Anchorage International Airport	C Concourse	20,865,295.00	11,774,411.25
IND	Indianapolis International Airport	Full airport	19,262,176.87	10,859,490.42
JAX	Jacksonville International Airport	Full airport	19,127,803.00	16,363,948.16
MCO	Orlando International Airport	A&B	1,786,957.69	1,786,957.70
MCO	Orlando International Airport	Northeast (Pod C)	10,429,230.64	10,429,230.64
MCO	Orlando International Airport	Pods D&E	32,222,784.53	15,781,149.97
MDT	Harrisburg International Airport	Full airport	5,500,000.00	5,503,817.52
MDW	Chicago Midway International Airport	Full airport	42,621,772.00	14,878,817.08
PIT	Pittsburgh International Airport	Full airport	12,296,215.00	5,175,914.15
PVD	T.F. Green Airport	Full airport	32,849,931.00	30,294,486.09
RIC	Richmond International Airport	Full airport	3,976,700.00	3,999,795.62
RSW	Southwest Florida International Airport	Full airport	21,805,883.00	17,699,173.04
SRQ	Sarasota-Bradenton International Airport	Single L-3	502,822.00	451,206.77
TPA	Tampa International Airport	Full airport	93,191,002.50	69,340,349.72
				217,879,014.36

*The eligible amounts may change if airports provide additional information during the 30-day response period that ends on November 30, 2017.

Mr. THOMPSON. The last item, Mr. Chairman, in 2007, Congress passed a bill I authored implementing recommendations of the 9/11 Act. The law required TSA to publish regulations requiring transit systems to provide front-line workers with security training and develop and implement security plans.

Over a decade after that bill was enacted, TSA has yet to issue these regulations. What is the—you have any idea why they haven't done it?

Mr. PEKOSKE. Yes, sir. I recognize it has been a very long time. As I understand it there is a requirement for a training, for vetting and for the security plans. Two of those three are well in the process.

One is in the notice of proposed rulemaking and the other in the advanced notice of proposed rulemaking. The third is queued up beyond fiscal 2019, so sometime beyond fiscal 2019.

Mr. THOMPSON. Fiscal 2019?

Mr. PEKOSKE. Yes, sir.

Mr. THOMPSON. Twelve years after Congress passed the law.

Mr. PEKOSKE. Yes, sir.

Mr. THOMPSON. Yes. Well, Mr. Chairman, I think that is in line with how we do the technology and some other things. We just somehow, and I know you inherited a lot of this, but at some point some of this should be done in a more timely manner.

I would encourage you, Mr. Administrator, to get a sense of how many of these issues are outstanding and how do we bring closure to them? Otherwise our public will continue to lack the confidence necessary in the systems that they use to go back and forth in this country.

I yield back, Mr. Chair.

Chairman MCCAUL. The Chair recognizes the gentleman from Alabama, Mr. Rogers.

Mr. ROGERS. Thank you, Mr. Chairman. Welcome, administrator, you got a real challenge ahead of you. This agency that you run is broken, badly, and it needs your attention.

I wanna ask you about the fast-tracking of passengers in airports. You know, we have got the PreCheck brand, which we have been working real hard, TSA has been working real hard to make people aware of that they can do this up-front screening and pay a one-time fee and get into a faster lane, an expedited lane.

It is a win-win for everybody. But as you know, there has been a practice of fast-tracking when the lines are delayed in the normal checkpoints, they will pull a group of people out and put them into the PreCheck line randomly. Frankly it is confusing people who are in the PreCheck line.

What can you tell us that you can do to make sure we maintain the brand for PreCheck that makes people wanna participate in it?

Mr. PEKOSKE. Yes, sir. Our goal is to increase the enrollment of PreCheck. I understand why that activity would be a disincentive in a way for people to pay the fee and enroll in PreCheck.

We no longer move people randomly from the standard lane into PreCheck. That was done in the past. That is not done any longer. What we do though, sir, is if there is a K-9 in the checkpoint and the K-9 sweeps a series of passengers without a reaction, then we feel we have done some vetting through the K-9, and we move

those passengers into PreCheck. It is a way to manage lane throughput.

Mr. ROGERS. OK. Second, you and I talked in my office a week or so ago about the need for a National consortium of explosive detection K-9s breeding and training experts. I have got a bill put together to—and I plan to introduce next week, that will have TSA experts along with university researchers, private-sector trainers, work to create a scientifically-validated standard for explosive detection K-9s.

I want to ask your commitment to work with me with the sense of urgency this issue deserves to advance that legislation.

Mr. PEKOSKE. Yes, sir. You have my commitment. I am a strong supporter of K-9 programs. I think they provide a tremendous capability for security. I strongly support what they are doing.

Mr. ROGERS. Thank you, sir.

Mr. Chairman, I yield back.

Chairman MCCAUL. The Chair recognizes the gentleman from Rhode Island, Mr. Langevin. Not here.

The Chair recognizes Mr. Keating.

Mr. KEATING. Thank you, Mr. Chairman. Thank you, Admiral, for your service. I wanna get back to the C.T. technology, the 3D technology. You said hypothetically that could be done, but you are looking at the throughput now. There are prototypes out there and other countries are using them.

So when you are saying hypothetically you could do that now, are you saying that the technology doesn't exist? That you don't know it is being utilized elsewhere or not?

Mr. PEKOSKE. No, sir. The technology most certainly exists, and in fact, I am going out and will visit Schiphol Airport next week just to see if they have a place—

Mr. KEATING. So if I could interrupt, just because of time, I apologize. So what did you mean hypothetically then? So OK, we have eliminated that it is not hypothetical because of technology. So why is it hypothetical?

Mr. PEKOSKE. Hypothetical due to funding.

Mr. KEATING. Oh, that is interesting. So you could use more funding to keep people safer?

Mr. PEKOSKE. Sir, to invest in the C.T. technology requires funding above what TSA currently has.

Mr. KEATING. That is right. Well, that is a great point because there are other options for that funding. I mean the public, I don't know if they are aware, they are surcharged a certain amount of money and \$1.28 billion of that has been pulled back from what the public gives for deficit reduction. We will talk about that later, but at a different venue.

But you could use \$1.28 billion. Now, would that really help you in terms of getting rid of the hypothetical because of funding?

Mr. PEKOSKE. Yes, sir. You know, we compete for funding like every other agency does within the Department of Homeland Security and within the Federal Government.

Mr. KEATING. Could you use the money, would that really—how far would that go? That is a lot of money.

Mr. PEKOSKE. That is a lot of money, and it would go a long way, sir.

Mr. KEATING. So we could be safer, clearly because of technology, safer in your opinion, but we are not doing it because of money. But we are taking away the passenger-funded money and also the President's budget decreases money. Are you satisfied with your budget?

Mr. PEKOSKE. Sir, I support the President's budget but certainly I, you know, I wouldn't disagree with the fact that additional money makes us safer and secure.

Mr. KEATING. Well, you support it, but are you satisfied that it keeps us safe given the technology that is practically available to us right now?

Mr. PEKOSKE. Sir, I was not involved when that budget was developed—

Mr. KEATING. No, no.

Mr. PEKOSKE [continuing]. So I don't know what the trade-off for that was.

Mr. KEATING. I am just asking your opinion. I am not blaming you for the budget.

[Laughter.]

Mr. PEKOSKE. No, and I am not trying to—

Mr. KEATING. We are not—you are satisfied we are safer with that budget when you just said that that money being taken away from the passenger portion of this and the budget itself—

Mr. PEKOSKE. Sure.

Mr. KEATING [continuing]. Could make us safer because of the 3D scanning? That is not satisfactory to me. Is it satisfactory to you?

Mr. PEKOSKE. So when that budget was developed, we weren't on the path of C.T. development at the checkpoint either. So, that wasn't a program that was reviewed for investment when that budget was developed.

Mr. KEATING. So it is the sequence—

Mr. PEKOSKE. This isn't the—

Mr. KEATING. Now we are there though, right?

Mr. PEKOSKE. Right.

Mr. KEATING. So would you favor taking that money back? I mean, we have the funds available. We are talking about \$10 billion-plus for a wall. I mean we have the money.

So you are telling me that we are not safe, Americans aren't safe, we have technology available to make them much safer, but it is money that is keeping us, not the technology itself. I am clear on that?

Mr. PEKOSKE. Sir, I don't believe I said that Americans weren't safe. In the—

Mr. KEATING. Safer.

Mr. PEKOSKE. Safer, yes sir. Certainly, additional investment would make travelers, whether Americans or people visiting our country, safer.

Mr. KEATING. Is the VIPR program a good program?

Mr. PEKOSKE. Yes, sir.

Mr. KEATING. Why is it being cut, 31 teams to 8?

Mr. PEKOSKE. Again, it is a trade-off with other priorities.

Mr. KEATING. But that was available. You just said, when they did the budget and other things, well it wasn't in sequence. But

this was already there. So we knew about it. So that is being cut and that includes K-9, patrol, and those teams. So that keeps us safer but we are not funding that either.

Mr. PEKOSKE. Yes, sir. But, you know, VIPRs and when you look at the overall budget, the, you know, here is a question to think about is can you use that funding to provide more transportation security officers at a checkpoint versus a VIPR team? Those are the kinds of trade-offs that are made all the time.

Mr. KEATING. Well, I would suggest this. I mean, it is not in your purview. I think this is a trade-off with a wall. We know, and we can't get into it, what was discussed before at a Classified hearing, but we know the—I would call it a present danger. That is not talking about anything that is not Classified.

So we have a present danger, right now. We have the technology and the resources to do it, but we are not doing it because of funding. Because we are taking it away for budget reduction, on what people pay themselves out of their own pocket to do it. And we are paying for a wall.

I yield back.

Chairman MCCAUL. The Chair recognizes Mr. Barletta from Pennsylvania.

Mr. BARLETTA. Thank you, Mr. Chairman. Thank you for being here today. For years I have called on Congress and the Obama administration to complete a biometric entry-exit screening system, which the 9/11 Commission report called “an essential investment in our security.”

Tracking the arrival and departure of foreign visitors to the United States is a critical part of our National security and immigration control. Without this information, it is impossible to know whether foreign visitors have left the country or if they have overstayed their visa.

Using only biographic information, such as names or passport numbers, is not enough because it does not prove, without a doubt, that the person leaving is the same person who entered. An automated entry and exit screening system for foreign nationals entering and departing the United States has been required for years and has been ignored to be implemented.

I am pleased we now have a President whose utmost priority is ensuring the safety of the American people. President Trump has clearly laid out a series of essential border and National security priorities that include the speedy completion of a biometric entry-exit tracking system for all travelers to the United States.

Although entry-exit policy and operations are primarily under the jurisdiction of U.S. Customs and Border Protection, TSA is an important entity in protecting the United States. With that, how is TSA working with CBP to utilize biometric technology to enhance National security?

Mr. PEKOSKE. Yes, sir. Our desire is also to use biometrics as a passenger is approaching the checkpoint. The first stop right now is you provide your passport or your driver's license, and that is checked by the officer.

What we would like to eventually get to is also a biometric. Our desire is to have the same biometric that U.S. Customs and Border Protection uses. We coordinate with them extensively on this.

We have already tested out some biometric technology in our checkpoints. Those tests are under evaluation right now, but that is the technology we are very interested in.

Mr. BARLETTA. How is TSA working to ensure information is properly shared between the agencies?

Mr. PEKOSKE. Yes, sir. You know, we meet with Customs and Border Protection on a regular basis. We have a very strong relationship with them. We are both in the same airports, and I am confident that we will find a way to share that information securely.

Mr. BARLETTA. Thank you. Second question, for decades the Castro regime has ruled with an iron fist over the nation of Cuba. I believe that concessions should not be made until the Castro dictatorship gives their people the freedoms that we, as Americans, take for granted every day.

Under the Obama administration commercial flight travel between the United States and Cuba resumed. However, we are still largely unaware of the day-to-day operations of Cuban airports, including employee screening and training and overall airport security. The fact that the Cuban government controls the vetting and hiring of many airport employees is a significant vulnerability.

Can you please tell me what steps are being taken by TSA to address to security risks at Cuban airports and on commercial flights between the United States and Cuba?

Mr. PEKOSKE. Yes, sir. In our effort to raise the bar on global aviation security there are a series of measures, some of them have already been implemented, were implemented in July, and others began to to be implemented on October 26.

TSA inspectors have done a tremendous job in visiting all 280 last-point-of-departure airports to ensure the July measures were implemented according to our guidance and found that all countries complied, including Cuba.

While they were in Cuba checking for the July compliance, they also checked for the October 26 compliance, and Cuba is one of the first countries to actually come into full compliance with the October 26 measures. So on a basis of overall global standards and our inspection of their efforts to get there and achieve those standards, we found them compliant with both measures.

Mr. BARLETTA. All right. Thank you, and thank you for your service. You have a tough job.

Mr. PEKOSKE. Thank you, sir.

Chairman MCCAUL. The Chair recognizes Mrs. Watson Coleman from New Jersey.

Mrs. WATSON COLEMAN. Thank you, Mr. Chairman.

Mr. Administrator, I live in New Jersey, and I am very concerned about the threat to surface transportation systems such as mass transit and passenger rail. We have witnessed recent attacks in other places against these systems, and we also know that al-Qaeda has tried to instruct people on how to attack these kinds of places.

We talk a lot about aviation security and all that is being done, but I need to talk to you a little bit and ask you some questions about surface transportation.

Mr. PEKOSKE. Yes, ma'am.

Mrs. WATSON COLEMAN. Does the TSA have the authorities that is needs to ensure that our Nation's surface transportation systems will be secure?

Mr. PEKOSKE. Yes, ma'am, we do. We have the authority to regulate and we also have the authority to issue security directives for our surface transportation systems.

Mrs. WATSON COLEMAN. Do you have the capacity to do the things that you have to authority to do?

Mr. PEKOSKE. Ma'am, that is an area that I am looking at very closely. As you know, I spent some time up in the New York-New Jersey area just last week. I have also met with other owners and operators of other surface transportation systems. It is an area of focus for me and I want to ensure that we are properly resourced for it.

Mrs. WATSON COLEMAN. Yes. It is an interesting issue that is very important to me and the neck of the woods that I come from, and I am planning to have a field hearing to discuss this and would love to be able to discuss this even with you there.

I would like to now talk to you a little bit about sort-of the morale and, you know, the placement of TSA in sort-of the network of good morale-bad morale. It has been traditionally low and I was wondering, what is your plan to address this low morale issue?

Mr. PEKOSKE. Ma'am, you are correct that morale is not anywhere near where we would want it to be, but in the most recent Federal employee viewpoint survey, our overall numbers went up by several points. So the trendline, for the first time in many years, is now positive.

I want to spend a good amount of time understanding this morale issue, but I can share with you some things that we have already put in place or are planning to put in place very shortly.

One is investing in the leadership of our transportation security officers on the front line. In fairness to them, I think it is important that we provide them the skills when they come into leadership positions so they can properly take care of the folks that are now in their charge at the security checkpoint, one of the most critical areas for security for us in our entire system.

Additionally I think it is very important that we invest in training our transportation security officer cadre to be expert at the jobs that they are asked to do, which are, as you said, you know, very difficult jobs under a lot of pressure.

My impression as I have gone to many airports since my time as the administrator is that our people are doing an excellent job. They are very dedicated to the mission. It is our job as an agency to properly provide them the training that they need to perform and the support they need to be successful.

Employee morale is an incredibly high-priority issue for me. I would submit that as morale improves, security effectiveness improves at the same time and attrition declines.

Mrs. WATSON COLEMAN. Thank you, Mr. Administrator. It is our job to see that you have the resources that you need to make sure that as many security procedures and needs are being met to keep us all very, very safe.

For that reason I also support not draining the aviating fees back into the general fund when indeed you have such a tremendous need and it is such an obvious need and we have a responsibility.

I also am very interested in you as the new administrator there, your willingness to commit to reviewing all the policies and procedures that lead to pathways to more secure jobs, higher-level jobs.

I have tremendous respect for your front-line employees. I encounter them every time I am flying. They are courteous and I have found them to be thorough.

My husband, who carries a bag that is stuffed with everything from his childhood to this time in his life, you know, often gets taken aside and going through that bag and you know and I appreciate that because I recognize that is a measure of double-checking.

Even though he looks real, real innocent and he is a little older and all, can't be a problem to anybody, your people are very conscientious in doing that.

But having said that, there are policies and procedures that may impede successful retention as well as upward mobility for your employees. I am wondering if you will commit to having a serious review of those?

Mr. PEKOSKE. Yes, ma'am, I absolutely commit to that, and I appreciate your comments and the TSA work force. That has been my experience as well. You know, I generally appreciate the hard work that they have and the good job that they do.

One of the things that we are working on and we should have out in a very short period of time, because I do want to shorten the cycle times for TSA decisions, is a career path for our front-line officers and required gates of training, both resident and nonresident that will be provided to them as they go to the next level in the organization as a prerequisite for promotion.

So, you know, I want to place a great of emphasis, and I would be very happy to have a further discussion with you on it. Thank you.

Mrs. WATSON COLEMAN. Thank you, Mr. Administrator.

Thank you, Mr. Chairman. I yield back.

Chairman MCCAUL. The Chair recognizes the gentleman from New York, Mr. Katko.

Mr. KATKO. Thank you, Mr. Chairman. While I was waiting my turn here to talk to you, I was looking on-line, and I noticed about 8 minutes ago that the Trump administration reversed some of President Obama's policies with respect to Cuba. Were you aware of any of that that was coming down the pike?

Mr. PEKOSKE. No, sir.

Mr. KATKO. OK. Well, apparently it is going scale back tremendously travel. So if you have the opportunity to digest the order I would appreciate you getting back to us on what that means for—

Mr. PEKOSKE. Yes, sir.

Mr. KATKO [continuing]. Travel and security within Cuba.

Mr. PEKOSKE. OK.

[The information follows:]

The administration's announcement regarding Cuba pertained to travel restrictions for passengers. This does not impact security operations. As long as Cuba has direct service to the United States, TSA will continue to conduct inspections of car-

riers serving the United States from Cuban airports and meet its legislative mandate of ensuring that those airports maintain effective security measures that meet international standards.

Mr. KATKO. Thank you. As I may have mentioned to you in a previous setting, I got back from a Congressional delegation not too long ago. We went to western Europe and to Jordan to look at airports and airport security among other things.

One of the things we have heard from people in Germany and in Amsterdam and as well as in Jordan is that security officials routinely think that many airports that technically meet ICAO standards are actually not living up to those standards or they are not adhering to the standards even though they have technically been ICAO-approved. Have you heard that before?

Mr. PEKOSKE. I have not heard that before. I was up at ICAO in Montreal back in September and can attest that the ICAO standards are actually good standards. What I said in my keynote address is that, you know, we need to as a global community press to implement these standards consistently across the globe and with a sense of urgency.

Mr. KATKO. How do we do that?

Mr. PEKOSKE. Well, primarily, from my perspective, we have what is called a quad four. Within the ICAO that is the United States, the European Commission, Canada, and Australia and amongst the quad four countries we are completely aligned to aggressively implement the ICAO standards. We represent most of the air traffic in the world. So we will continue to press that with our quad four partners in leadership with ICAO.

I would also say, sir, that, you know, I had the opportunity to sit down with the secretary general of ICAO while I was there and ICAO is greatly improving the priority of security within their organization.

As you know it was originally a safety organization and now has a significant security responsibility. So I was actually very heartened by the ICAO staff's commitment to keep on pursuing security and being aggressive about it.

Mr. KATKO. Well, you sound far more positive about it than your European counterparts do. So it is a disconnect somewhere and I would ask you to look into this matter further with your European counterparts because they are absolutely expressing concerns about many countries, especially countries that fly into their airports, that may not be adhering to the minimum ICAO standards.

My take on ICAO is that it is a minimum standard thing and some of the airports that meet ICAO standards to me are shocking. So I don't necessarily agree with you that the ICAO standards are robust for a lot of airports.

You see a lot of airports like in the Caribbean and in the Middle East that technically might be meeting ICAO standards that are—it is jaw dropping.

Mr. PEKOSKE. Yes, sir. Well, I am going to spend a good part of a day with my European Commission counterpart on that trip to Europe, so I will have that discussion with him.

Mr. KATKO. The other thing we saw when we went to Europe, too, is something that—and I think this is correct, that all the European Union airports now mandate 100 percent employee screen-

ing. Even in the country of Jordan they have mandated 100 percent screening.

We saw it first-hand and it is quite robust. We saw it in Schiphol Airport as well. They do separate entrances. It doesn't seem to be a huge burden for them to maybe anytime enter into a secure area to go through a checkpoint. But you have the difference in the United States is amazing.

To me, I want to know your opinion whether it, is it that much more difficult in the United States to have 100 percent employee screening, because the rest of the world seems to be doing it OK?

Mr. PEKOSKE. Yes, sir. I share your concern with insider threat. I think that is one of the more significant challenges facing us as an overall community. That and cargo and certainly personal electronic devices as we have discussed earlier.

I want to get a lot more information as to what is within the art of the possible within the United States airports with respect to insider threat.

There are some studies out there that say that, hey, if you randomly screen X percent you are as effective as screening 100 percent, but you don't have the effect on the throughput of employees through an airport.

I just want to take a look at that. I haven't had a chance to get deep into it. But I have been in the secure areas of airports and of course the—but the secure areas on the tarmac, and it is an area that we do need to take another look at.

Mr. KATKO. Well, the largest airport in the world, Atlanta, has gone to full employee screening. They don't seem to be missing a beat.

I would just remind you that since I have been in office in 2015, we have had guns being smuggled routinely on airlines from Atlanta to New York. We have had major drug trafficking cases all over the country involving insiders. We have had flight attendants carrying drugs into the checkpoints because they are not screened.

In the case of Dallas-Fort Worth, for example, we had an employee who was checking the manifest to see whether the Federal Air Marshals were flying, but his wife was—and he was the ring-leader for a drug trafficking ring in which he offered to bring anything on board including bombs.

So I don't subscribe to your fact that the risk-based screening is working because in that case in Dallas-Fort Worth they knew where there screeners were. They just simply called their counterparts and went to other entries that weren't secure.

So I would respectfully ask you respond to me within 10 days or so what your thoughts are when you have a little more time as to whether or not employee screening is something we should pursue on a more robust basis?

Mr. PEKOSKE. Yes, sir. Will do.

[The information follows:]

TSA takes insider threat seriously and has taken significant action to address such vulnerabilities in America's airports. In the past couple of years TSA has taken the following actions to mitigate insider threat:

- Strengthened aviation worker vetting requirements
- Reduced the number of access points to secure areas
- Performed focused inspections of airports and airlines
- Increased physical screening and inspections of aviation workers

- Conducted insider threat vulnerability assessments and developed mitigation plans for identified challenges
- Provided insider threat training materials to airports and airlines.

Most recently, TSA expanded upon a model called ATLAS that incorporates intelligence, data, scientific algorithms, and explosives expertise. ATLAS uses this information to support smart tactical deployment decisions within an airport, with the goal of placing the right security asset at the right location at the right time. ATLAS looks at the airports in two zones—the public or “soft target” areas and secured areas—and prioritizes high-risk areas for asset deployment. What we have learned through ATLAS is that success is not dependent upon the number of employees screened, but rather in expanding countermeasures around higher-risk areas in an unpredictable manner. This approach is consistent with the Aviation Security Advisory Committee’s 2015 finding that random and robust countermeasures are more effective than 100-percent measures at fixed access points. TSA piloted this work in 2016 and 2017 at a number of airports, and plans to transition to ATLAS at airports across the country in 2018.

Mr. KATKO. Thank you.

Mr. PEKOSKE. OK.

Chairman MCCAUL. The Chair recognizes the gentlelady from New York, Miss Rice.

Miss RICE. Thank you, Mr. Chairman. I would like to align myself with the comments of my colleague, Mrs. Watson Coleman from New Jersey. As you know, New York has one of the most extensive public transportation systems in the world, and I am glad to hear that that surface transportation is a priority for you.

I would like to join with my colleague to speak with you going forward as to what, you know, the results of your analysis that you are presently doing.

Mr. PEKOSKE. Yes, ma’am.

Miss RICE. So I think the other thing that you are doing well is placing a focus on the morale of the employees. In the short time that I have been here, in 3 years, it is a persistent problem regardless of who sits in your chair and who holds your position. You can understand why.

They seem to, you know, get fewer resources, fewer accolades, fewer that-a-boys, you know, that kind of stuff. So I am glad to hear that you are focusing on the morale.

But I think that one thing that—if you speak to employees they would want to make sure that you have their back. A lot of that has to do with, are you in a position? Do you feel like you can tell the President or anyone in the administration that you need certain thing? That policies that they are putting in place are maybe not best for the National security, domestic security of our country?

To that end, I don’t know if this is something that everyone who has to go through who is appointed and has to go through some kind of confirmation process. Were you required to take any kind of loyalty oath to the President and/or the administration?

Mr. PEKOSKE. No, ma’am. I was never required to take any loyalty oath, and I did go through a confirmation process with two Senate committees.

Miss RICE. So what would you tell employees? I mean if you are doing this analysis of surface transportation and you are looking at all the other issues my colleagues have raised here, if something came up short do you feel that you have the ability to say that publicly and ask for more resources from either Congress or the administration through administrative action that you might want to take?

Mr. PEKOSKE. You know, my job is to advocate for transportation security and advocate for it strongly and advocate for our employees having the right tools and the right number of people and the right training to do their jobs.

I advocate for that as the budgets are being built inside the administration, so right now we are working on the fiscal 2019 budget. You know, my job is to be their strongest advocate in that process to make sure that we get the resources that we need to do our jobs.

However, you know, I am never going to get all of the resources that I need, and I don't think any agency leader would say that is the case. There are trade-offs that are made within budget limits.

So, you know, my job working with the Secretary is to make sure that those trade-offs, if they need to be made, are made considering the urgency of the requirements we have in TSA.

Miss RICE. Well, I mean, you really, your work force is the first line of defense.

Mr. PEKOSKE. Right.

Miss RICE. So I am glad that you recognize that. Just final question, what is—how long have you been in this position?

Mr. PEKOSKE. Almost 3 months.

Miss RICE. You feel like it is a lifetime?

Mr. PEKOSKE. No, no.

[Laughter.]

Miss RICE. What would you say are your two or three biggest challenges as you see them in the short time that you have been there?

Mr. PEKOSKE. Yes. That is a great question, ma'am. I see the two or three biggest challenges. The first would be bringing more technology into the checkpoint environment. You know, it is clear to me that that that needs to be done, and I don't think anybody really disputes that that needs to be done and to try to do it as urgently as we can.

Because if I were a transportation security officer working on the front line—and I have watched them. I have been with many, many of them over the last several weeks. You know, you are going to do a better job if you are more confident on the technology that is assisting you in doing that job.

Plus, that reinforces that your agency and your Government is willing to invest in the tools to do the job that you are being asked to do. So my focus is first on technology and into the system through innovation.

The other focus is on the work force because as you just said, that work force is our last line of defense in many cases. The work force consists of the folks at the checkpoint. We have a good number of people that do a lot of vetting for passengers before they even get to the airport.

We have inspectors literally around the world that inspect compliance with our regulations. We have Federal Air Marshals that are in aircraft that secure aircraft in flight.

So, you know, that whole system of employees, you know, to me, I want to focus and make sure they have the tools, the training, the support that they need.

I do that by, you know, my goal as the administrator is to be out of the District of Columbia as often as I am in the District of Columbia. So at least try to hit a 50/50 balance. I have actually exceeded that in the first couple of months because I wanted to just get out and introduce myself.

Finally, whenever I do get out into the field, which is at least once a week, sometimes more, I do hold town halls with all of our employees and I want to hear their points of view, what their concerns are. Then it is on me. Once they raise a point of view or an issue, to get back to them with a resolution.

Miss RICE. If I could I just make one suggestion? Your predecessor, Secretary Neffenger had a big focus on trying to increase the morale among your work force.

Mr. PEKOSKE. Right.

Miss RICE. I would just ask you, and I don't know if you have spoken to him to kind-of work—

Mr. PEKOSKE. I have, ma'am.

Miss RICE [continuing]. Which I think would be a great resource, but he put a focus on training, giving additional, like, on-going training for—

Mr. PEKOSKE. Right.

Miss RICE. I don't know if you have continued that or if you have chosen to change that training of the work force?

Mr. PEKOSKE. Yes, ma'am. No, I didn't change it, actually enhanced it.

Miss RICE. OK.

Mr. PEKOSKE. Because he was exactly right, and what he did was he instituted a TSA academy where all new employees went to this academy in Glynco, Georgia for 2 weeks of introductory training into TSA. We have absolutely continued that.

Then what we have done is we have mapped out a career path for our front-line employees at the check lanes. This shows the training that they will receive from us to make them eligible for promotions to different levels within the checkpoint.

That hasn't been done in the past. That has been one of the challenges of trying to think about it and map it forward and publish it.

So we intend to publish this so that our new employees and actually the folks that have been seasoned employees with TSA can look at, hey, this is my career path from an entry level to becoming a supervisor at the checkpoint. Here is both the resident and non-resident training that TSA will provide me to equip me to be ready for those positions.

Miss RICE. That is great. I thank you very much.

Mr. PEKOSKE. Thank you.

Miss RICE. I yield back. Thank you, Mr. Chairman.

Chairman MCCAUL. The Chair recognizes the gentleman from Louisiana, Mr. Higgins.

Mr. HIGGINS. Thank you, Mr. Chairman.

Admiral, thank you for appearing before us today. Thank you for your service to our country. Sir, baggage screening technology, computer tomography, utilizes 3D imaging.

Mr. PEKOSKE. Right.

Mr. HIGGINS. Through the PreCheck or the non-PreCheck line, all bags are checked in this manner. Is that correct?

Mr. PEKOSKE. That is correct.

Mr. HIGGINS. In the non-PreCheck line, the human being has to remove their shoes—

Mr. PEKOSKE. Yes, sir.

Mr. HIGGINS [continuing]. Checked in a similar manner. Is that correct?

Mr. PEKOSKE. That is correct.

Mr. HIGGINS. If a threat is detected in baggage that goes through the screening, then that bag is physically checked by a TSA operator. Is that correct?

Mr. PEKOSKE. Yes, sir.

Mr. HIGGINS. In a similar manner the human being, if some sort of a density, a threat is detected on that human, then that person is checked in a similar matter by a TSA agent. Is that correct?

Mr. PEKOSKE. That is correct.

Mr. HIGGINS. Patted down—

Mr. PEKOSKE. Yes.

Mr. HIGGINS [continuing]. And wanded, et cetera.

Mr. PEKOSKE. Right.

Mr. HIGGINS. For the PreCheck passengers, are PreCheck passengers required to remove their shoes?

Mr. PEKOSKE. No, they are not.

Mr. HIGGINS. Their baggage is checked on in a similar manner with non-PreCheck.

Mr. PEKOSKE. The baggage is checked in a similar manner. The difference, sir, is that PreCheck passengers don't have to divest themselves of electronic devices. They can keep them in their bags.

Mr. HIGGINS. Right, and a PreCheck passenger goes through a metal detector, correct?

Mr. PEKOSKE. It does.

Mr. HIGGINS. Will the metal detector detect a ceramic or a composite plastic knife?

Mr. PEKOSKE. No, metal detectors are designed to detect metallic objections. So we know that they won't detect some objects.

Mr. HIGGINS. Will a metal detector detect an all-plastic component, pepper spray, or mace device?

Mr. PEKOSKE. Likely not.

Mr. HIGGINS. I am sure you are aware that the 9/11 hijackers used knives and mace and pepper spray to hijack their plane. Is that correct?

Mr. PEKOSKE. That is correct.

Mr. HIGGINS. So would you agree, based on what we have just discussed, that the final line of defense regarding protecting our citizenry from in-flight hijacking threat is the Federal Air Marshal Service and the Flight Deck Officer Program? Would you concur that that is the final line of defense?

Mr. PEKOSKE. Yes, sir, but I would also say that there is a very front line to that overall posture and that is the vetting process that gets folks into PreCheck in the first place. So our assumption, based on the vetting, through a vetting of those passengers, is that they represent less risk.

Mr. HIGGINS. Understood, but well, we just determined that there is certainly a possibility, given the current technology—

Mr. PEKOSKE. Right.

Mr. HIGGINS [continuing]. That is in use right now across the country, many, many millions of PreCheck passengers could potentially pose a threat. You agree?

Mr. PEKOSKE. Yes, sir. There is never a 100 percent guarantee. That is always a potential.

Mr. HIGGINS. Exactly. So the final line of defense being the Federal Air Marshal Service and the Flight Deck Officer Program, the Federal Air Marshal Service has not hired any air marshals or supervisors since 2011. Is that correct?

Mr. PEKOSKE. No, sir, I believe they have hired in the last couple years.

Mr. HIGGINS. OK. Well, do you know what those numbers are?

Mr. PEKOSKE. I do not.

Mr. HIGGINS. Can you provide that please?

Mr. PEKOSKE. Yes, sir.

[The information follows:]

- 463 total (320 in fiscal year 2016 and 143 in fiscal year 2017). Prior to fiscal year 2016 and fiscal year 2017, the last hire year was in 2011.
- Over 30 percent of the individuals hired in fiscal year 2016 and fiscal year 2017 were veterans.

Mr. HIGGINS. I am also advised that the Federal Air Marshal Service does not have a complete and timely data report to the extent to which air marshals have completed their recurrent training, their annual recurrent training.

Do you have data reflective of just exactly to what extent our current air marshals have maintained their training, their annual training?

Mr. PEKOSKE. My understanding, sir, is that we do track their currency with annual training, but I don't know how we collect it. I don't know if there is a database, per se, that does that. I don't know whether it is done manually or by a database.

Mr. HIGGINS. Are you satisfied that the Federal Air Marshal Service—and as well let us not overlook the Flight Deck Officer Program, which allow pilots and other flight crew members to take part in special Federal Air Marshal training courses in self-defense and close range target instruction.

Are you satisfied with that level of training or would you share with the committee, please, what your plans are to beef that up?

Mr. PEKOSKE. For the FFDO, sir? The Federal Flight—

Mr. HIGGINS. I would certainly like to hear your opinion about it.

Mr. PEKOSKE. Yes, sir. In fact, I have been through part of the training that the FFDOs are provided. I think that training is excellent overall. The number of people enrolled in the FFDO program, I believe, has grown over the course of time.

It is a very beneficial program, from my perspective, for in-flight security coupled with our Federal Air Marshals who are on—you know, there is a reasonable possibility that they are going to be on a flight a passenger is on.

Mr. HIGGINS. Well, thank you for your attention to that matter. I believe it is urgent.

Mr. Chairman, I will yield back.

Chairman McCAUL. The Chair now recognizes the gentleman from California, Mr. Correa.

Mr. CORREA. Thank you, Mr. Chairman and Ranking Member Thompson. I want to thank you both for holding this most important hearing.

Administrator Pecoske, want to thank you also for your comments, for you testimony. Before this hearing I just want to let you know I reached out to John Wayne Airport, which is the only international airport in Orange County, California, my home county, I should say.

I was pleased to learn that the airport John Wayne enjoys a pretty productive relationship with TSA, and I thank you and TSA for continuing to commit to the security of our passengers in Orange County.

Mr. PEKOSKE. Sir, thank you.

Mr. CORREA. I wanted to also follow up with some of the comments of Miss Rice and Ms. Watson, specifically on TSA personnel and morale. The more I learn about the job TSA is entrusted with, the more I think of them as first responders, really, as police officers, as firefighters.

The job they have is a very serious one. The burden is a tremendous one. Again, failure is unacceptable and so, you know, I am concerned about retention rates, you know, morale. What is your retention rate like?

Mr. PEKOSKE. Sir, the retention rate for full-time employees across the entire enterprise, and it varies by airport, based somewhat on cost of living based on airport size and things like that, but average across the enterprise is about 12 percent for full-time employees.

I agree with you, I think that—

Mr. CORREA. So excuse me, 12 percent stay and 88 percent move on or is it—

Mr. PEKOSKE. No, no, no, 12 percent attrite, 12 percent leave every year.

Mr. CORREA. Twelve percent attrition rate OK.

Mr. PEKOSKE. Yes, sir. Right. I am sorry. Yes, 12 percent attrition, but like I said it varies by airport.

Mr. CORREA. So you talked about a 2-week academy training. Is that enough given that we continue to face threats that are always evolving technologically and every other way? Do you have continuing training for these individuals so that they are up to par as to what is going on?

Mr. PEKOSKE. Yes, sir. There is continuing training provided at the airport as on-the-job training and also instructor-led training at the airport. That is coupled with the TSA academy.

Additionally, as we build out the roadmap, the career roadmap for our transportation security officers, there are going to be other opportunities for them to go back to Glynco, Georgia for training.

Mr. CORREA. Let me interrupt you, I don't have much time. How long does the average TSA employee stay at TSA?

Mr. PEKOSKE. Sir, I don't know that off the top of my head. I do know what the attrition rate is, but I don't know what the average is. I have seen—

Mr. CORREA. Thank you. The reason I ask is that I think that if you, you know, if you figure out how to get the morale up, which I believe—

Mr. PEKOSKE. Right.

Mr. CORREA [continuing]. Is appreciating and having folks recognize the importance of TSA personnel, which that is a function of on-going training and probably salary and other things.

But the longer they are there the more expert they become at recognizing things that are not normal and therefore being able to investigate.

So, you know, I would like to work with you, this committee, I think, would like to work in making sure that your personnel are more professional so that they are looked upon and they feel like a police officer would feel, a firefighter would feel, which is you know what? Our job is an important one, and we have got to take it that way. You just can't have folks showing up to work and say, here I go, another 8 hours.

Mr. PEKOSKE. Right.

Mr. CORREA. But rather, here I go. I have got an important job to do.

Mr. PEKOSKE. Yes, sir, couldn't agree more.

Mr. CORREA. Thank you very much.

Mr. Chair, I yield the remainder of my time.

Chairman MCCAUL. The Chair recognizes the gentlelady from California, Ms. Barragán.

Ms. BARRAGÁN. Thank you, Mr. Chairman. My district is home to the Port of Los Angeles. I like to call it America's port. We just had a field hearing out there. I want to thank the Chairman and the Ranking Member for doing that.

The Port of Los Angeles manages a high volume of traffic and features both passenger and cargo terminals. Last week, when we had the field hearing, one of the witnesses we had from the ILWU, Mr. Familathe, expressed some concerns over the TWIC Program, the Transportation Worker Identification Credential program.

He described it as, "a feel-good measure." He said it was ineffective and expensive and it posed significant hardships on Americans who work on the waterfront.

He highlighted some problems with enrollment delays, due process concerns for employees who have to appeal a TSA interim denial. In these cases the burden, he mentioned, falls on the workers to obtain court and police records in order to prove there are no disqualifying convictions. Is evaluating TWIC to find ways to improve the program a priority for you?

Mr. PEKOSKE. Ma'am, the TWIC program has been in place for a good number of years. In fact, I used to have a TWIC card myself and I just recently looked at the throughput data for TWIC enrollment.

Actually TWIC enrollment proceeds relatively quickly, as quickly as most of the other credentialing programs, unless there is an anomaly that needs further investigation. So that is, perhaps, what you are talking about or what somebody talked with you about.

I will go back and take a look at how long it takes to resolve some of those issues, but again, most of the burden to provide documentation to support a potential TWIC enrollee, you know, some-

body who might get a TWIC card to support their contention that they should have one, falls on them.

Ms. BARRAGÁN. Yes. I think there are greater problems than with just that, the enrollment process, and maybe we can talk more about that.

Mr. PEKOSKE. OK.

[The information follows:]

TSA currently processes 95 percent of TWIC® applications within 8–10 days of enrollment. Approved applicants within that group receive a TWIC® card by mail or at an enrollment center in less than 14 days after enrollment. For the remaining 5 percent of applicants, additional adjudication and redress processing may be required if TSA makes an initial determination of ineligibility for a TWIC. Applicant requests for appeals are generally processed within 14 days of receipt. Applicant requests for waivers can take up to or exceed 30 days depending on the severity of the disqualifying crime and the submitted documentation. According to 46 U.S.C. § 70105, TSA is required to review and respond to TWIC® applications as appropriate, within 30 days after receipt of initial application. TSA is in compliance with Federal statute and regulation(s) on TWIC® processing times.

Ms. BARRAGÁN. I know that in the 114th Congress they enacted a bill, the Essential Transportation Worker Identification Credential Assessment Act requiring the DHS commission an outside organization to conduct a comprehensive assessment of the benefits and cost of the TWIC card.

Do you know what the status of that is, and do you expect the assessment to be completed within the time line established by the legislation, which is in March 2018?

Mr. PEKOSKE. No, I do not know what the status of that is, but I would be happy to get back to you with that information.

Ms. BARRAGÁN. OK. If maybe we can get something in writing that would be fantastic.

Mr. PEKOSKE. Sure. OK.

[The information follows:]

DHS S&T is responsible for commissioning the third-party assessment and is in the process of completing this action with a target completion by mid-calendar year 2019. Once the assessment is completed, DHS will submit a corrective action plan to accompany the assessment, in accordance with the requirements of Public Law 114–278 and address any deficiencies in the effectiveness of the program.

Ms. BARRAGÁN. Then I want to echo the concerns by some of my colleagues about the disturbing briefing that we had this morning. I was able to come to part of it. I had a mark-up this morning.

I had an experience about a month ago. I was flying home to California, and I was in an airport that it was pretty empty. I don't think we saw a passenger go through TSA for about 20 minutes. It allowed me to stand there and talk to some of the TSA agents.

They said would you take one issue to Congress? You know, here we are with the people that are tasked with, you know, stopping explosives from going through onto a plane, which could prevent a terrorist attack, yet the morale is low and the pay, we haven't had an increase.

So I wanted to first just mention that because I promised the TSA agent that I ran into that I would bring this back and certainly ask about it.

I wonder if that would help what we are seeing to improve not just morale, but to make sure we are getting people in these positions who are being very thorough and making sure we are not

missing any, you know, possible threatening situations from coming through the airports.

Mr. PEKOSKE. Yes, I certainly think it would help. In fact, part of the roadmap for career development has pay gates. It shows when you enter what you are paid, not adjusted for COLA, because that is going to change by airport, but what the basic pay is and then what your pay increase gates would be, because that is a common issue that I have heard as well is that, you know, you join TSA.

You are a TSO, and you haven't had a pay raise where most other employees, whether it is private sector or Government, gets some kind of a longevity increase along the way.

What we try to do in this career path roadmap was to key pay raises to achievement of certain training goals. For example, when you come in to TSA and you finally go off to the TSA academy within the first 180 days of your employment, upon graduation from that academy program you would get a pay raise.

Then if you got promoted to a lead transportation security officer, somebody who is on charge of that particular check lane, you would get another pay raise, and we would map those on out on a percentage basis.

So somebody could see if I entered at the entry-level pay, what pay, hypothetically within 4 or 5 years, might it be able to achieve if I got all this training and I was a very good performer.

So part of it is to kind-of map out what that pay increase would be and importantly for me is also what kind of skill development and training and leadership development that we would provide.

Ms. BARRAGÁN. Great, thank you.

I yield back.

Mr. PEKOSKE. OK, thanks.

Chairman MCCAUL. The Ranking Member is recognized.

Mr. THOMPSON. Thank you, Mr. Chairman. A couple things, Mr. Administrator, whistleblower protections, is there a reason why we don't offer the same protection for our TSA work force as other Federal employees?

Mr. PEKOSKE. Sir, I don't know that we don't. I thought that we did provide whistleblower protection. I will go back and take a look at that.

Mr. THOMPSON. Well, yes.

Mr. PEKOSKE. Certainly from my perspective, whistleblowers should be protected from retaliation or reprisal.

Mr. THOMPSON. Absolutely. If you would, check that out and get back to us. There is some misunderstanding of the language and employees feel like they can't do the right thing for fear of reprisal. I think it would be very helpful.

[The information follows:]

TSA employees have the same whistleblower protections as other Federal employees.

The Whistleblower Protection Enhancement Act of 2012 provides that: "Notwithstanding any other provision of law, any individual holding or applying for a position within the Transportation Security Administration shall be covered by: (1) The provisions of section 2302(b)(1), (8), and (9) [this includes the prohibited personnel practices regarding whistleblower retaliation]; (2) any provision of law implementing 2302(b)(1), (8), or (9) by providing any right or remedy available to an employee or applicant for employment in the civil service; and (3) any rule or regulation pre-

scribed under any provision of law referred to in paragraph (1) or (2).” 5 U.S.C. § 2304(a).

Mr. PEKOSKE. Yes, sir, because I want them to do the right thing, period.

Mr. THOMPSON. Absolutely. The Chairman talked about C.T. scanners and other things in his comments, and I think everyone kind-of agreed that that is the way forward in terms of new technology. Some of us have looked at the air cargo situation as one of the ways to move that.

I think there is a demonstration, perhaps on the way somewhere with that in light of what happened in Australia.

Mr. PEKOSKE. Yes, sir.

Mr. THOMPSON. You know, we are trying to pursue legislation that would move that along. We have some ideas about it, and the facts about I have introduced the Air Cargo Security Improvement Act of 2017.

I would like for you to look at it and get some views back to us on whether you think C.T. scanning makes sense and it is the right thing and all of that.

Mr. PEKOSKE. Yes, sir. I do know that the way you check air cargo can vary and be effective in, for example, the use of K-9s to check pallets of air cargo.

The challenge with C.T. technology, as I understand it, with respect to cargo in particular, is the aperture is not large enough to get some pallets through, and so it would require a breakdown of a pallet and then rebuild of a pallet. So we are looking at other means that cargo carriers can use to achieve the same security outcome.

Mr. THOMPSON. OK.

Mr. PEKOSKE. Yes.

Mr. THOMPSON. Thank you. You will get back to us?

Mr. PEKOSKE. Yes, sir. Yes, sir. So we are also working with Customs and Border Protection on their air cargo advanced screening process. We have some emergency amendments and security directives issued with respect to air cargo and some of the procedures to use ACAS information to clear cargo coming through the United States.

Mr. THOMPSON. OK. Thank you.

Mr. PEKOSKE. Thank you.

Mr. THOMPSON. I yield back.

Chairman MCCAUL. Thank you, Admiral, for your testimony today. Congratulations on your position and your first testimony for this committee.

The Ranking Member and I will be sending a letter to the Secretary voicing our concerns over the inspector general’s report and addressing our path moving forward, particularly with respect to technology to address the threats that we face.

So with that, Members may have additional questions, and pursuant to the rules, the hearing will be held up for 10 days. Without objection, the committee stands adjourned.

[Whereupon, at 12:40 p.m., the committee was adjourned.]

APPENDIX

QUESTIONS FROM HON. JOHN KATKO FOR DAVID P. PEKOSKE

Question 1. It is my understanding that TSA has been trying to finalize the Information Technology Infrastructure Program (ITIP) procurement for more than 4.5 years, and there have been numerous issues and delays such as the addition of 13 Amendments and a pre-award protest. What steps have TSA done to finalize ITIP procurement?

Question 2. Given the TSA's significant budget gap, has TSA looked at any cost-saving measures while ITIP is being finalized?

If so, what measures specifically?

Answer. TSA has been working to award IT Management, Performance Analysis, and Collaborative Technologies (IMPACT)—TSA's successor contract to ITIP—for 19 months. Below is a time line outlining key dates.

- May 9, 2016—Task Order Request for Proposal (TORP) Issued
- July 26, 2016—Proposals Received
- December 15, 2016—TSA entered into exchanges with offerors regarding their proposals
- January 25, 2017—Offerors provide revised proposals to address the exchange topics
- June 29, 2017—Pre-award protest filed with General Accounting Office (GAO)
- July 26, 2017—TSA notified GAO of intent to take corrective action
- July 31, 2017—GAO dismissed pre-award protest
- August 23, 2017—TSA initiated corrective action with offerors
- September 15, 2017—Pre-Award Protest filed with GAO
- September 18, 2017—Revised proposals due to TSA
- December 24, 2017—Anticipate GAO decision on pre-award protest filed in September 2017.

Prior to issuance of the IMPACT TORP in May 2016, TSA conducted market research, which engaged industry regarding procurement strategy, technical scope, business models, and potential solutions to the successor contract to ITIP. TSA began this market research in summer of 2014 and informed industry that any and all input may or may not be used for TSA's final requirement. TSA released the IMPACT solicitation to industry on May 9, 2016, which manifested TSA's final requirement.

Thereafter, TSA has issued 14 amendments to the solicitation:

- TSA issued six amendments prior to receipt of initial proposals. Those six amendments made administrative changes to the IMPACT solicitation and responded to Offerors' questions.
- TSA issued four amendments during the exchange period, which began on December 15, 2016, and concluded on January 25, 2017, when all Offerors submitted revised proposals; these four amendments responded to Offeror questions, revised Statement of Objectives language, and updated historical volumetric data.
- The remaining four amendments initiated the corrective action of July 26, 2017, responded to additional questions from Offerors, and made minor administrative changes.

Revised proposals based on the corrective action were submitted on September 18, 2017.

TSA is currently evaluating all proposals to select the best value awardee. The ability to award a contract based upon the corrective action proposals depends upon the GAO decision regarding the September 15, 2017 pre-award protest; this decision is expected on or about December 24, 2017.

TSA is implementing cost-savings measures with its procurement strategy and using a performance-based approach to supporting TSA's IT Infrastructure. TSA informed industry of the anticipated future budget to support TSA's IT Infrastructure

during their engagement activities. TSA then issued a Statement of Objectives solicitation, which identified TSA's performance goals and objectives. In response, the offerors were free to propose their unique approaches to meet or exceed TSA's goals and objectives. By allowing industry to propose individualized approaches, offerors can utilize methods to fulfill the performance goals and objectives at a competitive price, thus offering cost savings.

QUESTIONS FROM HON. DANIEL M. DONOVAN, JR. FOR DAVID P. PEKOSKE

Question 1. I understand that TSA is considering a change to the policy governing ambulance access to the tarmac at John F. Kennedy International Airport. Currently, ambulances must be escorted by the Port Authority Police Department, but under the change police escort would no longer be required. I am concerned about the security impact of this policy change. What is the rationale for this change?

Answer. TSA is not currently considering a change to the policy governing ambulance access to the tarmac at John F. Kennedy International Airport (JFK). The Port Authority Police Department policy of escorting Emergency Medical Services at JFK remains in effect.

Question 2a. Is TSA adequately prepared to respond to a chemical terrorism event and the intentional release of a chemical warfare agent at an airport?

Answer. In the event of an attack, TSA will follow the directions of Public Safety Officials and will direct TSA personnel away from the immediate area. TSA is not a first responder in the event of a chemical attack and our personnel do not carry chemical response equipment. Airports may conduct chemical attack training and exercises to ensure TSA personnel are aware of the proper response to an event.

Question 2b. What procedures and systems do you have in place to ensure an efficient response?

Answer. Each airport is required to complete a local Tactical Response Plan to provide local response procedures in the event of a chemical attack. In the event of a chemical attack, Federal Security Directors will complete the following high-level actions:

- Complete a life/safety check and analysis of the situation and danger to TSA employees and facilities.
- Initiate a Personnel Accountability Drill.
- Coordinate emergency medical response, as required for TSA personnel.
- Follow the directions of Public Safety Officials and direct TSA personnel away from the immediate area.
- Shut down and/or isolate air circulation units to mitigate impacts to the occupants from airborne contamination.
- Maintain relationships and coordinate with key industry stakeholders.
- Institute continuity of operations plans.

Question 3. What is the scope of training provided to TSA employees for responding to a chemical terrorism event and the intentional release of a CWA?

Answer. Local TSA officials are encouraged to participate in chemical/biological attack training and exercises with airport stakeholders.

Additionally, TSA prepares information briefings for the Transportation Security Officer (TSO) workforce on an annual basis that focus on emerging or continuing threats, including chemical and biological threats. In September 2017, TSA released a "Threat In The Spotlight" briefing for all officers, titled "Hazards of a Chemical or Biological Release," to raise awareness.

QUESTIONS FROM RANKING MEMBER BENNIE G. THOMPSON FOR DAVID P. PEKOSKE

Question 1a. For the past 16 years, a statutory footnote to Aviation and Transportation Security Act granted the TSA Administrator extraordinary authority over the Transportation Security Officer, or screener workforce. The result has been that TSA has deviated from the statutory framework of title 5 of the U.S. Code including the Federal Service Management Relations Statute, and circumvented the jurisdiction of administrative bodies including the Federal Labor Relations Authority (which governs Federal labor-management relations, including labor rights). Initially, Congress provided the broad hiring authority to the Administrator so that the agency could quickly beef up the staff numbers and have flexibility in doing so.

Have you reviewed the personnel system?

Question 1b. Do you think that it is more effective to have a system separate from other Federal agencies?

Question 1c. TSA has had issues in the past with senior executives receiving egregious bonuses due to loopholes in TSA's personnel management system. Have you considered whether switching the agency to full Title 5 compliance would help avoid such issues?

Question 1d. TSA is the only DHS component where most employees lack basic rights and protections under Title 5. Under Title 5 unions representing workers can negotiate many issues of importance to workers. TSA has refused to negotiate with the elected exclusive representative of TSOs over many issues that help determine workplace satisfaction, including the annual proficiency (certification) review, grievance procedures, awards, break times, and child care subsidies. How do you intend to address this situation?

Answer.

Review of Personnel System & Effectiveness of System

Since being confirmed as administrator, I have held several town halls with non-supervisory TSOs, supervisory TSOs, Federal Air Marshals, vetting analysts, and Headquarters employees. The personnel system continuously comes up in these discussions. My focus is on increasing security effectiveness, enhancing the workforce, and improving employee job satisfaction. I continue to evaluate different ways in which to achieve these goals and have a number of initiatives under way.

Transportation Security Executive Service Bonuses

For executive awards, TSA follows the system established by DHS and the Office of Management and Budget. All TSA policies for the Transportation Security Executive Service (TSES) are cleared by DHS and the Department Chief Human Capital Officer prior to implementation. TSA has imposed restrictions on the aggregate amount of monetary awards, excluding performance awards, to not more than \$10,000 for any employee, per calendar year. TSA also mandated significant controls, including a requirement that awards for executives would be submitted by the supervisor, reviewed by the Assistant Administrator for the Office of Human Capital, and approved by the TSA Deputy Administrator. Further, all monetary awards in excess of \$6,000 must be approved by the Department of Homeland Security Deputy Secretary. This applies to all TSA employees, including TSES members. For calendar year 2017 TSES bonuses, TSA followed DHS guidelines and dispersed bonuses to TSES employees who received an “achieved excellence” (9.5 percent) and “exceeded expectations” (6 percent) performance ratings. These performance ratings and bonus percentages were recommended by the TSA Personnel Review Board (PRB) and reviewed/approved by DHS.

Collective Bargaining for Non-Supervisory Screeners

Since TSA first extended collective bargaining rights to non-supervisory screeners in 2011, TSA has worked with the American Federation of Government Employees (AFGE) to negotiate two collective bargaining agreements (CBAs). TSA and AFGE finished negotiations on the second CBA in 2016. In reaching agreement on the second CBA, TSA engaged in good-faith negotiations over the issues open for bargaining within TSA’s unique labor framework. TSA did not refuse to negotiate over any such issue with AFGE. The issues open for bargaining are non-security-related issues, such as performance management process, awards and recognition process, attendance management process, shift and annual leave bid process, transfer policy, shift trade policy and uniforms and uniform allowances. This CBA is currently in effect.

TSA’s unique labor framework is intended to promote fulfillment of our security mission and provide the agility necessary to protect the security of the traveling public. While TSA affords personnel due process in individual disciplinary matters, the labor framework itself must enable TSA to change security procedures, practices, and technology swiftly in response to new intelligence.

Question 2a. In July, GAO released findings (GAO-17-608R) on TSA’s behavior detection practices. GAO found that TSA “does not have valid evidence that most of the revised behavioral indicators (28 of 36) used in its behavior detection activities can be used to identify individuals who may pose a threat to aviation security.” These findings are concerning and GAO has previously raised concerns about TSA’s behavior detection practices.

I realize that all of GAO’s findings pre-date your tenure, but have you reviewed GAO’s findings?

Question 2b. How are you planning to incorporate their findings into TSA’s operations?

Answer. I have reviewed GAO’s findings and appreciate their work to identify ways for TSA to improve operations. TSA has taken steps to refine our behavior detection capability. A major step was eliminating the stand-alone behavior detection officer position in January 2017, and integrating functions into those of other Transportation Security Officers (TSO) with behavior detection capabilities. We also reduced our original list of 90 behavior indicators to a final list of 39, which will be rolled out beginning in calendar year 2018. This revised protocol focuses on reducing

the cognitive load for an officer trained in behavior detection and does not impact the screening operation.

Question 2c. Would you commit to reviewing TSA's behavior detection program to ensure it is scientifically valid and does not open the door to racial profiling?

Answer. TSA has a zero tolerance policy regarding unlawful profiling, and I will continue to uphold that policy. This policy has been reinforced through training and policy directives. Additionally, every TSO takes a no-profiling pledge, and is trained and expected to report allegations of profiling to local management or TSA's Office of Civil Rights and Liberties, Ombudsman, and Traveler Engagement, which is responsible for responding to civil rights complaints.

To TSA's knowledge there is no existing scientific body of work that provides insights or guidance for U.S. agencies currently utilizing behavior detection capability. TSA conducted extensive literature reviews and found that scientific empirical research was lacking in terms of behavioral indicators used for identifying individuals with the intent to cause harm in an aviation environment. Because of these limitations, TSA decided to look outside of traditional research methods to locate sources relevant to the use of behaviors for identifying individuals with mal-intent. This led to the review of suicide bomber research reviews and actual incidents of bombings to determine what patterns of behaviors exist prior to detonation, which is of interest to the TSA. Eye-witness accounts of attacks, interviews with subject-matter experts, and reviews of the literature were found to have similarities with the behaviors used by TSA's behavior detection program. Overall, TSA is of the view that behavior detection is an important component of our layered security approach and critical to the agency's transportation security effectiveness.

Terrorist organizations provide guidance to their operators on how to circumvent or defeat security measures. For example, in early 2015, the Islamic State of Iraq and the Levant (ISIS) published an open-source manual designed to help traveling individuals avoid detection. Titled "The Islamic State: What to Pack up, Who to contact, Where to go, stories," the manual provides specific guidance on how an adversary should avoid looking nervous. Specifically, the manual states that an individual must "control shaking hands, rapid breathing, sweating, and avoid eye contact." The document also makes reference to having rehearsed responses to possible questions from security personnel. Law enforcement and security professionals, including TSOs are trained to detect such attempts to mask detection.

TSA is not the only DHS component that utilizes behavior detection capabilities in conducting its mission. DHS is comprised of 22 components, several of which leverage behavior detection. Similar to TSA, U.S. Customs and Border Protection officers use techniques to identify suspicious behavior indicators when engaging the traveling public. The National Protection and Programs Directorate's Office for Bombing Prevention provides training to law enforcement officers and other security professionals on counter surveillance techniques. The National Counterterrorism Center, DHS and the Federal Bureau of Investigation (FBI) provide joint information to first responders on behaviors that are reasonably indicative of criminal or terrorist activity. Additionally, DHS and the FBI issued Joint Homeland Security Assessments regarding suicide bomber tradecraft and suggested protective measures that reference behavior indicators. The training and information provided by these DHS and interagency partners inform and reinforce TSA's behavior detection capability development and training. Last, TSA has provided behavior detection training to Federal, State, international, and military entities teaching basic indicators for high-risk behavior and how to articulate what an officer sees.

It is important to note that internationally, several countries leverage behavior detection as part of their aviation security model, including Israel, Switzerland, Ireland, and France. As an active member of the European Civil Aviation Conference, Behavior Detection Study Group, TSA has partnered with several countries to establish and share behavior detection practices. In April 2017, the International Civil Aviation Organization (ICAO) added the definition of behavior detection to ICAO Annex 17, recommending that states integrate behavior detection into their aviation security practices and procedures.

Question 3a. While TSA is down from the attrition rates of over 20 percent during the first 5–6 years of its existence, the TSA Office of Human Capital Annual Report for 2016 indicated annual attrition rates have increased from 10.7 percent in fiscal year 2012 to 14.3 percent in fiscal year 2016. TSA's attrition rates remain higher than that of all Federal employees.

Has TSA made an analysis of the reasons behind high TSO attrition?

Question 3b. TSOs are largely limited to the E pay band—one of the lowest pay bands at the agency. As of October 1, 2017, TSA eliminated a pay band jump for officers, who can no longer be promoted to the G pay band. What steps has TSA taken to improve TSO pay, including a career path to higher-paying positions?

Answer. TSA monitors Transportation Security Officer (TSO) attrition rates very closely and continues to take steps to help mitigate attrition. TSO attrition rates vary significantly by location. Higher attrition rates are often found in locations with competitive job markets that offer higher than average wages and more standard work hours (e.g. no weekend/holiday hours). In our most challenging markets, TSA maintains a retention incentive program to assist in the recruitment and retention of quality personnel.

As the TSO is an entry-level position, it will always be at risk of higher attrition rates due to promotional opportunities, both internal and external to TSA. As the U.S. economy has improved during the past few years, TSO attrition rates have slowly increased due to the growing availability of positions with more competitive salaries.

To help reduce attrition of newly-hired employees due to job fit issues, TSA has implemented a number of measures to educate candidates to the greatest extent possible about the expectations and responsibilities of the TSO position before they advance through the hiring process and accept a job offer. These measures include providing prospective applicants with airport-specific information regarding hours of operation, commuter information, uniform and appearance standards of the TSO position, training and travel requirements, and available benefits. Additionally, TSA has created a 10-minute job preview video that portrays a day in the life of a TSO, so that potential applicants can make an informed decision as to whether they should apply for the position. The realistic job preview is accompanied by other short videos explaining the hiring process and the benefits of working as a TSO. These videos, which can be found at http://www.realisticjobpreview.net/rjp/tsa_final.htm, help individuals determine whether the TSO position would be something they would like to pursue and this therefore helps to reduce short-term attrition.

In June 2014, TSA raised the starting base salary 5 percent for newly-hired TSOs. At the same time, eligibility for promotion from the D band to the E band was reduced from 2 years down to 1 year. Additionally, the salary upon promotion was set to 5 percent above the base salary of the E band to encourage retention. After promotion to the E-band, the officers may opt to go down one of multiple career paths, including a technical track, a supervisory track, or a managerial track. Based on prior work experience and career aspirations, officers may apply at any time for TSA positions outside the TSO workforce.

Based on feedback from the screening workforce and individual employees, TSA introduced a more transparent Nation-wide process for distributing annual pay adjustments and performance awards in 2016. For the past 2 years, TSA has provided payouts using an employee's annual performance rating for that year. More than 99 percent of the workforce received a pay adjustment and/or performance award in 2016 and 2017. Field response to this new process of recognizing the workforce has been well received.

TSA is currently exploring further modifications to the TSO career path within TSA. The details of the new TSO Career Progression Program are currently under development.

Question 4a. Opioids, both legal and illegal, come in various forms: Powder, tablets, sprays, patches, and blotter paper. Illicit fentanyl is often in powder form. In an occupational setting, it can be absorbed through the skin or inhaled. A minute amount—the size of a few granules of table salt—in the bloodstream can cause life-threatening symptoms and even death. Naloxone (Narcan) is the only drug that can reverse the effects of opioids. Bag searches at TSA checkpoints and baggage screening expose Transportation Security Officer (TSOs) to the possibility of accidental exposure. Exposure to these potent and dangerous drugs is a significant threat that must be addressed to protect the health and safety of TSA employees. TSOs at Los Angeles International Airport have reported more than one fentanyl “scare”.

What measures has DHS/TSA taken to protect employees who may have occupational exposure to opioids while performing their duties? Are these measures the same across DHS components?

Question 4b. What is the DHS/TSA standard procedure for handling suspect opioids? Have employees been trained on it?

Question 4c. Does DHS/TSA have Narcan immediately available at workstations where it may be needed in case of accidental exposure?

Answer. Protecting the safety and health of the Transportation Security Administration (TSA) workforce is a top priority. A Department of Homeland Security (DHS) Chemical Analysis Report published April 2017, recognized illicit fentanyl and carfentanil as emergency chemical threats. Since that time, TSA has been closely monitoring the Transportation Security Officer's (TSO) occupational exposure risk in collaboration with the DHS Office of Health Affairs, DHS components, and other

Federal agency partners such as the Drug Enforcement Administration and the National Institute for Occupational Safety and Health (NIOSH).

The TSA Office of the Chief Medical Officer (OCMO), in coordination with TSA's Occupational Safety, Health, and Environment Division (OSHE), changed the standard gloves issued to the workforce to comply with recommendations issued by NIOSH. These are the same gloves worn by U.S. Customs and Border Protection (CBP).

OSHE and OCMO, requested a formal health hazard evaluation from NIOSH regarding TSOs, Transportation Security Specialists—Explosives, and Federal Air Marshals to evaluate employee occupational exposure risk and determine whether additional risk mitigation strategies are necessary. As part of their health hazard evaluation, NIOSH was also asked by TSA to comment on current screening procedures and make recommendations to minimize risks to the TSA workforce. TSA anticipates receiving further guidance from NIOSH in the second quarter of fiscal year 2018.

TSA issued a National Shift Brief to the entire front-line workforce of approximately 50,000 employees, providing detailed information on fentanyl, including what it may look like and the forms it may be in, the signs and symptoms of exposure to the drug, and how it may be transmitted. This shift brief included a photograph of the drug in pure form, which resembles cocaine. It also provided guidance not to open packages containing unknown substances. If an officer finds a powder that could be fentanyl, a fentanyl analog, or anything otherwise suspicious, the officer should not open the container or conduct additional screening of the powder. The officer should notify Law Enforcement. For any suspected exposure, employees are instructed to call 9-1-1 or designated emergency medical services.

OCMO and OSHE are in regular contact with their colleagues at the DHS Office of Health Affairs, CBP, and U.S. Coast Guard. In September 2017, OCMO and OSHE representatives attended a 2-day conference on fentanyl organized by the Office of Health Affairs.

TSA is also researching the implementation of detection equipment that would find fentanyl analogs without having to open containers. OSHE and OCMO have made recommendations to change screening procedures to minimize the handling of powders. Additionally, Countering Weapons of Mass Destruction (CWMD)/OHA reports that DHS has conducted a pilot training for the canine workforce to better detect fentanyl analogs and will expand training in January 2018.

OCMO and OSHE have recommended against purchasing naloxone at this time. TSA continues to discuss this recommendation with NIOSH Health Hazard Evaluations and OHA. While issuing naloxone by itself does not necessarily require personal protective equipment (PPE), administering naloxone in a checkpoint environment would require a respiratory protection program for the TSA employee administering the medication. For example, if a TSO is in respiratory distress after an exposure to fentanyl, another employee coming to rescue the Officer would also be affected by the fentanyl, unless the responding individual is qualified, trained, and equipped with the appropriate PPE to include respiratory protection. The Department of Labor (DOL) Occupational Safety and Health Administration (OSHA) respiratory regulation includes a requirement for annual training, medical screening, and annual fit testing. Implementation of a compliant naloxone program may involve the development of other occupational safety and health-related programs, such as the respiratory protection requirements noted above as well as cardiopulmonary resuscitation training. The NIOSH health hazard evaluation will help determine whether a naloxone program is an appropriate course of action for TSA, and identify the most appropriate protective measure for carrying out security screening procedures, based on our officers' occupational exposure risk for incidental exposure to fentanyl and fentanyl analogs.

Again, most airports are currently covered by first responders (emergency medical services and fire departments) that are carrying naloxone and the appropriate respiratory protection.

Question 5. We have heard countless reports of non-enrolled passengers receiving PreCheck, including many foreign nationals. Is TSA planning to end giving PreCheck status on the boarding passes of passengers who have not enrolled in a DHS Trusted Traveler program or who are not part of a low-risk population specifically approved by the TSA administrator?

Answer. Only TSA grants TSA PreCheck® status. TSA conducts risk-based assessments of everyone traveling on a TSA PreCheck® participating airline. Through this risk-based assessment, TSA may decide that some travelers that are not enrolled are eligible for TSA PreCheck® on their flight for that particular day. This is a flight-by-flight assessment, and is unpredictable to travelers. TSA has implemented a schedule to reduce the number of non-enrolled travelers who become eligi-

ble for TSA PreCheck® through our risk-based assessment, over a time line to best manage operational impact.

Question 6a. Last year, TSA rescinded a Request for Proposals for expanding TSA PreCheck enrollment opportunities, citing cybersecurity concerns.

What is the status of developing a new request?

Answer. TSA is finalizing solicitation requirements to select an enrollment service provider for multiple TSA security vetting programs including the TSA PreCheck® Application Program. TSA is planning to award the new contract in fiscal year 2018.

Question 6b. Are you committed to searching for creative ways to increase enrollment in TSA PreCheck?

Answer. TSA is working closely with industry to ensure solicitation requirements encourage innovative enrollment solutions that reduce burden on applicants, while ensuring data security and privacy. TSA is also working internally to institute more flexible enrollment options and ease of reenrollments. TSA will continue to engage with private-sector partners and identify new partners and opportunities to market TSA PreCheck®. This includes collaborating with airlines, airports, travel management companies, hotels, credit card companies, as well as aviation and travel industry associations. Previous collaboration has led to the use of airline inflight media to promote TSA PreCheck®, as well as airport monitors to remind travelers about the benefits of enrolling in the program. In addition, travel management firms, actively promote TSA PreCheck® to their customers through newsletters, web pages, and in-person client meetings. Some hotels and airlines now offer their loyalty program members an opportunity to use accrued loyalty points, and or miles, to cover the cost of the TSA PreCheck® application fee. Many credit card companies offer new customers the opportunity to receive a fee credit for the cost of the application fee as well. These initiatives, among others are key to reaching travelers and enabling TSA to market the benefits of TSA PreCheck®, and encourage enrollment in the program. TSA is also coordinating with U.S. Customs and Border Protection to identify collaboration opportunities that would increase security effectiveness, operational efficiencies, and enrollment growth between the TSA PreCheck® and Global Entry programs. Individuals who enroll in CBP's Global Entry program are also deemed eligible through their Global Entry enrollment to access TSA PreCheck® lanes when departing on flights from U.S. airports, thereby helping to strengthen aviation security effectiveness. Marketing initiatives leading to enrollment growth have included the development of materials to co-promote the benefits of enrollment in Global Entry and TSA PreCheck®. These initiatives have included the Trusted Traveler Comparison Tool located on the Trusted Traveler Program webpage on dhs.gov. In addition, CBP and TSA co-promote the DHS Trusted Traveler programs via travel industry travel trade engagement, and development of co-branded promotional material assets for use by Government and private industry.

In addition, TSA's Innovation Task Force (ITF) has a vehicle for soliciting ideas from the greater industry base on how TSA can achieve more, including increasing TSA PreCheck® enrollment. ITF has developed and distributed two Broad Agency Announcements (Summer 2016 and Summer 2017) and had almost 200 submissions over these 2 years. ITF also has pioneering outreach efforts to engage industry creatively through its industry exchange approach, including a presence at industry events, collaborative workshops with key stakeholders, and one-on-one market research discussions. Through reaching out to those who can assist TSA in creative ways to increase enrollment in TSA PreCheck® and providing solicitation vehicles to get those ideas into TSA, we hope to make significant headway in these efforts.

Question 7a. TSA has recently expanded its international operations in light of recent Security Directives and Emergency Amendments, conducting multiple assessments and inspections at last-point-of-departure airports to ensure compliance with these measures.

Does TSA have the resources it needs to ensure on-going compliance with security measures internationally?

Question 7b. Will you consider requesting additional resources to increase TSA's full-time international presence?

Answer. The Transportation Security Administration (TSA) will work with existing resources to implement the requirements of the recent Security Directive and Emergency Amendment to raise the global aviation security baseline. TSA continually evaluates its capabilities and requirements against an evolving threat landscape and any future resource requests will be submitted via the appropriations process.

QUESTIONS FROM HON. VAL BUTLER DEMINGS FOR DAVID P. PEKOSKE

Question 1. In preparing for the President's proposed elimination of Federal funding for TSA's Law Enforcement Officer (LEO) Reimbursement Program, and the proposed elimination of TSA staffing at airport exit lanes, what is TSA doing to work with airports and law enforcement agencies to ensure that law enforcement presence at airports and law enforcement support at passenger screening checkpoints is not diminished?

Answer. Over the years, TSA has worked with, and will continue to work with, State and local law enforcement to develop capacity and relationships. Today, State and local law enforcement partners are better equipped than they have ever been before to meet emergent threats.

All airports are required to have an Airport Security Program approved by TSA, developed in concert with the local airport authority, and once completed, subject to TSA inspection for airport operator compliance. As a result of that process, TSA works, and will continue to work, with the airport to ensure that law enforcement personnel are available and committed to respond to a security incident within the required period of time.

Question 2. Section 44903(n)(1) of Title 49, U.S. Code, requires that the DHS Secretary "ensure that the Transportation Security Administration is responsible for monitoring passenger exit points from the sterile area of [certain] airports." How would TSA continue to meet this statutory requirement without transportation security officer (TSO) exit lane staffing?

Answer. For the subset of airports covered by the Bipartisan Budget Act, TSA will remain in compliance with the requirement until it is repealed by staffing the exit lanes with its existing checkpoint resources. These airports include those that TSA staffed as of December 1, 2013, unless the airport has assumed responsibility in the intervening period of time. For those locations where the airports have already assumed responsibility for staffing the exit lanes, per TSA regulations, airports must include in their Airport Security Programs a description of sterile areas and the measures used to control access. If the airport operator maintains exit lane access control, they must prevent and detect unauthorized access, as well as prevent the introduction or carriage of an unauthorized weapon, explosive, or incendiary into the sterile area.

Question 3. Do you anticipate that the President's fiscal year 2019 budget will propose to eliminate the Law Enforcement Officer (LEO) Reimbursement Program?

Answer. Development of the fiscal year budget request is still underway, and details on the upcoming proposal will be available when it is released. TSA will be pleased to respond to inquiries on the specifics of the request at that time.

Question 4. Do you anticipate that the President's fiscal year budget will propose an elimination of transportation security officer (TSO) exit lane staffing?

Answer. Development of the fiscal year budget request is still underway, and details on the upcoming proposal will be available when it is released. TSA will be pleased to respond to inquiries on the specifics of the request at that time.

Question 5. What methodology did TSA staff use to justify the elimination of the LEO Reimbursement Program?

Answer. Along with the Transportation Security Administration (TSA), airport operators and their State and local law enforcement partners play a critical role in maintaining security at airports across the country. The Department of Homeland Security (DHS) understands a program like the Law Enforcement Officer Reimbursement Program helps to support security by encouraging State, local, and Federal partnerships and by promoting cooperation, collaboration, and solidarity toward these efforts.

In formulating the fiscal year budget request, the TSA focused on preserving front-line security capability in order to protect the traveling public within available resources. As part of the risk-based prioritization for resources, those areas where State and local law enforcement already operate or have the capability to step forward to support transportation security were ranked lower for Federal funding based on risk mitigation. This allowed limited resources to be applied to those areas solely under the jurisdiction of DHS.

All airports are required to have an approved Airport Security Program (ASP), which is subject to TSA approval and inspection for airport operator compliance. One aspect of the ASP is that each airport must ensure that law enforcement personnel are available and committed to respond to a security incident within a set period of time. The Law Enforcement Officer Reimbursement Program supports activities beyond this requirement.

Question 6. What methodology did TSA use to justify eliminating the exit lane staffing by TSOs?

Answer. Two-thirds of commercial service airports already staff exit lanes as part of their access control responsibilities using their own staffing or a technological solution. Aside from the Bipartisan Budget Act, which requires TSA to staff sterile area exit lanes at airports where the agency was providing monitoring services on December 1, 2013, access control is the responsibility of the airport and TSA inspects to ensure that responsibility is being met. Consequently, the TSA proposal is consistent with how most airports manage their responsibilities and allows TSA to devote its trained Transportation Security Officers to security screening duties.

Question 7. Would airports across the Nation be less safe without the LEO Reimbursement Program and exit lane staffing?

Answer. Airport operators are responsible for complying with security requirements outlined in their Airport Security Programs, which includes a law enforcement presence and capability that is adequate to ensure the safety of passengers.

