

**TAKING TO THE SKIES: EXAMINING TSA'S STRAT-
EGY FOR ADDRESSING INCREASED SUMMER
TRAVEL**

HEARING

BEFORE THE

**SUBCOMMITTEE ON
TRANSPORTATION AND
MARITIME SECURITY**

OF THE

**COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES**

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TAKING TO THE SKIES: EXAMINING TSA'S STRATEGY FOR ADDRESSING INCREASED SUMMER TRAVEL

Tuesday, July 20, 2021

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON TRANSPORTATION
AND MARITIME SECURITY,
Washington, DC.

The committee met, pursuant to notice, at 10:03 a.m., via Webex, Hon. Bonnie Watson Coleman [Chairwoman of the subcommittee] presiding.

Present: Representatives Watson Coleman, Payne, Titus, Gottheimer, Luria, Gimenez, Van Drew, Norman, and Miller-Meeks.

Also present: Representative Thompson.

Chairwoman WATSON COLEMAN. The Subcommittee on Transportation and Maritime Security will come to order.

Without objection, the Chair is authorized to declare the subcommittee in recess at any point.

Welcome to the Transportation and Maritime Security Subcommittee's hearing entitled "Taking to the Skies: Examining TSA's Strategy for Addressing Increased Summer Travel". Thank you to Ranking Member Gimenez and our panel of witnesses for joining us.

As rates of vaccination against COVID-19 increase across the country, a growing number of travelers are taking to the skies once more. The numbers are striking. Indeed, on the first day of this month TSA screened more people in a day than it did on the same day in 2019, before the pandemic. The daily number of travelers screened at TSA checkpoints crossed the 2 million threshold multiple times in June.

This is leading to fuller flights, longer lines at airports, and it seems, higher tension as passengers reacquaint themselves with the old and the new rules of flying.

Today we will hear from our witnesses about how TSA is managing this increase in summer travel, as well as crucial information about TSA's role in addressing incidents of unruly passenger behavior at checkpoints and in the air. As travel increases, our witnesses will share what efforts TSA is undertaking to recruit and retain more Transportation Security Officers (TSOs) to ensure airports have adequate staffing.

In addition, many of my colleagues and I are disturbed by the unacceptable rise in violence on planes and at airports that we have seen in the news. As Chair of this subcommittee, I am particularly perturbed by the number of violent assaults against our TSOs in recent months. More than 70 TSOs have been assaulted since the start of the pandemic. These hardworking men and women, they have been on the front lines throughout the pandemic and simply should not have to endure this kind of treatment.

Another alarming trend we are seeing is the uptick in firearms, most of them loaded, that have been found in passengers' carry-on baggage. According to TSA, 2,800 firearms have been caught at checkpoints so far this year. I am hopeful that our witnesses will share their perspectives on these encounters and what can be done to prevent them. While the pace of recovery in air travel is encouraging, we must not forget that the Coronavirus, and particularly the dangerous Delta variant, is still at large. The mask mandate aboard planes and in airports remains in place until September 13 and now is not the time to let our foot off the gas in terms of doing all that we can to prevent the virus' spread. As more travelers take to the air, I look forward to hearing from our witnesses about TSA's strategy thus far and future plans.

Thank you.

[The statement of Chairwoman Watson Coleman follows:]

STATEMENT OF CHAIRWOMAN BONNIE WATSON COLEMAN

Good morning, and welcome to the Transportation and Maritime Security Subcommittee's hearing entitled "Taking to the Skies: Examining TSA's Strategy for Addressing Increased Summer Travel".

As rates of vaccination against COVID-19 increase across the country, a growing number of travelers are taking to the skies once more.

The numbers are striking. Indeed, on the first day of this month, TSA screened more people in a day that it did on the same day in 2019, before the pandemic. The daily number of travelers screened at TSA checkpoints crossed the 2 million threshold multiple times in June.

This is leading to fuller flights, longer lines at airports, and, it seems, higher tensions as passengers reacquaint themselves with the old and new rules of flying.

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These hardworking men and women have been on the front lines throughout the pandemic, and simply should not have to endure this kind of treatment.

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While the pace of recovery in air travel is encouraging, we must not forget that the coronavirus, and particularly the dangerous Delta variant, is still at large.

The mask mandate aboard planes and in airports remains in place until September 13, and now is not the time to let our foot off the gas in terms of doing all that we can to prevent the virus's spread.

As more travelers take to the air, I look forward to hearing from our witnesses about TSA's strategy thus far and plans for the future.

Thank you, and with that I recognize Ranking Member Gimenez for his remarks.

Chairwoman WATSON COLEMAN. The Chair now recognizes the Ranking Member of the subcommittee, the gentleman from Florida, Mr. Gimenez, for an opening statement.

Mr. GIMENEZ. Thank you, Chairwoman Watson Coleman. I really appreciate that.

I am pleased that the subcommittee is holding this hearing today to discuss how TSA is securing the traveling public in our Nation's airports as air travel begins to recover.

As we emerge from the pandemic's devastating toll on air travel and the transportation sector, Americans are increasingly ready to return to travel to conduct business, enjoy vacations, and visit family. I was pleased to see that TSA screened over 2.2 million passengers on Sunday, which is the highest level of air travel volume since March 2020. In addition, there have been 10 days already this month of over 2 million daily travelers.

On my way to the District of Columbia from Miami yesterday, I saw this increased passenger volume first-hand. The lines for security were the longest that I have ever seen there at Miami International Airport. The line for TSA PreCheck was nearly 50 yards long from front to back. Again, that is the longest line I have ever seen on TSA PreCheck.

What I am understanding is that, at least at MIA, they are back to almost 95 percent of air travelers. It is a huge international hub and international businesses is way down. So once international travel starts to pick up again, we may actually surpass pre-pandemic levels.

We must ensure our security checkpoints are properly staffed for the number of travelers that they are seeing. This issue must be addressed quickly to meet the growing demand on air travel. I am heartened now that leisure air travel has recovered to 75 percent around the country to pre-pandemic levels, but TSA needs to be ready for an increase in business travel, this fall is where there will be a projected increase in international travel.

I remain concerned that staffing shortages at our Nation's airport checkpoints will continue to grow as passenger volumes increase.

I look forward to hearing from today's witnesses about TSA's efforts to hire additional screeners for summer travel. I believe that an obstacle to recruiting and retaining TSA officers is that they need to be paid more. Increasing TSO pay is important to maintaining a strong front-line work force and to secure the traveling public.

As passenger volume continues to increase this summer and into the fall, it is incumbent upon TSA to facilitate the higher travel volume in an efficient and very secure manner.

Thank you, Madam Chairwoman. I yield back the balance of my time.

[The statement of Ranking Member Gimenez follows:]

STATEMENT FOR RANKING MEMBER CARLOS A. GIMENEZ

JULY 20, 2021

Thank you, Chairwoman Watson Coleman. I am pleased the subcommittee is holding this hearing today to discuss how TSA is securing the traveling public and our Nation's airports as air travel begins to recover.

As we emerge from the pandemic's devastating toll on air travel and the transportation sector, Americans are increasingly ready to return to travel to conduct business, enjoy vacations, and visit family. I was pleased to see that TSA screened over 2.2 million passengers on Sunday, which is the highest level of air travel volume since March 2020. In addition, there have been 10 days already this month of over 2 million daily travelers. On my way to DC from Miami yesterday I saw this increased passenger volume first-hand. The lines for security were the longest I have ever seen them and the line for TSA PreCheck was nearly 50 yards from front to back.

I am heartened that leisure air travel has recovered to 75 percent of its pre-pandemic level, but TSA needs to be ready for an increase in business travel this fall as well as projected increases in international travel. I remain concerned that staffing shortages at our Nation's airport checkpoints will continue to grow as passenger volume increases.

I look forward to hearing from today's witnesses about TSA's efforts to hire additional screeners for summer travel. I believe that an obstacle to recruiting and retaining Transportation Security Officers is that they need to be paid more. Increasing TSO pay is important to maintain a strong front-line workforce to secure the traveling public.

As passenger volume continues to increase this summer and into the fall, it is incumbent upon TSA to facilitate the higher travel volume in an efficient and secure manner.

Thank you, Madame Chairwoman, and I yield back the balance of my time.

Chairwoman WATSON COLEMAN. Thank you, Ranking Member.

Members are also reminded that the subcommittee will operate according to the guidelines laid out by the Chairman and the Ranking Member in their February 3 colloquy regarding remote procedures.

The Chair now recognizes the Chairman of the full committee, the gentleman from Mississippi, Mr. Thompson, for an opening statement.

Mr. THOMPSON. Thank you, Chairwoman Watson Coleman. Thank you to our witnesses for joining us today.

For much of last year, the skies were empty. Vaccines were a distant dream, and at one point, it seemed airlines were on the brink of collapse. At the beginning of lock-down, there were days where TSA screened less than 100,000 passengers. In contrast, this month, TSA routinely screens over 2 million passengers annually. But unfortunately, our Nation's return to travel has not gone seamlessly. Long lines have returned at checkpoints, meaning TSA has had to fight for more talent in this competitive job market. That fight for talent is hindered by the fact that TSA workers still do not receive the pay and protections afforded to other Federal workers, though I am glad to be working with the Biden administration to fix that problem. TSOs work hard under normal conditions. But the combination of COVID-19 and a dramatic uptick in unruly passengers has made the job even more challenging. Across the country, dozens of TSOs have been physically assaulted in recent months. Passengers have pushed and shoved officers, and in some cases, passengers have literally bitten TSOs. Not only that, but the rate of firearms found at TSA checkpoints doubled last year. Consistently, over 80 percent of firearms—as already been said by the Chairwoman—have been found to be loaded. Passengers must leave their firearms at home or follow the proper procedures for checking them, as bringing them to the checkpoint creates disruptions that could prove dangerous. Needless to say, this is a concerning convergence of trends.

There has been a significant spike in disruptive passengers in the sky, as flight attendants have been assaulted or harassed with regularity. All too often, these assaults occur simply because a crew member was doing their job and seeking to enforce common-sense mask policies designed to protect fliers from COVID-19. Although the public is most familiar with TSA's on-the-ground responsibilities, Federal Air Marshals play an essential role in aviation security once passengers get on board. We must ensure flight crews have the training and Federal support they need to confront this uptick in assaults.

It is imperative that the entire TSA enterprise has a strategy for addressing the challenges by increased travel and unruly passengers.

Thank you again to our witnesses. I appreciate your efforts to protect the traveling public and look forward to your testimony.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

Thank you to our witnesses for joining us today.

For much of last year, the skies were empty. Vaccines were a distant dream, and at one point, it seemed airlines were on the brink of collapse.

At the beginning of lockdown, there were days where TSA screened less than 100,000 passengers. In contrast, this month, TSA routinely screens over 2 million daily passengers.

But unfortunately, our Nation's return to travel has not gone seamlessly. Long lines have returned at checkpoints, meaning TSA has had to fight for more talent in this competitive job market.

That fight for talent is hindered by the fact that TSA workers still do not receive the pay and protections afforded to other Federal workers—though I am glad to be working with the Biden administration to fix that problem.

TSOs work hard under normal conditions. But the combination of COVID-19 and a dramatic uptick in unruly passengers has made the job even more challenging.

Across the country, dozens of TSOs have been physically assaulted in recent months. Passengers have pushed and shoved officers, and in some cases, passengers have literally bitten TSOs.

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It is imperative that the entire TSA enterprise has a strategy for addressing the challenges by increased travel and unruly passengers.

Thank you again to our witnesses. I appreciate your efforts to protect the traveling public and look forward to your testimony.

Chairwoman WATSON COLEMAN. Thank you, Mr. Chairman.

I now welcome our panel of witnesses today.

Mr. Darby LaJoye is the executive assistant administrator for security operations at the Transportation Security Administration after recently returning from a stint as acting TSA administrator.

In his current role, he oversees checkpoint and baggage screening operations impacting millions of passengers at approximately 440 airports every day, oversight of over 280 international airports,

conducting last-points-of-departure operations to and from the United States, and a surface network that encompasses freight, railroad, passenger rail, mass transit, maritime, and pipelines.

Mr. Michael Ondocin is the executive assistant administrator of law enforcement in the Federal Air Marshal Service at the TSA. In his role he oversees the deployment of Federal Air Marshals on U.S. aircraft world-wide, as well as protection, response, detection, and assessment activities in airports and other transportation systems.

Without objection, the witnesses' full statements will be inserted into the record.

I now ask each witness to summarize his statements for 5 minutes, beginning with Mr. LaJoye.

STATEMENT OF DARBY LAJOYE, EXECUTIVE ASSISTANT ADMINISTRATOR FOR SECURITY OPERATIONS, TRANSPORTATION SECURITY ADMINISTRATION, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. LAJOYE. Good morning Chairwoman Watson Coleman, Ranking Member Gimenez, and distinguished Members of the subcommittee. Thank you for inviting me to testify before you today. I appreciate the opportunity to discuss Transportation Security Administration's (TSA's) operations and strategy for addressing increased summer travel.

Like all of us, TSA faced tremendous challenges for the past nearly 18 months from this on-going global pandemic. When air travel came to a near standstill, our operational agility, the resilience of our work force, and the strength of our partnerships were tested like never before.

I am incredibly proud of the way we have adapted to these unprecedented challenges and positioned our agency to support what has been a historical recovery in passenger demand. Through the darkest times of the pandemic, we never wavered from our solemn commitment of protecting the Nation's transportation systems and ensuring the freedom of movement of people and commerce.

From the very beginning TSA placed the highest priority on the health and safety of our employees and that of the traveling public. We moved quickly to implement protective measures at security checkpoints and screening locations across the country. We enforced social distancing at our checkpoints, installed acrylic shielding to minimize personal contact, increased sanitization, and required officers to wear face masks, gloves, eye protection, and face shields.

We used our personnel flexibility to offer new leave options for employees at higher risk of severe illness from exposure to the virus and maximized telework and flexible scheduling options whenever possible. We are the forefront in providing accelerated vaccine access through the Department's "Operation Vaccinate Our Workforce".

We took direct and meaningful action to supplement the world-wide pandemic response. We helped repatriate over 100,000 American citizens stranded across 136 countries and facilitated the distribution of personal protective equipment and other critical supplies, such as ventilators, to countries around the world.

Before I continue, I want to take a moment to thank our work force, our TSA officers, our coordination center officers, our Federal Air Marshals, our K9 teams, our aviation and surface cargo inspectors, our vetting personnel, and all the staff that stands behind them. To every single person who stood firm and fulfilled their duty, I am proud of their continued resilience and professionalism.

Airport passenger volumes are finally nearing and consistently exceeding pre-pandemic levels. We anticipated this increase and began a concerted recruitment effort this past winter to hire the support needed to handle these increasing volumes throughout the remainder of the year.

We also took additional measures, such as doubling the size of our National deployment force to provide resources where needed. TSA is also utilizing several monetary incentives to recruit new employees and retain our valued work force to ensure that adequate staffing levels continue.

These efforts are already paying dividends. Sunday, July 18 was one of the busiest air travel days of 2021, with TSA screening over 2.24 million passengers. Over the entire 4th of July holiday period, July 1 through July 7, TSA screened almost 14 million passengers, with 97 percent waiting less than 20 minutes in standard lanes and less than 5 minutes in TSA PreCheck lanes. More importantly, there were no major security incidents impacting the transportation sector. We are confident that TSA is prepared and well-positioned to continue to effectively meet increasing passenger volumes throughout the remainder of the summer.

Unfortunately, with the increase in passenger volumes, TSA is also seeing an increase in unruly passengers at TSA checkpoints across the country and on-board aircraft. Since the beginning of the pandemic, there have been over 85 physical assaults on TSA officers.

Additionally, we have seen a dramatic increase in the number of incidents on board aircraft, with over 3,600 in-flight disturbances since the beginning of the pandemic. Sadly, many of these disturbances have become violent, resulting in assaults against fellow passengers and flight crew.

Our industry partners have reported an increase in assaults in other modes of transportation as well.

I want to thank those front-line transportation workers, including flight crew, who do their jobs every single day to make sure that the traveling public is safe.

Additionally, and as noted by the Members, TSA continues to detect firearms on passengers and in carry-on bags at checkpoints at an alarming rate. As of early July, TSA detected 2,807 firearms in 2021, 85 percent of which were loaded. In 2020, TSA officers discovered a total of 3,257 firearms on passengers or in their carry-on bags at checkpoints. To increase awareness of the requirement for properly transporting firearms, TSA has enhanced communication and outreach efforts for the public and stakeholders.

In February of this year, we published updated enforcement sanction guidance which increased civil penalty ranges that TSA can impose. For first-time violations, TSA may impose a fine of up to \$10,000 if the firearm is loaded. Air travelers coming to checkpoints for the first time since before the pandemic may see some

changes in the security technology they encounter. Throughout the pandemic TSA has worked to accelerate deployment of state-of-the-art technology, such as computed tomography, credential authentication technology, and on person screening enhancements. These technologies—

Chairwoman WATSON COLEMAN. Mr. LaJoye.

Mr. LAJOYE. Yes, ma'am?

Chairwoman WATSON COLEMAN. Mr. LaJoye, excuse me, you have gone beyond your 5 minutes. Could you just sort-of wrap it up and perhaps we can get to some of this with the questions?

Mr. LAJOYE. Yes, ma'am.

Let me just end by thanking you all for the opportunity today and I look forward to answering questions.

[The joint prepared statement of Mr. LaJoye and Mr. Ondocin follows:]

JOINT PREPARED STATEMENT OF DARBY LAJOYE AND MICHAEL ONDOCIN

JULY 20, 2021

Good morning Chairwoman Watson Coleman, Ranking Member Gimenez, and distinguished Members of the subcommittee. Thank you for inviting us to testify before you today and we appreciate the opportunity to discuss Transportation Security Administration's (TSA's) operations.

First and foremost, we would like to recognize TSA's workforce—our Transportation Security Officers (TSOs), Federal Air Marshals, canine teams, inspectors, and other aviation and surface personnel—for their hard work and dedication during these unprecedented and challenging times. Our workforce has and continues to effectively execute the mission in a professional manner and adapt to accommodate various challenges, including increased travel volume as we recover from the COVID-19 pandemic as well as a growing number of incidents stemming from unruly passengers. Their hard work and vigilance allowed more than 10.1 million travelers over the Fourth of July holiday weekend to safely and securely fly to and from their destinations in order to see loved ones, family, and friends—many for the first time since the onset of the COVID-19 pandemic. Thursday, July 1 was the busiest air travel day of the weekend, with TSA screening 2,147,090 people, which is slightly more than the 2,088,760 travelers screened on Thursday of the Fourth of July weekend in 2019. Daily airport passenger volumes are finally nearing, and occasionally exceeding, pre-pandemic levels as more people are getting vaccinated and travel restrictions are easing around the world. While the COVID-19 pandemic has tested our agility, the resiliency of our workforce, and the strength of our partnerships, TSA has adapted and maintained our security mission while working to ensure the health and safety of both our valued employees and the traveling public.

In less than 2 months, the Nation will mark 20 years since the September 11 terrorist attacks. As we approach this milestone and emerge from the COVID-19 pandemic, TSA remains focused on protecting the Nation's transportation systems. To achieve our mission, we have been guided by our continuing vision to be an agile security agency that engages its partners and the American people to outmatch a dynamic threat.

COVID-19 RESPONSE

After the emergence of COVID-19, airport passenger screening volumes dropped as much as 97 percent, and TSA adapted our operations to protect the TSA workforce, traveling public, and other transportation workers from this global threat.

Throughout the pandemic, TSA diligently followed guidance issued by the Centers for Disease Control and Prevention (CDC), Occupational Safety and Health Administration, and DHS, provided personal protective equipment (PPE) to our workforce, developed and implemented new protocols to support social distancing, and implemented other required standards and procedures. Our "Stay Healthy. Stay Secure." campaign detailed the measures we implemented at security checkpoints across the Nation to make the screening process safer for passengers and our workforce by reducing the potential of exposure to COVID-19.

In February 2021, in close coordination with our stakeholders, TSA implemented provisions of President Biden's Executive Order on Promoting COVID-19 Safety in

Domestic and International Travel and enforced the related CDC Order by requiring travelers to wear face masks when they are in airports, bus and rail stations, as well as while on passenger aircraft, public transportation, passenger railroads, and over-the-road buses operating on scheduled fixed-routes.

Our efforts to protect the workforce and traveling public, including the deployment of technologies to reduce contact between TSOs and passengers and their property, helped restore confidence that it is healthy and safe to travel. Those endeavors paved the way for the increased passenger volumes we are now seeing at airports around the country.

AVIATION SECURITY INCIDENT TRENDS

TSA has unfortunately seen an increase in unruly passengers at TSA checkpoints across the country and on-board aircraft. Since the beginning of the pandemic, there have been over 70 physical assaults on TSA officers and 3,600 in-flight disturbances. Before the pandemic, in 2019, there were 1,230 in-flight disturbances, which was approximately 2 incidents per 1 million passengers screened. Preliminarily, as of early July 2021, there have been 2,838 in-flight incidents thus far in 2021, which is approximately 12 incidents per 1 million passengers screened. This shows a dramatic increase in the number of incidents on-board aircraft, which occur for a variety of reasons, many of which are mask-related, frequently leading to agitated passengers who at times have become violent toward fellow passengers and the flight crew. Our industry partners have reported an increase in assaults in other modes of transportation as well.

Additionally, TSA continues to detect firearms on passengers and in carry-on bags at checkpoints at an alarming rate. Preliminarily, as of early July, TSA detected 2,807 firearms in 2021, 85 percent of which were loaded. In 2020, TSA officers discovered a total of 3,257 firearms on passengers or in their carry-on bags at checkpoints, which was approximately 10 firearms per million passengers screened. Comparatively in 2019, the number was about 5 firearms per million passengers screened.

To increase awareness on the requirements for properly transporting firearms, TSA enhanced communication and outreach efforts with the public and stakeholders. In February 2021, TSA published updated Enforcement Sanctions Guidance increasing the suggested civil penalty ranges TSA may impose. For first-time violations, TSA can impose a fine of up to \$10,000 if the firearm is loaded.

SUMMER TRAVEL

The summer travel season has begun and TSA's diligent preparation has ensured it is ready for passenger volume to return. TSA anticipated this increase and began a concerted recruitment effort this past winter to hire the support needed to handle these increasing volumes throughout the remainder of the year. We also took additional measures such as converting part-time employees to full-time, increasing employee overtime, and adjusting shifts to support airline schedules. TSA is also utilizing several monetary incentives to retain our valued workforce and ensure adequate staffing levels.

Those efforts are already paying dividends. Over the July 4 holiday travel period, TSA screened more than 10.1 million passengers, with 98 percent waiting less than 20 minutes in standard lanes and 97 percent waiting less than 5 minutes in TSA PreCheck® lanes. More importantly, there were no major security incidents impacting the transportation sector. We are confident that TSA is prepared and well-positioned to continue to effectively meet increasing passenger volumes through the remainder of the year.

TECHNOLOGY ADVANCEMENTS

Air travelers coming to checkpoints for the first time since before the pandemic may see some changes in security technology they encounter. Throughout the pandemic, TSA worked in close partnership with DHS Science and Technology to accelerate deployment of state-of-the-art technologies, such as Computed Tomography (CT), Credential Authentication Technology (CAT), and On-Person Screening enhancements. These technologies and enhancements represent significant advancements from current equipment used for identity verification and the screening of accessible property, reduce overall contact during screening, and improve the passenger experience. Major technological advancements include:

- Computed Tomography, or CT, produces high-quality 3-D images that can be rotated up to 360 degrees on three axes for a more thorough visual analysis of a carry-on bag's contents and reduces the need to touch or manually check bags.

- Credential Authentication Technology, or CAT, machines automatically verify identification documents presented by passengers during the security screening process and confirm a passenger's flight information and vetting status without the need for our officers to see a boarding pass. TSA has worked to modify CAT machines to allow self-service operation, so passengers can scan their own photo ID without our officers touching the document. Additionally, the Self-Service CAT with camera (CAT-2) upgrade units promote social distancing, reduce the need for a physical ID hand-off at the Travel Document Checker, and make passenger screening more automated.
- Advanced Imaging Technology, or AIT, safely screens passengers without physical contact for both metallic and non-metallic threats such as weapons and explosives. Enhancements have reduced the number of false alarms at the checkpoint and touchpoints by using even more sophisticated millimeter wave technology.

As of early July 2021, TSA has deployed 300 CT systems at 141 airports and 4 laboratories, as well as 1,053 CAT units at 119 airports and 2 laboratories. The continued investment of fiscal year 2021 appropriated funds supports the procurement and deployment of additional systems CT and CAT systems that will include smaller airports.

In addition to these checkpoint technologies our biometric technology pilots have shown the potential for modern identity technology to enhance security effectiveness, improve operational efficiency, and yield a more streamlined passenger experience in the post-pandemic travel era. Along with biometrics development, digital credentials, such as mobile driver's licenses and digital passports, are becoming increasingly common. To further support the touchless experience at the checkpoint, TSA is actively exploring the integration of a mobile driver's license and other digital credential authentication capability with CAT-2 to process digital identity information and verify a person's identity at the airport checkpoint.

Since TSA's inception, we have continuously refined and evolved our security approach by examining the procedures and technologies we use to secure our Nation's transportation systems. Technology advancements are just a part of TSA's multi-layered approach to ensuring transportation security.

MULTI-LAYERED APPROACH TO SECURITY

An integral part of TSA's multi-layered approach to security, especially as passenger levels return to pre-pandemic levels, are TSA's Passenger Screening Canine (PSC) teams. PSC teams strengthen checkpoint screening effectiveness, improve checkpoint efficiency, and provide an agile and adaptable resource to expand TSA's detection capabilities. The focus for TSA's PSC program is improving detection at TSA checkpoints and deterring insider threats in the airport environment. PSC teams are a cost-effective resource that provides valuable security enhancements and growth in this capability is important for future years.

In addition to PSC teams, the Visible Intermodal Prevention and Response (VIPR) Program ensures that both aviation and surface transportation hubs do not become targets for our adversaries. The Federal Air Marshal Service (FAMS) works closely with Federal, State, and local law enforcement partners and stakeholders to conduct VIPR operations in all modes of transportation using a risk-based assessment framework. Through the third quarter of fiscal year 2021, VIPR Teams have conducted approximately 5,600 deployments at transportation venues Nation-wide to include National Special Security Events, like the Presidential Inauguration and the Presidential Address to the Joint Session of Congress, and Special Event Assessment Rating activities, such as the Super Bowl LV, the NCAA Men's Basketball Championship, and the recent 4th of July Fireworks events in San Diego, San Francisco, and New York City.

FEDERAL AIR MARSHAL SERVICE

From the visible VIPR operations to covert flight coverage, the FAMS and its dedicated ranks of Federal Air Marshals (FAMs) continued its mission throughout the pandemic despite the significant drop in passenger volume. FAMs deploy on domestic and international flights based on intelligence and risk while maintaining the long-standing capability to redeploy FAMs based on changing intelligence and potential threats. FAMs are trained to take swift, decisive action based on the totality of the circumstances surrounding incidents on-board an aircraft and are prepared to appropriately respond to a variety of situations and challenges associated with preventing and disrupting acts of terrorism across the transportation domain. However, they are not the only line of defense on-board an aircraft.

Airline flight crew members are yet another layer of security and work in conjunction with the FAMS to ensure the safety of passengers. Since 2004, TSA has delivered the Crew Member Self Defense Program (CMSD), through a voluntary program of advanced self-defense training which includes classroom and effective hands-on training. The CMSD training curriculum includes a wide range of self-defense techniques with special emphasis on the airline crew deck environment. CMSD training classes are conducted in cities throughout the country where FAMS offices are located and as requested with specific airlines.

The Federal Flight Deck Officer (FFDO) Program, also managed by the FAMS, provides an additional layer of security to commercial airliners and, in particular, the flight deck from terrorist and criminal assault. FFDOs are pilots of commercial passenger or cargo aircraft who are trained to provide an additional layer of security by defending the flight deck against an act of criminal violence and air piracy that is attempting to gain control of the flight deck. TSA is grateful for the thousands of FFDOs who volunteer their service and perform a vital role in our National security aboard thousands of passenger and cargo flights monthly.

CLOSING

TSA remains dedicated to securing the Nation's transportation systems from terrorist attacks. As we emerge from the COVID-19 pandemic and approach the 20th anniversary of September 11, TSA stands firm and more resolved than ever to meet the needs of our Nation's security. We are focused on improving transportation security through TSA's multi-layered approach to security and the development and implementation of intelligence-driven, risk-based policies and plans. We appreciate the subcommittee's continued support of TSA's mission and investments in the technology to keep the public safe.

Chairwoman Watson Coleman, Ranking Member Gimenez, and Members of the subcommittee, thank you for your continued support and engagement on these efforts and the opportunity to appear before you today. We look forward to answering any questions you may have.

Chairwoman WATSON COLEMAN. Thank you, Mr. LaJoye. I am certain that we will get to some of that additional information in questions, because you were heading into an area that we are very interested in. Thank you for that.

I now recognize Mr. Ondocin to summarize his statement for 5 minutes. Mr. Ondocin.

STATEMENT OF MICHAEL ONDOCIN, EXECUTIVE ASSISTANT ADMINISTRATOR FOR LAW ENFORCEMENT/FEDERAL AIR MARSHAL SERVICE, TRANSPORTATION SECURITY ADMINISTRATION, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. ONDOCIN. Yes, good morning, Chairwoman Watson Coleman, Ranking Member Gimenez, and distinguished Members of the subcommittee. Thank you for this opportunity to testify before you today to discuss the Transportation Security Administration Law Enforcement Federal Air Marshal Service's approach in securing aviation travel, which continues to increase from very low levels at the height of the COVID-19 pandemic.

The dedication and commitment of our Federal Air Marshals to ensure the safety and security of our Nation's transportation system and its travelers is unwavering. Federal Air Marshals have played critical roles in the investigation and apprehension of suspects in the aviation domain, the protection of passengers and crew members, and the security of transportation hubs deterring terrorism.

Throughout the unprecedented circumstances of the world-wide COVID-19 pandemic, our work force steadfastly maintained the TSA mission in securing the Nation's transportation system, and more specifically, we remained focused on the highest risks to

transportation. To maintain operations, the deployment of Federal Air Marshals during this time proved challenging. But the safety of our Federal Air Marshals was not overlooked or minimized for the sake of the mission. Our work force is our greatest asset and their health and wellness is vital to mission success.

In a few weeks, we will mark 20 years since September 11 when terrorists evaded security of the Nation's transportation system to kill thousands of people and inflict unimaginable damage. Today, TSA is postured to mitigate threats not only to aviation travel, but all modes of transportation with numerous layers of security. Two of these vital layers are our Federal Air Marshals, who deploy our missions aboard aircraft globally and throughout the many hundreds of transportation venues within the United States, and our Federal flight deck officers, who pilot thousands of aircraft prepared to protect the last threshold.

The unique enclosed environment of an aircraft creates a challenging workspace for Federal Air Marshals, but they are highly skilled and trained to deal with a wide variety of situations, whether aboard an aircraft or in the general environment. The ability to rapidly deploy in order to respond and address world-wide threats, risks, and natural disasters has long been a capability of TSA's law enforcement Federal Air Marshal Service. Federal Air Marshals have aided in rescue and security efforts, stretching from New Orleans with Hurricane Katrina, the massive floods in Bismark, North Dakota, the evacuation of expatriates from Lebanon in 2007, and with the first wave of COVID-19 to hit the U.S. shores early 2020, our Federal Air Marshals assisted in the initial quarantine effort of those returning to the country on cruise ships.

The volunteer force of Federal flight deck officers is composed of dedicated commercial airline pilots who not only pilot, but are armed to defend the flight deck at all costs. These men and women are trained at the Federal Law Enforcement Training Centers with the necessary skills to stop a threat to the aircraft's controls. Their selfless service aligns with TSA's commitment to aviation security and their presence ensures the security for thousands of flights.

Visible, intermodal, prevention, and response teams, commonly known as VIPR teams, continue to aid local State and security stakeholders by providing Federal law enforcement support at transportation venues Nation-wide. Here again our Federal Air Marshals provide the unique skills and lend their experience within the transportation sector to our industry partners and fellow law enforcement agencies. I want to personally thank our Federal Air Marshals, Federal flight deck officers, and our transportation security officers, and the hundreds of mission support personnel for their service in securing our Nation's transportation system.

I appreciate the subcommittee's continued support of TSA and its mission. Thank you for this opportunity today and I look forward to answering your questions.

Chairwoman WATSON COLEMAN. Thank you very much for your testimony.

Both of you recognize that every Member of our committee is interested in the safety and security of our TSA employees on the ground and our air marshals and all passengers in the air, so we

are going to have a series of questions that are trying to direct your attention and ask for some specific responses to those.

I am going to recognize myself first for questions.

I am very concerned about the reports of some 85 assaults against TSA officers since the start of the pandemic. I am interested in understanding what conditions and situations have preceded these assaults, and are these incidents, are they connected with frustration about the mask mandate or procedures and wait times, or is it alcohol consumption.

Mr. LaJoye, I would like to start with you, if you could respond to that sort-of briefly.

I think you have to unmute.

While we are trying to connect you—we may have a problem connecting with you too, Mr. Ondocin.

I am going to ask about the Federal Air Marshals here. I do recognize that TSA employees, a number of air marshals, that the exact number is a sensitive security information issue that can't be discussed in this forum, but speaking generally, given the recent increases in disturbances on flights, do you have a need for more air marshals and is the current rate at which the FAMs are on board and able to respond to these incidences sufficient?

Mr. LaJoye and Mr. Ondocin, can you just nod if you are hearing me? There is no connectivity.

Mr. Gimenez and Chairman Thompson, we are going to take a pause here and see if we can straighten this out. So we will be in recess until we can connect again to our witnesses.

[Recess.]

Chairwoman WATSON COLEMAN. We are now back in session. Thank you.

As I was saying, I am particularly concerned with the reports of 85 assaults against TSA officers since the start of this pandemic. I would like to have your response to these questions, what conditions and situations preceded these events, these assaults? Are incidences connected with frustration about the mask mandate, frustration with screening procedures and wait times, or alcohol consumption?

Mr. LaJoye.

Mr. LAJOYE. Well, thanks for that question, Madam Chair.

I think it is fair to say that all of those conditions is something that we are experiencing and we just sadly had two assaults yesterday coming through one of our checkpoints. There has been some frustration over the mask mandate that has been widely reported, but we are also seeing a number of these, whether it is on our checkpoints or in the air, they are alcohol-related. I think, you know, our best judgment would dictate that all of these are having some type of an impact on what we are seeing transpire at our checkpoints and on-board the aircraft.

Chairwoman WATSON COLEMAN. So if you are observing passengers or potential passengers that are exhibiting these kinds of behaviors, exactly what do you all do in terms of whether or not they are allowed to get on the plane?

Mr. LAJOYE. Well, Madam Chair, so for anybody at our checkpoint who is exhibiting those types of behaviors, we immediately have law enforcement respond and we have had tremendous sup-

port from our airport law enforcement partners. A number of these assaults are resulting in arrests. So they never get through our checkpoints and they never get aboard the aircraft.

So if we have a clear indication that at our checkpoint somebody is already exhibiting, you know, violent behavior, we will notify law enforcement and they will not proceed through the checkpoint. Ultimately, they will not board the aircraft.

Chairwoman WATSON COLEMAN. I would think that your response to assaults upon the TSOs is very severe. Could you give me some indication about have individuals been fined, have they been charged for assaulting these officers? What sort of penalties do they face? In general, are you keeping a log or record of incidences at the checkpoints with regard to people that you have had to remove? How many, what for, and what happened to them?

Mr. LAJOYE. Yes, ma'am.

So I mean every one of these, every assault on a TSO we immediately investigate. So they are subject to a civil penalty up to almost \$15,000 if it results in a physical assault. In addition, if they are a member of TSA PreCheck, it could result in a temporary on up to a permanent from TSA PreCheck, depending on the severity. As I stated before, a number of these resulted in local charges from law enforcement and additional we have had tremendous support from U.S. attorneys around the country in bringing Federal criminal charges, both in cases against our officers or against members of the flight crew. So it is both Federal and local criminal charges in addition to civil penalties, of the \$15,000 and potentially a permanent ban from the TSA PreCheck.

Chairwoman WATSON COLEMAN. Can you provide us with the information as to how many people have been fined, how people have been arrested?

Mr. LAJOYE. We can certainly provide that back for the record. You know, we will go back to the beginning of this pandemic in charting this and we will provide that back.

Chairwoman WATSON COLEMAN. Thank you very much.

A quick question before my time is up to you, Mr. Ondocin. I know I recognize the number of Federal Air Marshals that you all employ as sort-of sensitive security information that can't be discussed in a forum of this nature, but given the recent increases in disturbances, do you have enough Air Marshals and is the current rate at which Federal Air Marshals are on board and able to respond to these incidences that have been demonstrated and verified sufficient?

Mr. ONDOCIN. Yes, Madam Chair, at this point in time I do have enough Federal Air Marshals to cover our mission and our mission hasn't really changed since prior, you know, to COVID-19. Our Federal Air Marshals are still out providing, you know, in flight security.

As far as the amount of Federal Air Marshals over the next few years, I may need some support in hiring due to attrition as a large portion of our work force entered armed service right after 9/11 and will be coming up to their—you know, up to their 20th-year anniversary.

But at this point in time, ma'am, I am confident that I do have enough Federal Air Marshals.

Chairwoman WATSON COLEMAN. Thank you, Mr. Ondocin.

My time has expired, but I do have a second round of questions regarding Air Marshals and their well-being and the type of scheduling that takes place.

But now I would like to yield to the Ranking Member, Mr. Gimenez.

Mr. GIMENEZ. Thank you, Madam Chairwoman. I appreciate that.

Mr. LaJoye, what happens to passengers that are carrying firearms either on their person or in their carry on bags?

Mr. LAJOYE. So it is immediately—when TSA detects the firearm on the X-ray, we will notify law enforcement and everything stops because, you know, to the point we were raising earlier, this very much is a public safety concern for our checkpoints. Nearly 85 percent of the weapons that we encounter are loaded, oftentimes haphazardly thrown in a bag. So our first priority is to stop and allow law enforcement to take control of that situation. Then they are—depending on what the various State and local laws may be, you know, law enforcement will take a fraction—it could be anything from an arrest, it could be, you know, placing the weapon in a safe location, you know, allowing the passenger to return it in some cases. But the very first instance for TSA is to notify State and local law enforcement to take control of that situation.

Mr. GIMENEZ. There is no Federal law prohibiting somebody transporting a firearm, trying to get a firearm onto an airplane?

Mr. LAJOYE. There are certainly a number of civil statutes that would prohibit somebody from bringing a weapon on board the aircraft. So immediately following the law enforcement actions TSA investigates every one of these circumstances for a civil penalty.

Mr. GIMENEZ. Not a criminal penalty? I understand—look, I understand that some people may have—may inadvertently leave a firearm in a carry on, et cetera, and I understand that, but there is not—the civil penalty is not a criminal penalty to do that?

Mr. LAJOYE. Well, they get—each one of these are going to depend on the circumstance. We would have to defer to DOJ on that. But I think one of the challenges is that intent—the intent element is not something that is in a Federal criminal statute. So it really depends on what, if any, aggravating circumstances may be present. If the gun was stolen. Depending on the particular circumstances we do get support from the U.S. Attorney, but it is very much dependent on the individual circumstances of the case.

Mr. GIMENEZ. All right, now, some of them are carry on. Some of them are actually—you find them on the person, right?

Mr. LAJOYE. That is correct. We have had circumstances where we found them on the person. I mean the predominance of these things are, you know, in a bag and the most often cited reason is they simply forgot it was in there. But we have had circumstances when we have discovered these things on their person.

Mr. GIMENEZ. Would you say that the majority of those that have the gun on them have some kind of concealed weapons permit? That they just think that it is OK because they have a concealed weapons permit?

Mr. LAJOYE. I think that is certainly something that we encounter, sir. I mean, again, depending on the different State, when we

find, you know, obviously thousands of weapons a year. So we can go back and see if we know how many of those cases those individuals have a concealed carry permit.

But to your point I think, the way we focus on this is two-fold. We prioritize the enforcement action. So we have actually added 6 aggravating factors to a weapon, if it is loaded, if there is a round that is chambered, if they are a member of TSA trusted travel program or an employee of transportation, that is considered an aggravating factor. But, again, the most often cited reason, they simply forgot it is in there. So we actually developed a pamphlet that we issued in the spring and summer to get word out for how people can properly transport weapons if they travel.

Mr. GIMENEZ. What happens to somebody who tries to do this two times? Twice. Do you have a database of people that you have seen try to get through TSA with a firearm and then somehow try to do it again?

Mr. LAJOYE. We do. Now, our numbers are—the number of repeat offenders is about 6 percent. It is about a handful of those who repeat it, you know, beyond two times. Frankly the penalties get quite severe for repeat offenders. That really is at the maximum civil penalties and number of these things at that point, again depending on the circumstances, may result in criminal penalties, whether State or local. But we do have that information, sir.

Mr. GIMENEZ. Again, I don't know if you answered the question. Is it a Federal crime to try to bring a firearm onto an airplane?

Mr. LAJOYE. Depending on the circumstances it may, but the thing that is lacking in the Federal criminal statute—and again I have to defer to counsel—is the element of intent. So what we often hear is—our experience is generally on the circumstances themselves, may or may not result in a Federal charge.

Mr. GIMENEZ. OK. Did you guys change policy at all, anything happen differently on Monday than—started something on Monday because of the—I mean what I saw personally was unbelievably long lines at TSA. Did you guys change or something or it was just a really heavy travel day?

Mr. LAJOYE. No, we have not changed any policy, sir. I think what you are recognizing is we are seeing an exceedingly increasing numbers of passenger volume. You know, just last week 117 airports are already exceeding what the volume is in 2019, which is sort of pre-pandemic. That is how we measure things. You know, our experience every single day is when we have these wait times, every one of our lanes is open, so it is generally capacity constraints in the system or sometimes equipment could break. But our Federal security directors are getting their lanes open.

Mr. GIMENEZ. OK.

Chairwoman WATSON COLEMAN. Thank you to the Ranking Member. Your time has expired.

The Chair now recognizes the Chairman, Mr. Thompson.

Mr. THOMPSON. Thank you very much, Madam Chair. Let me thank the witnesses for their testimony.

Mr. LaJoye, are you satisfied that with the present uptick in travel that TSA will be able to accommodate the manpower requirements going forward to address this?

Mr. LAJOYE. I am, Mr. Chairman. So year-to-date we have hired about 4,700 officers. Just the last 2 weeks—we track it every 2 weeks—we brought on almost 500 officers. We are on pace to meet the 6,000 number that we know we needed through the summer. But, again, I do recognize that we are facing the same challenges that many are in competing, you know, for talent. So this has really been a focus of ours, because while I am confident we have plans in place for the summer, I also recognize that as we get closer to the fall and winter, as business travel continues as well as international travel picks up, we are going to have to continue to look at our requirements working with the airlines to make sure that we into the fall and winter continue to have adequate resources in our airports.

Mr. THOMPSON. So as you compete for talent, do you make some analysis of why TSOs leave TSA?

Mr. LAJOYE. We do, Mr. Chairman. Consistently what our internal, you know, FEVS scores show us is that our officers are very dedicated to the mission, but they leave because of pay. At this point, there are simply so many other organizations that would love to have, you know, TSA employees work for them, the most common reason that we find is that they are leaving because of inadequate pay.

Mr. THOMPSON. Well, you know, there a lot of us who have advocated from the beginning to treat TSOs just like we do the majority of other Federal employees. So if we are, in effect, losing good people because of pay, why either the—as administrator or Secretary, won't we fix this? What is the problem with the fix?

Mr. LAJOYE. Well, I think, Mr. Chairman, we are certainly aware of your concerns in this area. Secretary Mayorkas, this has been a priority for the Secretary since he came into office and it has been a priority for Administrator Pekoske for the last 4 years. The Secretary has directed us to provide back to him a specific plan that addresses the structural problems with TSO pay, in addition some of the rights with collective bargaining and grievance procedures. So we owe that plan back to the Secretary. I would be happy to provide a briefing back, you know, once that plan is complete.

Mr. THOMPSON. So when is it supposed to be back to the Secretary?

Mr. LAJOYE. We owe it to the Department, sir, the beginning of September. I can get the exact date back for the record.

Mr. THOMPSON. Well, my concern is, if we are losing good people and it is a matter of pay and we don't pay people commensurate like with other Federal employees, if there are some authorities you lack, whatever it is, from what I hear from everyone who has been on this hearing so far, they want to fix it. So if there are problems, just give us the impediments and I think we will go forward. Because most of us go through airports every week and the No. 1 issue we hear from those TSOs is, "I like my job, but as soon as I get my time, I am going to transfer because I can't support my family."

So thank you very much.

The other question I have is in reference to Federal Air Marshals.

So, Mr. Ondocin, do Federal Air Marshals currently have all the necessary authorities to address any and all issues around airline or passenger security in the air?

Mr. ONDOCIN. Yes, sir, we do. Federal Air Marshals have authorities under ATSA and Title 49. They would have the same authorities as any other Federal law enforcement officer, you know, in the Government. But we have the appropriate authorities to conduct our mission, sir.

Mr. THOMPSON. Thank you. So if an issue around a passenger having an issue with one of the employees on the plane in the air, that marshal has the authority to intercede? Mr.——

Mr. ONDOCIN. Yes, sir. If a crime is committed on-board an aircraft by a—you know, by a passenger, our Federal Air Marshals do have the authority to enforce the law and make an arrest.

Mr. THOMPSON. So that is if it is an issue around a mask or if it is any other issue? I don't want to split hairs with crime, but if—you know, if this passenger was just being totally unresponsive to the directions of other staff, that air marshal, under current authority, can intercede?

Chairwoman WATSON COLEMAN. The gentleman's time has expired, but we are going to allow you to answer that question, please, as expeditiously as possible. Thank you.

Mr. THOMPSON. Very kind, Madam Chair.

Mr. ONDOCIN. So flight attendants, sir, are trained and, you know, we offer crew members self defense. They are trained to handle most minor offenses. If a mask—if a non-compliance with a mask turns into an assault or turns into a crime on-board the aircraft, our Federal Air Marshals are trained to take appropriate——

Mr. THOMPSON. Thank you, Madam Chair, for being so gracious with your time.

Chairwoman WATSON COLEMAN. Thank you, Mr. Chairman.

Mr. LaJoye, the Chairman is absolutely right about the level of pay being an incentive to stay or go, but it is even just more than just the pay you pay them, it is the predictability of the regular increases and it is the other pension and benefits that are accorded those individuals that are under Title 5. We are very interested in ensuring equality under this opportunity.

The Chair now yields to the gentlelady from Iowa, Ms. Miller-Meeks.

Ms. MILLER-MEEKS. Thank you, Madam Chair. I want to thank our gentlemen for their testimony.

So I will pontificate a little bit as well. So Members of Congress travel a lot. That is no surprise. I go back to my district in Iowa every opportunity that I have. I find that it keeps me humble and also my constituents bring up things to me that end up becoming resolutions or letters or laws. So most recently when I travel I go through a lot of airports that I am not sure what you would consider their size, you know, in towns of 200,000–300,000 people. The past two airports that I have gone through the TSA PreCheck line has not been utilized. We have all been funneled through the same line and they diverted out of the body scanner to the regular metal detector. But my point in that is that I counted over 12 people going through 1 line and other people standing around not doing anything.

So that leads into my question. So I just want to point out that in several airports I had seen a lot of personnel who are not actively engaged in screening individuals. They may be actively engaged in other things.

So I think understanding from your written testimony that we expected the checkpoints over the July 4 holiday travel period to have significant delays. But I am also learning from airports that some had significant longer delays than other airports. Does TSA track in real time the wait times at all airports based on Congress' definition of the TSA Modernization Act of 2018? Who guides in an individual airport how people are assigned?

Mr. LAJOYE. So thank you for that question, ma'am.

So the answer is yes, we do track wait times across all of our airports, which is how we are able to articulate, you know, what our averages, but we also track the number of what we would call excessive wait times. Hopefully the point I made in my earlier comments is that, you know, for us, you know, we are very focused in making sure that we have all of our lanes open. What our experience generally is today is that we are having long wait times, but every single one of our lanes is open. That tells us we have adequate staffing in place and it is simply a capacity constraint of an airport. This is very common, especially now because most of the volume we are seeing is domestic travel. So a lot of these relatively small airports with one or two or a handful of lanes, every lane is open early and we are still having these wait times. On the ground our Federal security directors around the country are all responsible for working with their airport and their airlines to make sure that we understand what the schedules are going to be and we have adequate staffing in place.

Ms. MILLER-MEEKS. Interesting. It hasn't been my experience through these—again, I am not sure what size airports you would consider them to be in towns of 200,000 or 300,000 people, if that is a small airport.

Which leads to my next question. Increasing the number of passengers enrolled in TSA PreCheck would supposedly better enable TSA to utilize its screening resources as travel volume continues to recover. I think for those of us that fly, we have absolutely seen travel volume increase dramatically.

So, Mr. LaJoye, is TSA promoting enrollment in TSA PreCheck in smaller leisure markets that are experiencing extended wait times? Or, you know, are you wanting people to do both clear and TSA PreCheck depending upon their level of travel?

Mr. LAJOYE. Yes, Congressman. So the short answer is, you know, we are absolutely promoting TSA PreCheck. We have got over 400 enrollment centers around the country and our pre-pandemic daily enrollments was about 10,000 people a day is what we were tracking. We are at about 98 percent of that now. In fact, last month, June, was our busiest month for enrollments in the last 5 years. So we are, you know, pleased with the progress that we are making. We still recognize there is a long way to go, but by the end of this year we will have three enrollment providers for TSA PreCheck that can all focus on increasing enrollments. This remains a priority of ours and we are starting to see PreCheck vol-

ume increase along with the general passenger increases we are seeing around our airports.

Ms. MILLER-MEEKS. Great. Well, I really appreciate my TSA PreCheck and not having to take off my shoes. So thank you so much.

Madam Chairwoman, I yield back my time.

Chairwoman WATSON COLEMAN. Thank you to the gentlelady.

I now recognize Mr. Payne from New Jersey.

Mr. PAYNE. Thank you, Madam Chair, and once again thank you for this timely hearing.

Mr. LaJoye, my colleagues, the overall Chairman of the committee and the Chairwoman of this subcommittee, are truly diplomatic in their questioning with respect to TSO pay. I have not had as long a tenure as a legislator or a diplomat, so I am going to get right to the crux of this.

You talk about a 4-year lag in a report and the Secretary wanting to do it. Why can't we do it? If we have known—I have been talking about the topic since the Chairwoman has arrived here in Congress, she has talked about it, the Chairman has been on the committee since it started, what is the hold-up in bringing a commensurate salary to the job that is being done by TSOs, the front line of security in this country?

You know, it is common for the people doing the hardest work to be treated the worst. I won't make any analogies, but—can you answer what has to be done? What can we do in Congress to expedite this?

Mr. LAJOYE. I think our experience, Congressman—and, again, I appreciate your concern, as well as the committee, on this issue. I can't underscore enough how much of a priority this is for both Secretary Mayorkas as well as Administrator Pekoske. Part of the work that we owe back to the Secretary is identifying the cost. You know, the work we did in the last Congress on estimating some of the costs with this—and there is a lot of work that still has to go into understanding this—had a cost of moving the TSA work force into what would be comparable to Title 5, at around \$3.8 billion. So there is a lot of work—how we classify the positions. So there is a lot of work that has to go into understanding what those total costs would be, but generally that has been the biggest obstacle to getting these things done over many, many years.

Again, I will applaud the attention this is getting from both Administrator Pekoske and the Secretary, but at this point I think with respect to TSO pay, understanding what those costs are I think is going to be crucial in actually fixing what are the structural problems addressing TSO pay today.

Mr. PAYNE. Well, I would think by this point in time that that should fairly be resolved, if we are talking about 4 years, 5 years. I have been talking about it for 8 years. You know, when do we get the results? When do we get to the end of it?

But it really is very concerning to me that it feels like we are just kind-of kicking the can down the road and these front-line workers are not being compensated to the levels and the degree of the importance of their job.

Would you consider TSA—let us see, as you know, the Partnership for Public Service recently released rankings for the best

places to work in the Federal Government for 2020. TSA ranked last in pay satisfaction, as we just discussed, near the bottom in its handling of COVID-19, and now TSOs are being assaulted at checkpoints across the country, as it was stated.

Would TSA consider conducting a weekly survey of how many TSOs have been verbally harassed by passengers? Though this may not rise to the level of physical violence and the Government must be mindful of First Amendment rights, there is no way that getting shouted at every day when your mission is to keep the flying public safe can be good for TSO morale.

Mr. LAJOYE. Well, I think the short answer is, you know, anything that we can do to better understand what is happening with our officers I think we are in support of.

As we talked earlier, we certainly have information on physical assaults, but I will commit to working with the staff to see if there is a way in which we can do some type of survey to better understand, aside from physical assaults, what kind of level of verbal abuse our officers are experiencing every day. So I will commit to working with the staff and getting an answer back to you, Congressman.

Mr. PAYNE. Thank you.

I will yield back the balance of my time.

Chairwoman WATSON COLEMAN. Thank you very much to the gentleman from New Jersey.

I think we are going to engage in a short second round of questions, and I will recognize myself first for these questions.

Mr. ONDOCIN, you had indicated that you would be seeking our help soon as it relates to I guess Federal Air Marshals maybe perhaps retiring or something because they have been there for a long time. When do you anticipate asking us for help and what is that help—in what form is that help supposed to come to you, or need to come to you?

Mr. ONDOCIN. Yes, I think right now we are putting our first class of Federal Air Marshals into training in September. We haven't hired since 2017 because, quite frankly, we really haven't had a need. Our numbers have been pretty solid, our attrition rate has been pretty predictable.

As we get into '23 and '24, I suspect a number of our Federal Air Marshals will be nearing retirement. I don't know at what point how many of our Federal Air Marshals will seek retirement, but I would seek your help down the road to ensure that we do have the ability to hire additional Federal Air Marshals.

Chairwoman WATSON COLEMAN. Thank you.

Now, I recognize that a Federal Air Marshal's job in general has a bit of anxiety and it is very stressful, but I am very concerned about the reports of poor mental health among the FAMS work force. Is the operational tempo currently expected of FAMS' reasonable? What is TSA doing to support the mental and physical well-being of its air marshals?

Mr. ONDOCIN. Yes, ma'am, and thank you for your question.

I do think that the operational tempo of our Federal Air Marshal is probably the most moderate tempo that we have had since probably 2016 or 2017. We have put several scheduling guidelines in place to ensure that we are balancing the scheduling for our Fed-

eral Air Marshals. We have put a bunch of rule sets in place since I think 2018 or 2019 to make sure that we are utilizing our resources adequately and we are not putting undue burden on our Federal Air Marshals.

So I feel confident that our scheduling—and I can't go over the actual numbers or the hours that our Federal Air Marshals are flying at this point, Madam Chair, but it is significantly less than what it was I would say probably 3 to 4 years ago. And——

Chairwoman WATSON COLEMAN. OK. Can you speak to the second part of my question?

Mr. ONDOCIN. Yes, ma'am.

As far as the mental health, obviously that is a significant concern, you know, of mine. We have on-boarded our psychologist. Dr. Talbot started on—actually she on-boarded on July 4. I actually met her in Atlantic City when I was doing some interaction with our training center and our employees. She is excited to be on board. She is currently working with our medical program section where she will review all of the records, our previous history, what we have done in the past for mental illness, and she will develop a plan, you know, moving forward. So she is on-board and we will utilize her resources both at the programmatic level and I would imagine we would use her at the field level as well.

Chairwoman WATSON COLEMAN. Well, thank you.

Mr. LaJoye, real quick question follow-up on the whole issue of the firearms and baggage. I understand that after the June 6 insurrection that airlines in particular had made decisions regarding firearms in their checked baggage and things of that nature. I am wondering, to what extent did the TSA engage in those discussions and offer guidance? What, if any, authority do you think you need that you don't have right now to ban firearms in checked baggage?

Mr. LAJOYE. Well, Madam Chair, we were certainly aware that the airlines were taking that, which was a policy position for them. But it was really—I would have to defer to the FAA because that goes—the legal relationship that airlines and their passengers have under the DOT and the FAA, authorities on the contract of carriage requirements. So we were aware that they were doing it, but I would have to defer to FAA for the legal relationship with how they did that.

Chairwoman WATSON COLEMAN. So let me ask you about TSA, since you all are the folks that keep people, you know—bad passengers and bad things happening from getting on the plane. Do you think that you need more authority in a particular law or whatever to give you the authority to ban these firearms from being in checked baggage?

Mr. LAJOYE. Well, I think with respect to firearms in checked baggage, we actually have a pretty high level of compliance with that. So our concern really is what is—the prohibition is having the firearms in checked baggage and on their person where they have access to it. I mean what our message is, is to get word out on how to properly travel with firearms that would require them to put them in their checked baggage, to properly declare it, make sure it is properly stored with the ammunition.

So our message is understand how to properly travel, which would be never in carry on, never on your person, but properly doing so in your checked luggage.

Chairwoman WATSON COLEMAN. One quick question. If you find an individual person has a firearm on his person and that individual has ammunition, you refer that person to law enforcement, right?

Mr. LAJOYE. It would be an immediate refer to law enforcement, ma'am. Immediate.

Chairwoman WATSON COLEMAN. Does law enforcement remove that person from the line to get on the airplane?

Mr. LAJOYE. Yes, ma'am. The very first action law enforcement takes, whether—and again in the rare occasion it is on their person or in their accessible property, is to safely mitigate that. They remove it, they take it to a safe place in order to do what they do to make sure that the public is not at risk.

Chairwoman WATSON COLEMAN. Is that person allowed on the plane?

Mr. LAJOYE. It would depend on the State or local laws and the circumstances of the actual incident.

Chairwoman WATSON COLEMAN. Thank you.

I recognize Mr. Gimenez.

Mr. GIMENEZ. Thank you, Madam Chair. I have no further questions at this time.

Thank you.

I yield back my time.

Chairwoman WATSON COLEMAN. With your indulgence then, Mr. Gimenez, I would like to ask another question about individuals who are taken by law enforcement when they are found with loaded guns or even unloaded in their position.

Mr. GIMENEZ. I would welcome that. Actually, that was one of my questions to begin with. So go right ahead.

Chairwoman WATSON COLEMAN. Mr. LaJoye, could you like expound on that just a little bit more because I—you keep saying that local law enforcement will mitigate it. I don't know what that really means in terms of what they will do.

Mr. LAJOYE. So in the first instance, ma'am, you know, our officers at the checkpoint are going to—they are going to see the image of the firearm in the X-ray tunnel of the CT machine. Our procedures are, they immediately stop and they are going to notify law enforcement because we won't take possession of that bag. Then local law enforcement will respond to the checkpoint, they will identify who the passenger is, they will safely take control of the bag that has the weapon in it. Then, to your point, a lot of which are loaded—and they will take it away from the checkpoint to begin their investigation.

Depending on what the State and local laws are, that might be a check to see if they are properly licensed to do it. In some cases where irrespective of licenses it is illegal to have it, you know, they may issue an arrest at that point. But it really does depend after they immediately make sure there is no risk of safety or security at the checkpoint, it becomes whatever the local laws are going to dictate they would do at that point with respect to the individual and the weapon.

Chairwoman WATSON COLEMAN. Does law enforcement separate the weapon from the ammunition even if a person is licensed to have that weapon?

Mr. LAJOYE. I think in a general sense I am confident in saying yes, ma'am. Because, again, their immediate action is to make sure there is no safety issue to the general public. So one of the very first things they are going to do is ensure that weapon is in a safe manner so they can carry it away from the checkpoint.

Chairwoman WATSON COLEMAN. Thank you very much. I would like to recognize the gentlelady from Nevada, Ms. Titus. Ms. Titus, I can give you a few more minutes than 5 because we had first and second rounds there.

Ms. TITUS. Well, thank you very much for indulging me to get here and for holding this hearing.

Representing a city like Las Vegas, nothing can be more important than this. We know that a person's holiday begins when they land in the airport, so we want to start with a positive experience.

Mr. LaJoye, I would just tell you that I appreciate the TSA's staffing up and hiring more people to meet the summer demands. It is coming fast. People have this pent-up desire to get out and go on holiday, and we are certainly seeing that in Las Vegas.

But the TSOs at McCarran are telling me that hiring is going slowly. I certainly support giving bonuses for hiring, but what about the morale of the people who are already there and have been doing the hard work? Is there any way to reward those good officers? Because they are experiencing burnout and now they see new people coming in with a bonus. What can we do to help those who have been there on the front lines through all of this?

Mr. LAJOYE. Well, thank you, ma'am, for the question and for recognizing that.

So one of the things we have done in addition to offering bonuses to attract new officers, we are giving existing officers a referral bonus if they tell a friend who wants to work for TSA. We are also giving retention bonuses to our officers—because we recognize that we are competing not only for new talent, but to keep the talent that we have. We have also increased the reward allocations of our field leaders. So this is certainly a priority for us. In fact, we have an entire suite of incentives that we have offered for hard-to-hire airports that we can submit back. It has sort-of the breakdown airport-by-airport for what they qualify for and everything we have been doing over the last several months to make sure that we get new officers and we keep the great talent that we have.

Ms. TITUS. Well, good, I am glad to hear that because they have definitely done the work and put themselves in danger to keep travelers and all of us safer. So we don't to forget them as we try to expand.

Speaking of putting in danger, I would like to ask you some more about the vaccine program. I know that you all did a—vaccinated our work force, which was great. What happened at McCarran was that many of the TSOs were worried about, they got the vaccination but their families didn't and they live in multi-generational households, and that is especially true for Hispanic families. I wonder if there is any plan to encourage or to assist or to do yourselves

some kind of program like that, to help in those more hesitant communities and protect not just the worker but their whole family.

Mr. LAJOYE. Well, again, thanks for that question, ma'am, and for recognizing the importance of Operation Vaccinate our Workforce.

So the TSA numbers presently, as measured about a week ago, about 63 percent of TSA employees have gotten their first shot and about 45 percent are fully vaccinated. Our chief medical officer has really done an excellent job of making sure that location by location, if we have access to programs that can help vaccinate not only our officers, but also their families, that we are getting that word out. Again, I would applaud all of our Federal security directors around the country because they have diligently, for a number of months now, made sure they had local information to get out their work force. So this remains a priority of ours, and you have my commitment if there is something more we can and should be doing to get the word out, we will certainly do that.

Ms. TITUS. Well, that is good. I hope you will work with the unions in the different airports too because, you know, sometimes people don't trust the Government, but they trust somebody they know, whether it is a trust or a family member or a union that they belong to. So I hope you will work with them too.

Speaking of the vaccination, since people are traveling the rates are going up. Certainly in Las Vegas and Nevada, our rates are going up. Do you all have any plans to monitor that or do anything special in those hot spots to protect your members?

Mr. LAJOYE. Well, something, ma'am, to your point that we monitored from the very beginning. I mean we are starting to see I mean these Delta variants. We are certainly, you know, very concerned by what we are seeing. Our officers are still on the front lines. So the manner in which we were postured at the height of the pandemic with respect to taking measures to protect our work force is exactly where we are committed today. Every single day, we get reports on the number of our employees who are contracting COVID-19. As we start to see an increase in certain locations, we work very diligently to make sure that we are taking the proper steps to help protect our work force. This remains a concern of ours and we will do so in the future.

Again, it is why it is important for us to continue to work very closely with the CDC on this.

At every level in the organization, we are very closely coordinating with them because we are relying on them to give us the very best information that they have available.

Ms. TITUS. Well, thank you.

Thank you, Madam Chairman. I look forward to working with you and TSA to be sure that our folks stay protected and our travelers.

So thank you very much.

I yield back.

Chairwoman WATSON COLEMAN. Thank you very much. I don't see that there are any more questions for you.

Let me say thank you very much to both of you for your very valuable testimony and for, you know, recognizing that we are very concerned and want to be very supportive of the needs of TSA and

the air marshals and the officers that are on the front lines because we do respect the fact that they have been there in the midst of all of this during the entire time. So please know that we want to make sure that Congress is doing everything it can to let them understand and appreciate that we appreciate them and support the things that they do.

The Members of this subcommittee may have additional questions for you. As a matter of fact, we did ask you for some information regarding incidences. We would ask that you would respond expeditiously in writing to those questions.

The Chair reminds the Members of the subcommittee that the committee's record will remain open for 10 days.

Now, without objection, the subcommittee stands adjourned. Thank you so much for your participation.

[Whereupon, at 11:16 a.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR THE TRANSPORTATION SECURITY ADMINISTRATION

UNRULY PASSENGERS

Question 1. How is TSA communicating with its front-line officers and Federal Air Marshals, including through engagement with their labor organizations and professional associations, to receive feedback on how TSA can effectively deter disorderly passenger incidents at the checkpoint and in the air?

Answer. The Transportation Security Administration (TSA) has multiple channels for our front-line officers and other employees to submit feedback, ask questions, and offer suggestions on issues impacting the agency's operations and mission. We regularly facilitate forums such as town halls with the TSA administrator and other senior leaders to hear directly from the full TSA workforce; hold local airport meetings and town halls between field personnel and airport leadership; lead regular discussions between field and agency leadership to share information and problem solve; and encourage Transportation Security Officers (TSO) involved in specific incidents to reach out to their local management team to discuss lessons learned and devise future mitigation strategies. In addition, TSA IdeaFactory platform provides an on-line means by which employees can submit recommendations. Finally, we regularly engage with employee labor unions and professional associations on topics of mutual interest to hear and consider alternate perspectives and partner on solutions.

Question 2a. How many passengers have been added to the Selectee List, the "95" list, or any other list as a result of unruly behavior since the start of the pandemic in March 2020?

Question 2b. How many individuals are on such lists in total due to unruly behavior?

Question 2c. Is their inclusion on the list permanent or for a finite amount of time? How is the length of time determined?

Question 2d. For what purposes are such lists used? Do individuals on such lists receive enhanced screening?

Answer. The Selectee List is managed by the Threat Screening Center (TSC). Questions relating to whether passengers have been added to the Selectee List are within the purview of TSC. Separately, TSA maintains its own watch lists to take appropriate action with respect to individuals who may pose a threat to transportation or National security. The specific number of individuals on the TSA Watch Lists or the TSA PreCheck® Disqualification Protocol is Sensitive Security Information. These lists complement other measures, such as enforcement of aviation regulations, to address the threat posed by unruly passengers.

Placement on a TSA Watch List may result in generation of a security notification, designation for enhanced screening, or denial of boarding. Security notifications are used to provide TSA personnel at a particular airport with forewarning that an individual who has previously been involved in a security incident is scheduled to travel through that airport. Security notifications do not result in individuals receiving enhanced screening.

TSA reviews available information regarding individuals placed on a TSA Watch List no less than quarterly to determine if placement the list remains appropriate under the facts and circumstances. Passage of time and further travel without incident are considered to be mitigating factors during these reviews.

Placement on the TSA PreCheck® Disqualification Protocol List results when an individual has committed a violation of a TSA security requirement. The period of disqualification, which can range from 6 months to permanent, is determined based on 3 factors: (1) Which security requirement has been violated; (2) the seriousness

of the violation; and (3) whether the individual has a history of committing violations of TSA security requirements.

The TSA PreCheck® Disqualification Protocol List is used to preclude such individuals from being designated for expedited screening. No enhanced screening is required as a result of placement on this list.

Question 3. Has TSA collaborated, or will TSA consider collaborating, with the Federal Aviation Administration (FAA) and industry to conduct an analysis of what airports and regions unruly passenger incidents occur most frequently in? Could such an analysis inform interagency efforts to prevent these incidents?

Answer. TSA collaborates with the Federal Aviation Administration (FAA) on mask-related incidents. TSA requires airports and airlines to report mask-related incidents to the Transportation Security Operations Center and shares this information with the FAA. TSA requires that any incident deemed a security incident be referred to TSA. The FAA manages incidents that involve safety or interference with crew. TSA conducts weekly calls with industry to share data related to investigations of incidents of non-compliance with the mask mandate, regardless of whether the incident involves unruliness, and identifies the airports where the most violations occur. The FAA participates on these calls and shares the numbers of incidents that they are investigating as well.

INCREASED TRAVEL VOLUME AND TSA STAFFING

Question 4. Which airports are facing the largest Transportation Security Officer (TSO) recruitment challenges, and what is TSA doing to ensure those airports will be fully staffed throughout the summer and into the holiday season? What are the greatest challenges to recruitment for TSA in those markets, and overall?

Answer. Airports facing the largest recruitment challenges include: Boston Logan International Airport, Denver International Airport, Seattle-Tacoma International Airport, Minneapolis/St. Paul International Airport, St. Louis Lambert International Airport, Salt Lake City, Boise, Lihue, Kahului, Kailua, Memphis, Grand Rapids, Reno-Tahoe International Airport, Little Rock International Airport, Bismarck, Myrtle Beach, Santa Barbara, Northwest Arkansas Regional Airport, Billings, and Burlington. Based on anticipated seasonal travel trends in the summer months and the progress of COVID-19 vaccinations for the general public, TSA launched National efforts to recruit new TSO employees in support of screening operations at airports Nation-wide. Increased and targeted recruitment advertising, virtual job fairs, and large-scale expedited hiring events in dozens of cities have been and continue to be used to engage individuals seeking job opportunities within TSA.

For the TSO position as a whole, TSA is facing many of the same recruitment challenges of other entry-level employers: Increased employment competition, rapid wage growth, and residual COVID-19 impacts. In particular, given the nature and duties of the TSO, which require close contact with high volumes of the traveling public, COVID-19 risks often deter interest in the TSO position. To address these challenges, TSA is using retention, referral, recruitment, and readiness incentives to both attract and retain officers.

For locations with significant staffing challenges, TSA has deployed National Deployment Force personnel to supplement the local airport staffing levels.

Question 5. How many retention bonuses has TSA paid out? Has there been increased retention among those hired under this program?

Answer. From the onset of the Recruitment Incentive program in March 2021, spanning fiscal year 2021 pay-periods 6–15 during,¹ [sic] TSA has paid out 1,901 initial installments of recruitment incentives to TSO new hires across the country. This \$1,000 incentive is paid in two installments—a \$500 incentive at time of onboarding and \$500 at the 1-year of service mark. Given the recent establishment of these incentives, TSA does not have enough data to determine an impact on retention. However, it is believed this incentive has helped attract new applicants in a highly-competitive recruitment market.

Question 6a. President Biden's fiscal year 2022 budget request for TSA predicted that travel volume would approximately match fiscal year 2018 levels. Does TSA still believe that to be an accurate prediction? If not, what are TSA's updated estimates for the coming fiscal year?

Question 6b. Given that the fiscal year 2022 budget request proposed a lower level of staffing, how will TSA pay for more screening staff should growing travel volumes require it?

¹ Correlating calendar dates may be viewed on the National Finance Center's pay-period calendar for 2021; https://www.nfc.usda.gov/Publications/Forms/1217n_21.pdf.

Answer. Based on the healthy recovery experienced this summer, TSA has updated its volume projections and now expects fiscal year 2022 volume is to be on par with pre-pandemic levels experienced in 2019. The July 2021 daily average was 2.0 million passengers and we now expect that to grow to approximately 2.47 million passengers per day in July 2022. In comparison, original fiscal year 2022 volume projections were to return to fiscal year 2018 peak summer throughput level of 2.39 million passengers per day by the summer of 2022.

TSA based its fiscal year 2022 screener staffing and required funding levels on a COVID-recovery projected passenger volume equivalent to fiscal year 2018 levels. If, as revised projections now preliminarily indicate, volume increases beyond the fiscal year 2018 level, we will work with the Department to explore options to address staffing levels that may be necessary to accommodate a higher than previously anticipated passenger volume.

Question 7. As travel volume returns to pre-pandemic levels, how is TSA working with airport operators to address checkpoints that are at or over capacity?

Answer. TSA engages with airport operators and other stakeholders both nationally and locally to share information regarding throughput, staffing, wait times, construction, technology enhancements, and a variety of other operational areas of common interest. As part of this dialog, TSA and its partners seek collaborative solutions to predicted challenges. Airport operators and airline personnel often assist with passenger management and flow during times of peak passenger volume.

TSA continually analyzes flight data to predict staffing and screening lane requirements. When an analysis discovers repeated instances where passenger volumes exceed checkpoint throughput capacity, TSA works with industry partners to alter equipment layouts to support additional lanes, shift departures to different terminals or another checkpoint, or expand airport infrastructure. In the event infrastructure is not capable of expansion, TSA and its partners seek collaborative solutions. Finally, TSA and its partners continue to advise passengers to arrive early, take advantage of TSA PreCheck®, and consider flying outside of peak times.

Question 8. In response to a question from Rep. Miller-Meeks, Mr. LaJoye stated that “by the end of this year, [TSA] will have 3 enrollment providers for TSA PreCheck that can all focus on increasing enrollments.” Please expound on TSA’s PreCheck expansion efforts, particularly the progress of working with vendors to develop a fully mobile enrollment process for customers.

Answer. TSA estimates that new enrollment providers will begin operations by the end of calendar year 2021, though this is dependent upon the new enrollment providers meeting all TSA requirements. Key milestones that the enrollment providers must achieve to become operational include:

- Successful testing of vendors’ identity assurance technology;
- On-boarding of vendor resources (to include review by TSA’s Personnel Security process);
- Training of trusted enrollment agents and customer service representatives;
- Deployment of customer service support through a public-facing call center;
- Meeting TSA’s information technology security, privacy, and cybersecurity requirements through a TSA certification of the vendors’ enrollment systems;
- Approval from the Federal Bureau of Investigation (FBI) to submit fingerprints for a criminal history records check and conduct recurrent vetting via the FBI’s Rap Back program;
- Procurement of enrollment hardware; and
- Identification and deployment of enrollment locations.

For each enrollment provider, this work is on-going.

TSA, the FBI, and the National Institute of Standards and Technology (NIST) have been meeting regularly since October 2020 to determine how to best advance remote, mobile phone-based contactless fingerprint capture technology. While the FBI and NIST have been supportive of TSA’s efforts to evaluate this technology, given various tests and evaluations of the technology, estimates are that it may take several years until the mobile phone-based contactless fingerprint collection technology advances to meet the FBI’s current required levels of capture quality and matching accuracy.

TSA, supported by the FBI and NIST, is working to sponsor a pilot with the current TSA PreCheck® enrollment provider to test the accuracy of mobile phone-based contactless fingerprint technology. The FBI and NIST will evaluate the quality and matching accuracy of these contactless fingerprints. Given that the level of accuracy of contactless fingerprints is expected to be lower than traditional contact fingerprints, TSA will not use contactless fingerprints to determine TSA PreCheck eligibility and will not receive criminal history information based on these contactless fingerprints. TSA will continue to use contact-based fingerprints for all vetting and

eligibility decisions. Once additional enrollment providers are operational, TSA will support additional mobile phone-based contactless fingerprint pilots.

Question 9. What role, if any, did TSA play in helping airlines enforce their temporary January 6-related restrictions on the carriage of firearms in checked baggage?

Should TSA have the authority to ban firearms in checked baggage in response to an imminent threat, rather than relying on airlines to do so at their discretion?

Answer. On January 14, 2021, Transportation Security Administration (TSA) issued a Security Directive (SD), effective January 16–31, 2021, that required aircraft operators to notify TSA of any passengers with a final destination in the National Capital Region (NCR) who declared they had a firearm in their checked baggage. Rather than applying the measures in the SD for firearms transported in checked baggage, a majority of airlines operating in or out of the NCR completely banned transporting firearms during this period.

Presently, TSA is prohibited from restricting the transport of firearms in checked baggage pursuant to 18 USC § 926A. Amending this statute to allow TSA to respond to an imminent threat would be consistent with TSA's authorities in 49 USC § 114, which authorizes the administrator to assess threats to transportation, to develop plans and countermeasures to address those threats, and to further coordinate with other departments and Federal agencies during National emergencies.

Question 10. In many States, it is lawful for an individual to openly carry a gun in non-secure portion of an airport terminal. What precautions are taken by TSA, airport operators, and State and local law enforcement to ensure TSOs' safety in airports in these States?

Answer. TSA has taken several actions to increase TSO safety in airports. First, from a training perspective, we have mandated active-shooter training and require airports to conduct bi-annual evacuation drills. TSA often holds these drills and exercises with key stakeholders and first responders at the airport. Additionally, we have added thousands of additional duress alarms at TSA screening checkpoints and worked with airports to update their Airport Security Programs to include defined maximum wait times for a request for service. Last, TSA is continuing to have an increased Visible Intermodal Prevention and Response team presence at airports.

Airport Operators are responsible for coordinating with State and local law enforcement to provide law enforcement presence and support in the airport to comply with the requirements of 49 CFR § 1542. Additionally, many airports participate in the TSA Law Enforcement Officer (LEO) Reimbursement Program, which requires participating airports to have dedicated LEOs assigned to passenger screening checkpoints during operational hours. This visible and committed support at the passenger screening checkpoints aids in the safety and security of passengers and personnel. Airport Operators coordinate with their airport law enforcement representatives and TSA on initiatives to raise awareness about local firearms requirements and/or prohibitions. Signage, public announcements and social media postings are the primary methods airports use to raise awareness.

