

THE STATE OF THE TRANSPORTATION SECURITY
ADMINISTRATION

HEARING
BEFORE THE
SUBCOMMITTEE ON
TRANSPORTATION AND
MARITIME SECURITY
OF THE
COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTEENTH CONGRESS
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THE STATE OF THE TRANSPORTATION SECURITY ADMINISTRATION

Thursday, May 26, 2022

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

The subcommittee met, pursuant to notice, at 2:32 p.m., via Webex, Hon. Bonnie Watson Coleman [Chairwoman of the subcommittee] presiding.

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

Also present: Representative Jackson Lee.

Mrs. WATSON COLEMAN. Good afternoon. The Subcommittee on Transportation and Maritime Security will come to order for today's hearing titled "The State of the Transportation Security Administration."

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

Before we begin, I would like to acknowledge the horrific shooting that occurred at an elementary school in Texas this week. My heart goes out to the victims and their families, and my gratitude goes to the first responders and the medical professionals who helped to prevent even more loss of life and who are continuing to provide care to our victims.

It is unfathomable that we are dealing with a situation so similar to the Sandy Hook Massacre that occurred nearly 10 years ago, but yet we seem incapable of taking action to prevent more tragedies from occurring.

To those who stand in the way of sensible gun reform measures that are supported by a strong majority of Americans I ask, when will it be enough? When will there be enough sacrifices made and loss of life?

Now I would like to turn to today's topic. I want to thank the witness, our witness for today, Administrator David Pekoske, for joining us to discuss the state of the TSA and the agency's budget request for fiscal year 2023.

President Biden recently announced his intent to nominate Administrator Pekoske for a second 5-year term as TSA administrator. In that position, the administrator faces an enormous task.

After more than 2 years of depressed air travel due to the COVID-19 pandemic, more and more people are booking flights to go on vacations, visit family members, and do business. Passenger

volumes in airports and aboard airplanes are approaching pre-pandemic levels, which equates to a heightened demand for TSA's services, especially as the busy summer travel season approaches.

The President's budget request contains some of the proposals to help TSA prepare for the 4.5 percent increase in travelers, over pre-pandemic levels, that the agency expects in fiscal year 2023.

Most notably, the budget request contains a historic proposal to invest in our Transportation Security Officers, or TSOs, by raising their pay, expanding their collective bargaining rights, and enhancing their access to the Merit Systems Protection Board. The proposal would increase TSO pay by 30 percent, on average, finally providing pay in line with what workers at other Government agencies receive for similar work. Improving pay and workplace rights is essential to addressing TSA's long-standing challenges with employee morale and retention.

I was proud to vote in favor of Chairman Thompson's bill, H.R. 903, the Rights for the TSA Workforce Act of 2022, when it passed the House 2 weeks ago. We must continue to build on that momentum and fully fund the budget proposal's work force initiatives, as well as enact H.R. 903 to make these changes permanent.

Unfortunately, the budget request does not include a serious proposal for paying for these initiatives. The budget proposes reclaiming approximately \$1.5 billion in revenue from aviation security fees that are slated to go toward reducing the deficit in fiscal year 2023. While I support ending the diversion of these fees, the legislative proposal submitted by the administration would treat these funds as offsetting collections. So TSA's direct appropriations would be reduced on a dollar-for-dollar basis for each fee dollar returned to the agency.

Doing so would be a change in accounting, but would not increase the total funding available to TSA. Nevertheless, as the Chairwoman of this subcommittee and a Member of the Appropriations Committee, I am committed to finding a solution to this budget shortfall.

In addition to investing in TSA's people, the budget request reflects TSA's plan to continue operationalizing innovative technology that will screen passengers and their belongings more quickly and effectively.

As part of those efforts, TSA proposes \$107.6 million for Computed Tomography, or CT, equipment through the Checkpoint Property Screening System, or the CPSS program, to screen passenger property at airport checkpoints. I am supportive of the CPSS program, along with many of my colleagues on this committee on both sides of the aisle.

Acquiring and deploying CT machines at the rate needed to encounter current threats to transportation will require more than the budget's proposal, which would not put TSA on pace to finish deploying machines to every screening lane until fiscal year 2036. In fact, this program should be funded at a level closer to the \$336 million authorized for fiscal year 2023 under Ranking Member Katko's bill, H.R. 6827, which this committee advanced in March.

When it comes to technology investments, I also believe TSA must be more robust in its efforts to provide opportunities to small

and minority-owned businesses in order to drive competition and innovation.

I have only scratched the surface of important issues facing TSA. I hope we will have time to explore others today, such as firearm encounters at checkpoints, cybersecurity efforts, counter-drone authorities, and surface transportation security in light of the recent shooting on the New York City subway. I appreciate the administrator's willingness to delve into these important issues with Members of this subcommittee.

[The statement of Chairwoman Watson Coleman follows:]

STATEMENT OF CHAIRWOMAN BONNIE WATSON COLEMAN

MAY 26, 2022

The Subcommittee on Transportation and Maritime Security will come to order for today's hearing, titled "The State of the Transportation Security Administration." Without objection, the Chair is authorized to declare the subcommittee in recess at any point.

Before we begin, I would like to acknowledge the horrific shooting that occurred at an elementary school in Texas this week.

My heart goes out to the victims and their families, and my gratitude goes to the first responders and medical professionals who helped prevent more loss of life and are continuing to provide care to victims.

It is unfathomable that we are dealing with a situation so similar to the Sandy Hook massacre nearly 10 years later—and still, we seem incapable of taking action to prevent more tragedies from occurring.

To those who stand in the way of sensible gun reform measures supported by a strong majority of Americans, I ask: When will it be enough?

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President Biden recently announced his intent to nominate Administrator Pekoske for a second 5-year term as TSA administrator.

In that position, Administrator Pekoske faces an enormous task.

After more than 2 years of depressed air travel due to the COVID-19 pandemic, more and more people are booking flights to go on vacation, visit family members, and do business.

Passenger volumes in airports and aboard airplanes are approaching pre-pandemic levels, which equates to a heightened demand for TSA's services, especially as the busy summer travel season approaches.

The President's budget request contains several proposals to help TSA prepare for the 4.5 percent increase in travelers over pre-pandemic levels that the agency expects in fiscal year 2023.

Most notably, the budget request contains a historic proposal to invest in our Transportation Security Officers, or "TSOs," by raising their pay, expanding their collective bargaining rights, and enhancing their access to the Merit Systems Protection Board.

The proposal would increase TSO pay by 30 percent on average, finally providing pay in line with what workers at other Government agencies receive for similar work.

Improving pay and workplace rights is essential to addressing TSA's long-standing challenges with employee morale and retention.

I was proud to vote in favor of Chairman Thompson's related bill, H.R. 903, the Rights for the TSA Workforce Act of 2022, when it passed the House 2 weeks ago.

We must build on that momentum and fully fund the budget proposal's workforce initiatives, as well as enact H.R. 903 to make these changes permanent.

Unfortunately, the budget request does not include a serious proposal for paying for these initiatives.

The budget proposes reclaiming approximately \$1.5 billion in revenue from aviation security fees that are slated to go toward reducing the deficit in fiscal year 2023.

While I support ending the diversion of these fees, the legislative proposal submitted by the administration would treat these funds as offsetting collections, so TSA's direct appropriations would be reduced on a dollar-for-dollar basis for each fee dollar returned to the agency.

Doing so would be a change in accounting, but would not increase the total funding available to TSA.

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In addition to investing in TSA's people, the budget request reflects TSA's plan to continue operationalizing innovative technology that will screen passengers and their belongings more quickly and effectively.

As part of those efforts, TSA proposes \$107.6 million for Computed Tomography, or "CT," equipment through the Checkpoint Property Screening System, or "CPSS" program, to screen passenger property at airport checkpoints.

I am a supporter of the CPSS program along with many of my colleagues on this committee on both sides of the aisle.

Acquiring and deploying CT machines at the rate needed to counter current threats to transportation will require more than the budget's proposal, which would not put TSA on pace to finish deploying machines to every screening lane until fiscal year 2036.

This program should be funded at a level closer to the \$336 million authorized for fiscal year 2023 under Ranking Member Katko's bill, H.R. 6827, which this committee advanced in March.

When it comes to technology investments, I also believe TSA must be more robust in its efforts to provide opportunities to small and minority-owned businesses in order to drive competition and innovation.

I have only scratched the surface of important issues facing TSA.

I hope we will have time to explore others today, such as firearm encounters at checkpoints, cybersecurity efforts, counter-drone authorities, and surface transportation security in light of the recent shooting on the New York City Subway.

I appreciate the administrator's willingness to delve into these important issues with Members of this subcommittee.

With that, I now recognize the Ranking Member of the subcommittee, the gentleman from Florida, for an opening statement.

Mrs. WATSON COLEMAN. With that, I will now recognize the Ranking Member of the subcommittee, the gentleman from Florida, for his opening statement.

Mr. GIMENEZ. Thank you, Madam Chair.

I too share your thoughts on the tragedy in Texas, and I am glad that I live in the State of Florida where we have taken active measures to protect our children by fortifying our schools and making sure that all schools have armed police officers there to mitigate and avert the threat created by, you know, mad men and women that want to hurt our children.

So, again, I am very, very proud of what we do in Florida. I am very proud of what I did as mayor of Miami-Dade County, also having priority response teams to make sure that when such a threat occurs in any part of Miami-Dade, we have trained officers that will respond in an instant. All of our officers in Miami-Dade County are equipped with enhanced body armor and the weapons needed in order to confront such situations, because if we are going to ask our men and women in blue to help protect us, we need to give them the equipment that they need to do it.

So thank you so much. Now I want to thank you again for holding this hearing.

I thank the TSA Administrator David Pekoske, for being here to discuss the fiscal year 2023 President's budget request for the agency. The last 2 years have been very difficult for our country, and I applaud the men and women of the TSA for their continued dedication to securing the Nation's transportation system.

Over 23,000 TSA employees have been infected with COVID-19 and, tragically, 36 employees have died. I commend Administrator Pekoske for the flexible work force and lead policies that he imple-

mented during the COVID-19 National emergency. These important work force-centered policies were possible thanks to the authorities granted by Congress in the Aviation and Transportation Security Act of 2001.

The President's budget projects an increase in air travel volume of 4.5 percent for the next year. My home airport, Miami International Airport, has already seen a rise in passenger volume, with over 4 million travelers this month. Matter of fact, the airport director told me that MIA is the fastest-growing airport in the world. This summer, TSA is expecting to screen upwards of 3 million passengers daily, which would beat the pre-pandemic record.

I look forward to hearing from TSA on their hiring and retention plan to ensure that the required number of screeners are in place at airports Nation-wide. I am pleased that the President's budget finally requests funding for pay raises for TSA's front-line workers. During my time in Congress, I have vocally supported the need for increased salaries for Transportation Security Officers and Federal Air Marshals.

I share my colleague's concerns that pay for the front line needs to be raised, and I hope to learn more detail today on how the administration will ensure that salary increases are fully funded.

I do have concerns with a lack of investment for aviation security technology in the President's budget. The request for Computed Tomography, TSA's top procurement priority, was only \$105 million for 108 systems. It is going to take 15 years for all CT systems to be procured and deployed at airports. I think it is a little bit excessive.

Nation-wide, in addition, there are limited or no funding requests for Credential Authentication Technology, Advanced Imaging Technology, biometrics, and detection at range. I want to hear from the administrator today of what more can be done to prioritize and accelerate these important security capabilities.

Last, I am pleased that Administrator Pekoske has been nominated to serve another 5 years at TSA. The agency has historically struggled with instability at the top, which is a primary reason that Congress enacted the 5-year term into law in 2018. I thank Administrator Pekoske for his continued service and steady leadership at such a critical moment in our Nation's history.

Thank you, Madam Chair, and I yield back.

[The statement of Ranking Member Gimenez follows:]

STATEMENT OF RANKING MEMBER CARLOS A. GIMENEZ

Thank you, Chairwoman Watson Coleman, for holding this hearing today.

I thank TSA Administrator Dave Pekoske for being here to discuss the fiscal year 2023 President's budget request for the agency. The last 2 years have been very difficult for our country, and I applaud the men and women of TSA for their continued dedication to securing the Nation's transportation system. Over 23,000 TSA employees have been infected with COVID-19 and tragically, 36 employees have died. I commend Administrator Pekoske for the flexible workforce and leave policies that he implemented during the COVID-19 National emergency. These important, work-force-centered policies were possible thanks to the authorities granted by Congress in the Aviation and Transportation Security Act of 2001.

The President's budget projects an increase in air travel volume of 4.5 percent for next year. My home airport of Miami International is already seeing this rise in passenger volume, with over 4 million travelers per month this spring. This summer, TSA is expecting to screen upwards of 3 million passengers daily, which would beat the pre-pandemic record. I look forward to hearing from TSA on their hiring

and retention plan to ensure that the required number of screeners are in place at airports Nation-wide.

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I do have concerns with the lack of investment for aviation security technology in the President's budget. The request for Computed Tomography, TSA's top procurement priority, was only \$105 million for 108 systems. It will take 15 years for all the CT systems to be procured and deployed to airports Nation-wide. In addition, there is limited or no funding requested for Credential Authentication Technology, Advanced Imaging Technology, biometrics, and detection at range. I want to hear from the administrator today on what more can be done to prioritize and accelerate these important security capabilities.

Last, I'm pleased that Administrator Pekoske has been nominated to serve another 5-year term at TSA. The agency has historically struggled with instability at the top, which is the primary reason Congress enacted a 5-year term into law in 2018. I thank Administrator Pekoske for his continued service and steady leadership at such a critical National security agency. I look forward to working with you and making sure our Nation's transportation security is positioned to respond to evolving threats.

Thank you, Madam Chairwoman, and I yield back.

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

I am reminding Members that the committee will operate according to the guidelines that are laid out by the Chairman and the Ranking Member in their February 3, 2021, colloquy regarding remote procedures. Members may submit additional statements for the record.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

Thank you to Chairwoman Watson Coleman and Ranking Member Gimenez for holding this hearing, and to Administrator Pekoske for joining us today.

After the challenges faced by the Transportation Security Administration during the COVID-19 pandemic, I am thankful that the administration is taking concrete steps to provide TSA workers with improved workplace rights and a desperately needed increase in pay.

I am committed to working with our colleagues on the Appropriations Committee to fully fund President Biden's budget request of \$870.9 million to increase TSO compensation and benefits and \$121.2 million to expand collective bargaining rights and provide Merit Systems Protection Board appeal rights.

But we know those actions alone will not be enough. We must fully enact H.R. 903, the Rights for the Transportation Security Administration Workforce Act, to ensure improvements for the workforce are codified in law.

I would like to thank Administrator Pekoske for his support for H.R. 903 and ask that he continue to push for its passage in the Senate and enactment into law.

We have come a long way in advancing these initiatives, and I am extremely hopeful about the direction in which the agency is moving.

However, I must express my frustration that TSA has not made more progress in some other areas.

For example, despite years of promises to expand opportunities for small and minority-owned businesses, TSA has continued to rely on a handful of large companies to provide screening technologies, limiting competition and stagnating innovation.

Minority-owned and small businesses are able to provide more than just service contracts, but given the high barriers to entry in this space, they need a helping hand from TSA to ensure they are not left behind.

I hope Administrator Pekoske will commit to working with our committee to develop more meaningful opportunities for small and minority-owned businesses to participate in screening technology procurement programs.

On the topic of technology, I must also note that the funding level for Computed Tomography machines proposed in TSA's budget request is woefully inadequate to procure and deploy these machines at the speed necessary to counter current threats.

Additionally, I am eager to hear the status of TSA's new Diversity, Equity, and Inclusion Officer position, as well as any actions taken or planned to implement recommendations from TSA's Inclusion Action Committee.

Despite employing a majority-minority workforce, there is a staggering lack of diversity among TSA's leadership at the regional and National levels.

It is well past time to see some change on this issue, and I hope the coming months and years will demonstrate TSA's commitment to advancing the leadership of Americans from diverse backgrounds.

I look forward to hearing from Administrator Pekoske about TSA's plans for the coming fiscal year and beyond and how Congress can best support improvements to the agency.

Mrs. WATSON COLEMAN. I will now welcome our witness today. Mr. David Pekoske is the administrator of the Transportation Security Administration. He was nominated and confirmed to the position in 2017 for a 5-year term, and was recently renominated by President Biden for a second term. During this time as the head of TSA, he has stepped in to serve as the Acting Secretary and Deputy Secretary of Homeland Security on different occasions.

Before coming to TSA, Administrator Pekoske served as the 26th vice commandant of the Coast Guard. We want to thank him for his continued service and welcome you here today, Mr. Administrator.

Mr. PEKOSKE. Thank you, Chair—

Mrs. WATSON COLEMAN. Without objection, the witness' full statement will be inserted in the record. I now ask Mr. Pekoske to summarize his statement for 5 minutes.

Sorry for the interruption, Mr. Pekoske.

**STATEMENT OF DAVID P. PEKOSKE, ADMINISTRATOR,
TRANSPORTATION SECURITY ADMINISTRATION**

Mr. PEKOSKE. Yes. Sorry for my interruption, ma'am.

Madam Chairwoman, Ranking Member Gimenez, and distinguished Members of the subcommittee, first, I share both of your thoughts on the tragic shooting at Robb Elementary in Uvalde, Texas, and I think it just impacts all of us in such a profound way.

I do thank you for the opportunity to appear before you today and for your work in providing the authorities and advocating for the resources TSA needs to perform its mission.

I have the great honor of representing our dedicated employees who vigilantly stand the watch today, as they have for the past 20 years, protecting our Nation's transportation systems. With them in mind, I will provide a brief update on the progress toward our strategic priorities and highlight the authorities and the resources TSA needs in the coming years to continue on this path.

Three strategic priorities guide us. First, to improve security and safeguard the transportation system; second, to accelerate action; and third, commit to our people.

TSA's most important asset is our people. We cannot be successful in our vital mission without a professional, engaged, and enabled work force. That is why I commit to our people as a strategic priority and why attracting and retaining our Transportation Security Officers, Federal Air Marshals, and other front-line and support personnel is critically important for our country's security.

As you know, significant parts of TSA's work force are underpaid relative to other Federal employees. This continues to impede our ability to improve the overall employee experience and to recruit

and retain staff at the levels our mission and the public demands. This is most acute in our screening operations.

Eighty-one percent of our uniformed officers make less than their GS equivalent, and 50 percent of non-TSOs receive pay that is lower than their counterparts in most other Federal agencies. This is unfair, has mission impact, and I ask for your support to put us on an equitable footing with the rest of Government. I am thankful the full House recently passed H.R. 903, the Rights of the TSA Workforce Act of 2022.

To provide the funding to address this long-term pay inequity, the fiscal year 2023 budget includes an additional \$871 million to ensure TSA employees are paid fairly. It also requests an additional \$121 million to establish labor relations support, to manage expanded labor benefits for TSOs, and their right to appeal adverse personnel actions through the Merit Systems Protection Board. This will provide the labor relations framework called for in H.R. 903 and will put our Transportation Security Officers on an equal footing with the rest of Government.

On May 2, the administration delivered to Congress a legislative proposal to increase the availability of funding to resource TSA's strategic priorities, including pay equity and full collective bargaining rights. Right now, part of the fee that passengers pay every time they buy an airline ticket goes directly to deficit reduction, not to offset the costs of providing aviation security. The legislative proposal that has been drafted for your consideration would end this diversion of aviation passenger security fee revenues and, instead, use all of that revenue to offset the appropriate funds needed for aviation security.

This funding, \$1.52 billion in fiscal year 2023, is very close to the first full year implementation costs of pay equity. If these long-standing pay challenges are not fully addressed in fiscal year 2023, I am concerned that it would lead to even higher rates of attrition and significantly undercut our recruitment efforts. We can't let this happen because this is a time when we need to grow. It is going to be a very busy summer, with travel starting this very weekend. Furthermore, we expect that the year-over-year passenger growth rates in fiscal year 2023 and beyond will return to pre-pandemic levels.

Our next strategic priority, accelerate action, recognizes that our people can be most successful if they have the right tools for the job. It is imperative we quickly strengthen checkpoint screening operations by continuing our investment in advanced technology. This will improve screening effectiveness, efficiency in the passenger experience. To that end, the fiscal year 2023 budget includes \$105 million for the checkpoint CT X-ray systems and \$19 million for on-person screening improvements.

TSA's next strategic priority is to secure and safeguard the Nation's transportation system. This requires a commitment to technology, strong partnerships, and the agility to meet emerging threats. Across the transportation sector, TSA continues to work with the owners and operators of critical transportation infrastructure to build cybersecurity resilience.

I want to highlight the work of the oil and natural gas pipeline companies, freight, passenger, and transit rail systems, and air-

lines and airports for their work in rapidly implementing the cybersecurity directives and security program changes we issued over the past year.

With respect to aviation security, I ask for continued support to authorize a limited test of one-stop security. This will improve security of participating inbound international flights and create efficiencies in international air travel.

Finally, the Domestic Counter-UAS National Action Plan recently released by the White House recommends providing TSA with permanent authority to conduct counter-UAS activity in restricted airspace around transportation infrastructure. Thank you for the oversight hearing you recently held on this matter. A permanent authorization is very important to ensuring we continue our progress in addressing this threat.

Chairwoman Watson Coleman, Ranking Member Gimenez, and Members of the subcommittee, thank you again for your strong support and the opportunity to testify before you today. I look forward to your questions.

[The prepared statement of Mr. Pekoske follows:]

PREPARED STATEMENT OF DAVID P. PEKOSKE

MAY 26, 2022

Good morning Chairwoman Watson Coleman, Ranking Member Gimenez, and distinguished Members of the subcommittee. Thank you for inviting me to testify on the President's fiscal year 2023 budget request, which includes a \$9.7 billion request for the Transportation Security Administration (TSA). I am honored to be here and am grateful for the long-standing and constructive partnership TSA enjoys with this subcommittee and the support you have provided over the years.

TSA was established by the Aviation and Transportation Security Act in the wake of the September 11 attacks and given the urgent task of protecting our Nation's transportation systems. From that day forward, we have remained steadfast in our commitment to providing the highest level of security across all modes of transportation and worked with our partners to stay ahead of evolving threats. In the years since 9/11 and specifically over the past fiscal year, TSA has not only had to address ever-present threats to aviation, but also dynamic and emerging cybersecurity threats to our Nation's rail and oil and gas pipeline infrastructure, as well as the public health threats from COVID-19. Yet, even as the threats we face have multiplied and diversified, our fundamental mission to protect the Nation's transportation systems and ensure freedom of movement for people and commerce has not changed. TSA works collaboratively with our partners to provide agile and responsive security across all modes of transportation through passenger and cargo screening; vetting and credentialing personnel in critical transportation sectors; law enforcement; regulatory compliance; and international cooperation.

Today, within the aviation network, TSA is responsible for the security of over 430 Federalized airports, with screening services forecasted this summer servicing over 24,000 domestic flights (at pre-pandemic levels) and nearly 3,300 outbound international flights per day.

With travel volume rebounding, TSA routinely screens more than 2 million passengers and 1.4 million checked items daily for explosives and other dangerous items, and in many locations, passenger volume growth is expected to rapidly continue and will either approach or exceed pre-pandemic volumes over the coming months. We also ensure regulatory compliance in aviation through the work of more than 940 aviation and cargo transportation security inspectors.

In the surface transportation realm, TSA works closely with owners and operators to protect the critical surface transportation systems that connect cities, manufacturers, and retailers and power our economy through more than 4 million miles of roadways; nearly 140,000 miles of railroad track; more than 470 tunnels; and over 2.8 million miles of pipeline. TSA's security inspectors conduct approximately 8,000 surface inspections annually in pursuing a risk-based approach for securing a large and complex network of transportation systems and critical infrastructure.

Since TSA's creation, the modes and methods of terrorist attacks have become more decentralized and opportunistic than ever before, and aviation and transport hubs still remain highly-valued targets. Threats to aviation and surface transportation remain persistent, pervasive, and they are constantly evolving, especially in the cyber realm. To meet these challenges, we must continue to innovate, rapidly deploy new solutions, and maximize the impact of our resources.

TSA's vision is to be an agile security agency, embodied by a professional workforce that engages its partners and the American people to address current and future challenges and threats to the homeland. To that end, within the first year of my term as administrator, I issued the "2018–2026 TSA Strategy" and established three strategic priorities to guide the agency's workforce through its 25th Anniversary aimed to: (1) Improve Security and Safeguard the Nation's Transportation System; (2) Accelerate Action; and (3) Commit to Our People. I have twice published Administrator's Intent documents delineating and updating the short- and medium-term objectives to achieve those priorities.

I want to thank Congress for the authorities it has provided to TSA through the TSA Modernization Act of 2018 as well as previous appropriations that have enabled us to execute our mission and make progress on our strategic priorities. I also want to take this opportunity to acknowledge the superior efforts of the entire TSA workforce, convey what they have accomplished, and explain our future goals and objectives. In fiscal year 2021, TSA:

- Screened 585.3 million travelers, an average of about 1.6 million passengers per day, which represents 69 percent of pre-COVID-19 pandemic levels in 2019. On average, 97.6 percent of passengers waited less than 20 minutes at airport security checkpoints, while 96.2 percent of TSA PreCheck® passengers waited less than 5 minutes in those lanes.
- Deployed an additional 1,520 Credential Authentication Technology units and 320 Computed Tomography X-ray scanners, which significantly improve security while reducing physical contact.
- Enrolled 7 new airlines and 1.8 million individuals in the TSA PreCheck® expedited screening program, bringing the total number of Known Traveler Number holders to over 27 million. These programs provide more efficient screening and a better checkpoint experience, while also maintaining the required level of security for passengers whose backgrounds are unknown.
- Prevented 5,456 firearms—a record number—from being carried into airplane passenger cabins or the secure area of airports, the majority of which were loaded (84 percent).
- Trained almost 1,500 flight crew members in Crew Member Self-Defense training to address increasing trends in unruly passengers and partnered with the Federal Aviation Administration to rescind TSA PreCheck eligibility for passengers who in violation of an FAA regulation are disruptive aboard flights or during security screening. TSA also expanded training capacity and access by launching Transportation Security Officer (TSO) new hire training at TSA Academy West adjacent to Harry Reid International Airport (LAS), which led to 500 new hires undergoing academy training in fiscal year 2021.
- Issued the first-ever cybersecurity-related Security Directives and Security Program Amendments that require mandatory incident reporting and the adoption of mitigation measures. TSA also published Information Circulars to Transportation Systems Sector stakeholders on cybersecurity-related threats and vulnerabilities.
- Published the Air Cargo Security Roadmap—a 5-year vision and strategic plan for modernizing, streamlining, and further securing air cargo transportation operations.
- Established several programs and initiatives to recruit and retain TSOs, including:
 - A rewards program called the Model Officer Recognition that provided monetary awards to more than 6,900 top performing TSOs in fiscal year 2021;
 - A career progression plan that provides training in advanced skills and a one-time pay increase for more than 300 select E-Band officers that help to retain and promote the best-of-the-best;
 - Service pay increases for more than 35,000 TSOs that rewards commitment to service and professional excellence; and
 - Authorized TSO retention incentives at 68 airports, benefiting more than 6,000 employees Nation-wide.
- Expanded digital identity technologies to enhance the passenger experience, including testing TSA PreCheck touchless identity solution, collaborating with Apple and other industry stakeholders to incorporate mobile Driver's Licenses (mDL) into security checkpoint operations, and publishing an Identity Manage-

ment Roadmap which lays out a comprehensive end-to-end strategy for identity management at TSA.

- Established two unmanned aircraft system (UAS) pilot programs—one at Miami International Airport and the other at Los Angeles International Airport (LAX)—to test and evaluate detection, tracking, and identification technology for UAS that enter restricted air space.

We have also strengthened partnerships across the spectrum—from private industry, to foreign partners, to advisory committees, to academia, to State and local governments and our Federal partners—to increase security and adapt to the new travel environment, while maximizing the customer experience and minimizing any negative impacts on travelers and commerce.

The fiscal year 2023 President’s budget aligns with TSA’s strategy to improve security and safeguard the Nation’s transportation system, accelerate action, and reinforce TSA’s commitment to its people. Thanks to Congress’ support for TSA through the fiscal year 2022 appropriation, the fiscal year 2023 budget builds upon our progress by continuing to fund the recurring infrastructure backbone needed in TSA’s 24/7 operational mission. The fiscal year 2023 budget honors commitments to our workforce by providing more equitable compensation and other benefits while addressing capability gaps to ensure that the Nation’s transportation security remains the safest in the world.

TSA cannot be successful without our professional, vigilant, and engaged workforce. That is why “Commit to our People” is one of our three strategic priorities. Significant parts of our workforce are underpaid relative to other Federal Government employees and impedes our ability to improve the overall employee experience. Without pay equity, TSA will continue to struggle with recruitment, career development, and retention. To address this long-term inequity, the fiscal year 2023 budget includes \$871 million¹ to ensure TSA employees are paid at a level that is commensurate with their counterparts on the General Schedule pay scale. Further, an additional \$121 million is requested to establish a labor relations support capability to manage expanded labor benefits for TSOs and the right for employees to appeal adverse personnel actions through the Merit Systems Protection Board.

TSA expects passenger volume to rival our fiscal year 2019 levels, and on some days, possibly reach up to 3 million passengers per day, higher than the daily record of 2.8 million in 2019. This budget includes \$243 million to enable TSA to continue to recruit and retain a workforce able to meet increasing demands of passenger travel volume, while also ensuring adherence to passenger wait time standards, and maintaining security effectiveness. TSA’s pay equity plan provides that our TSO workforce, which has lagged behind its Federal counterparts, will see an average 30 percent increase in base pay while Federal air marshals will see an average 20 percent increase in their base pay. Other TSA employees, such as intelligence analysts, inspectors, canine handlers, and non-screening administrative employees at our Nation’s airports will also see an increase in base pay commensurate with their Federal colleagues.

A well-trained, appropriately compensated, and sufficiently-sized workforce will still only be successful if they have the right tools for the job. That is why TSA is also focused on accelerating action to strengthen checkpoint operations through development and acquisition of new technology. Access to technology helps our passenger screening workforce mitigate wait times by allowing them to assess potential threats quickly and efficiently. To that end, the fiscal year 2023 budget includes \$105 million for the Checkpoint Property Screening System program and \$19 million for On-Person Screening Algorithm Development to address capability gaps to detect new and evolving threats to civil aviation in current property screening technology reliably and efficiently, while improving the passenger experience.

Securing and safeguarding the Nation’s transportation system requires innovative tactics to address cybersecurity threats and risks associated with the continued integration of advanced electronic and networked systems. The fiscal year 2023 budget requests \$23.5 million to enable early detection and dramatically improve the cybersecurity of TSA networks and our ability to protect TSA’s sensitive data. Across the transportation sector, TSA continues to help partners build cybersecurity resilience and improve incident response, focusing on the pipeline, rail, and aviation sectors. With those stakeholders, TSA hosts a variety of planning meetings, intelligence briefings, and tabletop exercises. I have personally visited pipeline companies and other critical infrastructure operators to discuss the evolving cybersecurity threat, and to understand the challenges and successes of implementing the current security directives.

¹ Assumes second quarter implementation.

Finally, in conjunction with the fiscal year 2023 President's budget, the administration offered two proposals to increase availability of funding to resource TSA's strategic priorities and help TSA address emerging threats. First, it includes a legislative proposal to terminate TSA's deficit reduction contributions from Passenger Fee collections, which, if enacted, will provide an additional \$1.5 billion to directly offset TSA's appropriated funding and return the funds to use for their intended purpose. Second, the budget includes a legislative proposal to transition access control at exit lanes to airport authorities and commercial airports under Federal regulatory authorities, which will result in a projected savings of \$94.1 million and 1,090 full-time employees in the first year. If approved, TSA will work with airports to integrate exit lane security into their perimeter security plans and assess those plans regularly. The proposal will enable TSA to better focus its resources on screening functions and risk-based security measures.

The administration has also recently provided Congress with a legislative proposal requesting extension of the Department's countering unmanned aircraft systems authority, which includes a request to provide TSA with authority to mitigate drone activity in restricted airspace at airports and other transportation modes. If granted, this authority would empower TSA to take steps to prevent potential drone threats that could interfere with aircraft operations, jeopardize traveler safety, and undermine airport security.

Securing our Nation's transportation system is a complex task that requires robust partnerships and a well-trained, dedicated workforce. Funding in the fiscal year 2023 budget will have a positive impact on all TSA employees—from uniformed officers, Federal Air Marshals, inspectors, canine handlers, analysts, and management to administrative and professional employees—as well as on transportation security and the passenger experience. To achieve the priorities reflected within the fiscal year 2023 President's budget, we will continue to engage with industry and stakeholders, invest resources in our employees and technology, and encourage the public to be part of the solution. Finally, through constructive oversight and dialog, we seek to continue to partner with Congress as we work to secure all modes of transportation for the public.

Chairwoman Watson Coleman, Ranking Member Gimenez, and Members of the subcommittee, thank you for the opportunity to testify before you today. I look forward to this discussion and your questions.

Mrs. WATSON COLEMAN. Thank you, Administrator. I want you to know that you answered my first question to you.

So, without objection, Members who are not on the committee, if there are any—I can't see, but if there are any, please allow them to be seated and allow them to question the witness.

I want to thank you for your testimony. I want to remind all of the Members of the subcommittee that we will each have 5 minutes to question the panel. I will now recognize myself for the first questions.

Thank you for your comments regarding the necessity for Congress to fund the additional resources to be able to pay the TSOs and other TSA employees a fairer wage commensurate with what other agencies pay like individuals. Also, thank you for your support for the additional issues: Bargaining rights and merit-based access.

I agree with you that this really impacts your ability to not only recruit but to retain, and as we see the travel increase and we see the new technologies that you are bringing on board, we need an educated, experienced, and well-trained work force. So to that degree, I salute your making that a priority, and it certainly is one of mine.

But, Mr. Pekoske, 55 percent of TSA's work force is made up of people of color, making it one of the most diverse agencies in Government. However, TSA's senior leaders look quite different. Of TSA's 66 Federal security directors managing large work forces, 53 are White and 54 are men. I am frustrated by the lack of TSA's progress in diversifying its senior ranks.

Now, I understand that TSA is planning to hire a chief diversity officer to help address this and other issues, but it has taken quite awhile. When do you think this is going to happen? What will be the role of the chief diversity officer? How can you ensure that the position is appropriately empowered, located organizationally, and funded?

Mr. PEKOSKE. Chairwoman Watson Coleman, first, to go back to the pay issue just briefly, that is my top priority. It is so important for this agency that we get to the point where we pay our work force fairly, but I will exert every effort I can to answer questions and to help Congress' consideration in passing the proposal in the fiscal year 2023 budget.

With respect to diversity, I agree with your comment, and that is also a very top priority of mine. We have established a DEI, diversity, equity, and inclusion, officer position in TSA. It is brand-new—

[Audio malfunction.]

Mrs. WATSON COLEMAN. I am sorry. I cannot hear you. Are you on mute?

Mr. PEKOSKE. I don't think so.

Mrs. WATSON COLEMAN. I hear you now.

Mr. PEKOSKE. Sorry.

We established a diversity, equity, and inclusion officer position in TSA. I believe that we are one of the only agencies in the Federal Government that has such a position. This is different from our Civil Rights, Liberties, and the Office of Traveler Engagement. I expect to bring a DEI officer on at the SES level sometime within the next month. We are very close to the end of that hiring process.

What I have asked that person to do in the position to perform is to take a look at the Inclusion Action Committee plan that was submitted. We formed an Inclusion Action Committee back in 2020, right after the George Floyd murder, and they put forth some excellent recommendations as to how we can address this from a very strategic level within the agency.

The diversity, equity, and inclusion officer, the DEI officer, will report directly to me, will have the financial resources necessary to continue with the IAC's work. That inclusion action committee is not just a one-shot committee. It is going to be a continuing committee within the agency. We just solicited for a new slate of members to come in, so we will change out the members on a rotating basis over the course of the years.

But I pledge to you that this is an extremely high priority for TSA, and I think that our diversity at the entry level of the agency, to your point, ma'am, ought to be reflected in the senior levels of the organization, and I will do everything I can to get us to that point.

Mrs. WATSON COLEMAN. Thank you, Mr. Pekoske. To that end, could you lay out for us some of the plans that TSA has for providing sort-of career opportunities and pathways for those who can be promoted into leadership? What will you actually be expecting your offices to do?

Mr. PEKOSKE. Yes, ma'am. That is a really important point because I think, to be successful, this needs to be embedded throughout the organization. You know, time and time again, when we ask

an employee how they feel about the work environment, how they feel about their potential for advancement in the agency, oftentimes they are most affected by their direct supervisor. So we need to put a lot of effort toward training our direct supervisors in how to develop the men and women that work for them and how to advocate for them in their careers. So, you know, I think that effort in and of itself will be significant for TSA.

But the other part of this that is very important is to see from the top that there is not just a momentary look at these issues, that there is a persistent look at how we are doing and a persistent check on our own metrics. You know, how are we doing in bringing diversity into all levels of the agency? When you look at just the senior level, you really have to look down a couple and to see, hey, how much diversity do you have in the middle management that will become your senior leaders in a few years? So I think it needs to be a very holistic approach across the agency.

Mrs. WATSON COLEMAN. Thank you, administrator. I think we should pursue that just a little bit more, maybe in a second round, because having this desire to do it but then thinking about how we can hold people accountable and get it done is like a whole other discussion.

I would now like to recognize the Ranking Member, Mr. Gimenez from Florida, for his 5 minutes of questions.

Mr. GIMENEZ. Thank you, Madam Chairwoman.

Given that there is really not bipartisan support for the agency's wholesale move to Title V and that Congress is not likely to make changes to the 9/11 Passenger Security Fee, can you commit to this committee that DHS will raise the pay for the TSA front-line work force regardless?

Mr. PEKOSKE. Sir, DHS is under significant fiscal pressure across the entire enterprise. You know, I would fund part of this out of my own appropriation if I had the room to do that. I simply do not. When you are looking at \$871 million for three-quarters' pay for the first year and then moving up to \$1.5 billion in the second year, that is a figure that is well beyond the agency's ability to resource. It needs to be additional top line.

Sir, as you know, and as the Chairwoman mentioned, I spent some time as the deputy secretary of the Department twice, and so I had oversight over the Department's budget. The Department's budget is incredibly tight. There is no room at all in that budget for initiatives that are substantial like this.

The other thing I would say is that we tried, and I received great support from the Congress, to make some marginal improvements. We began in fiscal year 2021 by adding more funds into the pay accounts to put some initiatives in place. While they were beneficial and while they were successful, they weren't anywhere near enough to get us where we need to be.

When you are talking about a 30 percent pay differential at the Transportation Security Officer level, and then even beyond that, if you look at the Federal Air Marshals, there is about a 20 percent gap with what they would get if they were working in another Federal agency. It is just not possible for us to close that gap within our own resource base.

Mr. GIMENEZ. Now, if you had—if Congress had moved your agency into, I guess they call it Title V, OK, then wouldn't you have needed this money then? In other words, if we had moved you to Title V, you wouldn't have been able—you would have needed an increase in order to achieve that. Is that correct?

Mr. PEKOSKE. Sir, my understanding is if it was just a move to Title V without a corresponding appropriation to do that, yes, sir, you are right, we would have to find the money. The “we” would be not just TSA and not just the Department of Homeland Security, it would be the rest of the Federal Government would have to find a way to fund this.

Mr. GIMENEZ. Did you request additional funding for pay raises for TSA employees?

Mr. PEKOSKE. Yes, sir, in the 2023 budget, \$871 million.

Mr. GIMENEZ. Did you request it in the President's budget?

Mr. PEKOSKE. It is in the President's budget.

Mr. GIMENEZ. It is in the President's budget?

Mr. PEKOSKE. Yes, sir.

Mr. GIMENEZ. So the additional money is in the budget request right now?

Mr. PEKOSKE. It is, yes, sir.

Mr. GIMENEZ. OK. All right. Fair enough.

So then, if we approve the budget, then you can give the raises?

Mr. PEKOSKE. Yes, sir. But you would have to approve the budget and approve the offset that is offered, which is to end the diversion of the aviation security passenger fee to deficit reduction and put it back to supporting aviation security.

Mr. GIMENEZ. OK. I don't quite understand that. OK. So is that—who took that step? Is that the administration that took that step or—who took that step?

Mr. PEKOSKE. Yes. Well, that is part of the President's proposal in the fiscal year 2023 budget. So he proposed for three-quarters of your funding, because you can't expend the funds in the first quarter because it will take you about 90 days to retool your pay systems. But for three-quarters of your funding in the first year and then full year funding thereafter.

So let's just talk about full-year funds for a moment. Let's say \$1.5 billion in the first year of implementation. The source of funds was to end the fee diversion that began in 2013 that was supposed to be temporary, that was extended again. Now it goes out to, I believe, fiscal 2027. What that fee does, as I understand it, is revenues come in from those fees and they directly offset TSA's appropriations. So what that means is lower levels of appropriated funds are needed to get us to the overall level of appropriations that TSA requires.

So our budget is a combination of passenger fee revenue offset and appropriations.

Mr. GIMENEZ. Could we do something at airports to increase passenger fees in order to fund TSA, or is that something that you guys can't get your hands on?

Mr. PEKOSKE. Sir, we don't think we need to do that. You know, there is—and it is just by coincidence, but there is \$1.5 billion that is being collected from passengers every time they buy a ticket that

is not going to any purpose with respect to aviation security. It is going right to deficit reduction.

And so what we are proposing is just end that practice, put it back to its original purpose.

Mr. GIMENEZ. Got it. OK. Thank you. Thank you so much.

My time is up, and I yield back.

Mrs. WATSON COLEMAN. Thank you, Ranking Member.

The Chair will now recognize other Members for questions they may wish to ask the witness. In accordance with the guidelines that were laid out by the Chairman and Ranking Member in their February 3, 2021, colloquy, I will recognize Members in order of seniority, alternating between Majority and Minority Members. Members are also reminded to unmute themselves when recognized for questioning.

The Chair recognizes Representative Norman for 5 minutes.

Mr. NORMAN. Thank you, Madam Chairman.

Administrator Pekoske, thank you for coming today. You have got a big job. I don't envy what you are facing now.

You know, I guess your job is going to be—is heightened because of what this administration is doing to let pretty much everybody in this country, without any regard for who is coming in, whether they have got a criminal background. It is just pretty much open doors for everybody, and you are going to face the backlash or having to deal with it as your job as administrator to TSA.

You were going over your main focus points and main goals. Could you list your top three that you consider priorities for you?

Mr. PEKOSKE. Yes, sir. The top three would be, first and foremost, achieving pay equity. That is so critical to our continued success.

The second would be to bring advanced technology into place in our screening process, because that makes our screening much more effective and also more efficient as we do it.

The third would be to apply new technologies to get at emerging threats, for example, counter-UAS operations. I mean, we see these threats developing. Some of them are already present, and we just need to have the capability to fully detect, track, identify, and to counter if necessary.

Mr. NORMAN. What about—would you say the overriding priority of you is to keep Americans safe while they travel?

Mr. PEKOSKE. Sir, my overriding priority is to ensure that there is not a terrorist attack on the transportation system.

Mr. NORMAN. OK. So that is for the—is it fair to say your overriding priority is, in your job, to keep Americans safe above and beyond anything else?

Mr. PEKOSKE. Yes, sir, to keep the transportation system secure.

Mr. NORMAN. OK. Now, there are some changes coming with TSA, reduced pat-downs, gender-neutral screening technology. Can you just briefly—what is a—what kind of reductions in pat-downs will you be administering to people, and will you be going by a gender identification, or how will that work?

Mr. PEKOSKE. Yes, sir. That is for our on-person screening. Every single thing we do, if we change our procedures or if we change our technology, every time we do that, it has an enhancement, not a degradation to security.

Mr. NORMAN. OK.

Mr. PEKOSKE. So this new software that we are putting in our on-person screening system actually improves security, while at the same time it reduces the false alarm rate, because when you go to the——

Mr. NORMAN. No. Let me just interrupt you. What I am trying to get to—and my time is running out—on your reduced pat-downs that is in the document that I have got in front of me that you are doing, how does that—what kind of reductions will you not be doing specifically? Just name me two.

Mr. PEKOSKE. Yes, sir. I will give you a very quick global answer. The technology has a false alarm rate. The new software reduces that false alarm rate. So some of the pat-downs we currently conduct, we don't need to because the technology has advanced. The software upgrades the technology to reduce the need for those pat-downs.

Mr. NORMAN. OK. Will that go on the biological sex——

Mr. PEKOSKE. Well, what that——

Mr. NORMAN [continuing]. Instead of the gender identification?

Mr. PEKOSKE. Yes, sir. Currently, in the current technology, the officer needs to select the gender that he or she sees in the passenger when the passenger approaches. The new software upgrades have no requirement to do that. The software is that much better. You do not need to select gender. It automatically checks everything and its detectability is much better. So it is security improvements.

Mr. NORMAN. OK. But the pat-downs, I guess the reduced pat-downs is what you are focusing on with the new technology that you are talking about?

Mr. PEKOSKE. We are actually focusing on both. We want to improve security, and in doing that, we found that we could reduce the false alarm rate, which means that some of the pat-downs we have been doing with this new software upgrade won't be necessary. So we will still do the pat-downs that are necessary, but we won't do pat-downs that now the technology has advanced to the point where we don't need to do them.

Mr. NORMAN. OK. Well, my time is running out, but I hope you will stress the security for this country of people getting on the airplane that are secure now. You are going to have challenges as never seen before, which is a direct responsibility of this administration, which you are just not doing.

So I appreciate your time here, and thank you so much.

Mrs. WATSON COLEMAN. Thank you very much.

The Chair now recognizes Representative Van Drew.

Mr. VAN DREW. Thank you, Chairwoman and Ranking Member. I want to thank the administrator for being here.

You know, I think as you all know, the largest Federal Air Marshal Training Center is located in my district in Atlantic City, and it is 85 percent of all training is done at this facility, which includes basic, advanced, and recurrent training. The Center does an excellent job, proud of the job they do in aiding and training our air marshals, and I am proud to have its presence in my district.

The Federal Flight Deck Officer Program, which also is done at the facility, is another example of the great work the facility can

do and does. I understand that there have been some delays in getting pilots into the program, which is concerning because—given the increase in airline travel, especially in very recent months.

Can you please tell me what steps the TSA is taking to address the delays, as well as what the TSA is doing to streamline the application process?

Mr. PEKOSKE. Yes, sir. Thank you for your question. Let me start by highlighting ACY in our training center up there just like you did. It is a significant facility for us, trains not just our Federal Air Marshals, but we do conduct a lot of leadership training up at ACY at the facility there. You will see, sir, more training being conducted up there in the coming years because we are doing more centralized training rather than individual FAM field office training.

So I appreciate all the work that the team does up there, and I appreciate your visits and your support of them in that regard.

On the Federal Flight Deck Officer Program, it is a terrific program. It has been very, very valuable to us as an agency, to the American public for security as they are flying. We have started classes again for the FFDO program, so we have 8 classes going on this fiscal year, and there are 32 participants in each one of those classes. Then we are going to double that next year, so you will have 16 classes with 32 participants per class.

We are also looking at how we do the recurring training, because Federal Flight Deck Officers need to go through initial training in Artesia, New Mexico, and then they go through recurrent training. Those recurrent training sites are at Dallas-Ft. Worth, at Atlantic City, and then we are developing one in Atlanta, trying to get to major hubs to make it easier for the Federal Flight Deck Officers.

I am going to conduct a review of the entire FFDO program over the next several months to find ways that we can make it even stronger.

But, in conclusion, let me just thank the pilots and the first officers that volunteer their time to participate in this program, because they add an additional layer of security for us, and to thank the carriers that permit them to do this. It is a great program, and I am committed to making it as effective as we possibly can.

Mr. VAN DREW. Thank you.

So your sense would be that we are getting this delay issue, it will be under control. You are going to grab this and run with it?

Mr. PEKOSKE. Yes, sir. It is well on its way to recovering from the pandemic.

Mr. VAN DREW. OK. Just to clarify for my mind, how often is the training provided to both officers and crew members? How many crew members are trained on an annual basis?

Mr. PEKOSKE. Yes, sir. The crew members are—you know, for example, since last July, we have trained over 3,200 crew members in self-defense training, and this is done by the Federal Air Marshals. What we did this year is a little different than what we have done in the past. We used to do it at all of our Federal Air Marshal field offices. We found that it was better, more convenient, we got more participants if we used airline facilities to do it as well. So roughly now about 80 percent of our crew member self-defense

training is done in the airline facilities. So I appreciate them providing us the facilities to conduct this training.

Finally, you know, one of the groups that are unsung heroes of the pandemic, particularly in the past year where there were so many in-flight instances of physical assault and just unruly behavior, you know, is the flight attendants that took the large brunt of that work. You know, I just think we all owe them an incredible debt of gratitude for the work they do.

Mr. VAN DREW. I agree with you on that. I thank you for your work as well.

With that, Chairwoman, I yield back.

Mrs. WATSON COLEMAN. Thank you, Congressman.

I now recognize Mrs. Miller-Meeks for 5 minutes.

Mrs. MILLER-MEEKS. Thank you, Chairwoman Watson Coleman. Also thank you to Administrator Pekoske for being here with us today.

As a physician, I am very interested in the introduction of Computed Tomography, CT, for carry-on baggage screening, which provides higher fidelity screening, automatic threat detection, and the ability to detect smaller threat sizes. Passengers have a more seamless experience going through security and in handling their bags. I think, administrator, that you called this technology a game-changer for the TSA.

But the fiscal year 2023 President's budget requests only \$105 million for 108 systems. At this rate, it would take about 15 years to complete the deployment of CT. I realize that the budget top line is tight, but are you not being more aggressive to deploy this game-changer technology at all airports around the country?

Mr. PEKOSKE. Yes, ma'am. Thank you for the question. It is a top-line constraint issue. We are ready to purchase more of those systems. We have contracts in place that we just need to be able to execute them. You know, what was mentioned earlier by the Chairwoman, is it is going to take us until fiscal 2036 to get this technology in place. That is a very, very long time.

So, you know, with additional top-line, additional resources, we could do it much faster. This is a situation where, you know, you have a Federal agency that has the contracts already in place. It is not like this is a concept. We have deployed a number already. We know exactly what we want to buy. We have got a good pipeline of companies that are in the competition to do this and, you know, we just need to—if we had more top-line, we would buy more would be the answer.

Mrs. MILLER-MEEKS. So my assumption would be if that was the—you know, why the \$19 million in funding was requested in the President's budget?

Mr. PEKOSKE. Yes, ma'am. The money for the CPSS, you know, a hundred-plus million dollars and then the \$19 million was to upgrade the software for the on-person screening system. So that is a lot less expensive because it doesn't require a hardware change.

Mrs. MILLER-MEEKS. I am also pleased to see that the TSA has used the biometric technology on airport and checkpoints, as well as a rollout of mobile driver's licenses in some States. However, TSA still needs to procure over 3,500 Credential Authentication Technology readers for identity verification at airports Nation-wide.

The fiscal year 2023 President's budget requested funding for only 75 CAT machines. Why is the amount so low, and did you request a higher amount?

Mr. PEKOSKE. Yes, ma'am. First, on the Credential Authentication Technology machine, you know, you are right, it does validate the identity of a passenger, which is one of the very unique aspects of the U.S. transportation security system.

But the other thing that it does is it also checks in real time a passenger's risk status. So as the passenger inserts their driver's license, or now with mobile driver's licenses just taps their iPhone on a reader, in real time, that information is being compared to the risk profile that we have for passengers, you know, whether passengers are PreCheck, standard, or a passenger who needs additional screening.

Additionally, we have near-real time information on their flight status. So we know that they haven't made a change in their flight, that they do have a flight out of that airport on that day. So it is a huge enhancement.

Part of the reason for the budget request is a little bit of supply chain issues, but it is a lot of lack of top line, because these are relatively—individually, they are relatively inexpensive machines, but we just need a lot of them. We need about almost 3,600 of these machines across the system.

A change we made about 2 years ago, just got approved by the Department, is to put this technology in every single airport. It was originally envisioned only for the larger airports. But as you know, in our system, once you are in one airport, you are in the entire system. So it is important that we verify identity and make sure that the proper screening is provided based on the passenger's risk profile at the airport of entry.

Mrs. MILLER-MEEKS. I have experienced it first-hand, and you are right, I think it is, you know, amazing technology that makes it also better for the TSA and seamless for the passenger.

So thank you so much, Administrator Pekoske, for appearing now today and for all the work you are doing at TSA. We also agree that, you know, TSA and our flight attendants have really performed admirably during the pandemic in a very difficult time.

Thank you, Madam Chair. I yield back.

Mr. PEKOSKE. Thank you.

Mrs. WATSON COLEMAN. Thank you, Representative Miller-Meeks.

I now recognize Representative Sheila Jackson Lee for 5 minutes.

Ms. JACKSON LEE. Can I be heard, Madam Chair?

Mrs. WATSON COLEMAN. Yes, you can.

Ms. JACKSON LEE. Thank you so very much.

Let me thank you for holding this hearing, and as well, let me thank the administrator for his service. We have some very challenging times.

Let me just get an overall assessment, and my time is short, I realize it, just a very brief assessment. What do you feel the state of the agency is in the aftermath of the pandemic, meaning, what your TSOs had to confront being probably on the front line before COVID was really diagnosed? They were not prepared because of our lack of information, the government. You subsequently pro-

vided shields and masks. But what is the aftermath of the pandemic on TSOs?

Mr. PEKOSKE. Yes, ma'am. Thank you for recognizing the TSOs. I mean, as you noted, they served throughout the pandemic to ensure that passengers could travel in this country, very similar to the service they provided when the Government shut down for 35 days. They didn't stop their work then either. So I am incredibly proud of the work force. You are right, we did everything we could when we had the knowledge to make sure we provided protections to this work force, and we continue to do so today.

You know, the things we have learned in the process is that, you know, we need to look at technology solutions that reduce contact. If you think of—you know, we were just talking about the Credential Authentication Technology. I know, ma'am, you probably use that technology as you travel. There is a lot less contact. You know, you are not taking your driver's license and handing it to somebody and they are handling it, for example, or your passport. Or when you go and use the CT X-ray, you take fewer things out of your carry-on bag. A lot of the discrepancies that an officer might see on the image, they can resolve on the machine itself without having to search a bag.

Then if you think about—

Ms. JACKSON LEE. It makes it safer. Thank you.

Mr. PEKOSKE. Yes, ma'am. The next thing would be, if you look at the on-person screening—and in this budget is the proposal to improve the software for on-person screening, which makes security better and lowers the false alarm rate. With a lower false alarm rate, there are fewer pat-downs you do. So that is probably the closest in the course of a screening operation that a passenger and a TSO come to each other. So if we can reduce that, that also provides more protection for everyone.

Ms. JACKSON LEE. My time is very short. Let me ask you to abbreviate your answers.

[Inaudible] technology and security, the topic of this [inaudible] there is some issue with women's clothing and algorithms. Can you just very briefly and just—I have several questions. Are you handling this issue of [inaudible] to this new technology? Yes or no?

Mr. PEKOSKE. Yes, ma'am. I am sorry. Your communication is very garbled. I think we have got a bad connection, so I couldn't hear your question.

Ms. JACKSON LEE. [Inaudible.]

Mrs. WATSON COLEMAN. Congresswoman, we cannot hear you.

Ms. JACKSON LEE. Am I [inaudible]—

Mrs. WATSON COLEMAN. We were not able to hear your question.

Ms. JACKSON LEE. Can I be heard? [Inaudible.]

Mrs. WATSON COLEMAN. Congresswoman, we can't hear you. You are talking—

Ms. JACKSON LEE. Can you hear me now?

Mrs. WATSON COLEMAN. You are garbled.

Ms. JACKSON LEE. Can you hear me now?

Mrs. WATSON COLEMAN. Yes.

Ms. JACKSON LEE. [Inaudible.]

Mrs. WATSON COLEMAN. No. Allow us—your time has expired as well, and perhaps you could work on this as we go through a second round of questioning. We could come back to you.

Ms. JACKSON LEE. Thank you.

Mrs. WATSON COLEMAN. So, administrator, we are going to go through an abbreviated second round of questions, and I am going to start with a question that I have.

This committee has long pushed TSA to expand its work with small and minority-owned businesses providing screening technologies. We understand that TSA has met some of its small business contracting goals but has done so primarily through its service contracts rather than through screening technology awards. Too often, TSA has relied on a small handful of large companies to provide these screening technologies, which has limited competition and innovation. This has become very frustrating to us as we have not seen the kind of progress on this topic.

What has TSA done to proactively seek out small businesses and minority businesses that could offer innovative screening solutions? For example, has TSA made contact with small businesses that provide screening technologies in health care, in that industry? Also do you believe a dedicated funding stream to support the research and development of promising technologies offered by small businesses would help to support innovation at TSA?

Mr. PEKOSKE. Yes, ma'am. I appreciate your comments. You are right, I mean, we have actually met or exceeded all of our small business goals year after year, but that is primarily on the services side, not on the technology acquisition side.

As we embarked on our CT acquisition, for example, you know, we have actively sought small business participation in that process, and we do still have a small business in active competition for CT qualification. They are not quite fully there yet, but they are still very much in the mix, if you will, for completing our process and then being able to compete for task order awards.

One of the things that we are doing is we are requiring our vendors now to provide their hardware solutions in open architecture format, which means that we would get the machine and the operating system for the machine, but it would produce the data from its image taking in a standardized format in a way that we could purchase through small business vendors and other vendors additional software layers that we feel would provide a whole lot more agility for us and a lot of opportunity for small businesses to participate in this procurement.

So open architecture is one way of getting small business participation, and I would submit that we are leading in that effort as well.

Then, finally, very quickly—

Mrs. WATSON COLEMAN. Yes. What about the dedicated funding stream? Thank you.

Mr. PEKOSKE. Yes, ma'am. We have conducted industry days. We have reached out to small businesses that do, because, you are right, the CT X-ray technology is medical technology essentially, and we have been very aggressive in trying to garner small business participation.

With respect to a dedicated funding stream, my concern with that, I don't have a conceptual objection to that at all, but my concern would be with a small—you know, you already observed and other Members have observed that our funding stream for this technology is small already. If it gets further restricted in terms of its use, it might slow us down in being able to put the technology we need in place. But, you know, the CT X-ray system, if the fiscal year 2023 budget is funded as submitted, will still be only at 39 percent complete. So there is a lot of runway left in this acquisition. The Credential Authentication Technology will only be at 58 percent.

So there is still a lot more opportunity there, and we are committed to making that aperture wider for small businesses.

Mrs. WATSON COLEMAN. Thank you.

I now recognize Mr. Gimenez for 5 minutes.

Mr. GIMENEZ. Thank you.

I have no further questions. Thank you very much. I appreciate it. I yield back.

Mrs. WATSON COLEMAN. Thank you very much.

Then, in accordance with the sort-of rotation between Minority and Majority, I will now recognize Representative Sheila Jackson Lee.

Ms. JACKSON LEE. Can I be heard?

Mrs. WATSON COLEMAN. Yes, ma'am. Speak while you can be heard.

Ms. JACKSON LEE. All right. Thank you.

Let me continue. Administrator—thank you, Madam Chair.

I do have a short period of time, and so if I could go back to the security issue, and this is about the algorithms based upon the new technology that you have. It is my understanding that there is some issue with women's clothing and the algorithms used to determine if secondary screening is necessary.

So I want to know if you are aware of that. Have you addressed some of those difficulties in making sure that we have a strong security process but that we limit the false positives? Yes or no?

Mr. PEKOSKE. Yes, ma'am. We are working on other software upgrades for that technology and a hardware upgrade that will provide high-definition sensors inside the existing architecture. So that should help address those issues as well, but we will continue to test for it and work on it.

Ms. JACKSON LEE. Can you also tell me whether there is enhanced training regarding—for the TSOs and management as relates to human trafficking detection? Have you had on the system reports of efforts of human trafficking going through your security points and how you handled that?

Mr. PEKOSKE. Yes, ma'am. We provide training on human trafficking. It is a very important priority for us to make sure our Federal Air Marshals and our screening officers can identify the signs of human trafficking. We have had some cases where our officers have identified potential situations.

The other thing, very quickly, is we are in the same Cabinet department as Homeland Security Investigations. They do amazing work in this category, and we have a very, very strong relationship with them in this regard.

Ms. JACKSON LEE. What has been the training protocols now for TSOs?

A couple of years ago, we advocated for the training in the school in Georgia, and they went there immediately upon hire. How do you handle their training now to make them the most efficient and the most effective?

Mr. PEKOSKE. Ma'am, we still use the Glynco, Georgia facility for part of our training. We are opening up another—an academy west, if you will. The TSA Academy is at Glynco. The Academy West, another satellite, is at Las Vegas airport, at Harry Reid Airport. That is still working in a development stage. It has got students going through it, but it will be up to full speed beginning next year.

The other thing we are doing, very important, is we are taking that academy training which is currently 2 weeks and making it 3 weeks. That additional third week is focused on de-escalation techniques and trying to provide techniques for enhancing the passenger experience.

Ms. JACKSON LEE. If I might follow up with this quick question, Madam Chair. With respect to that, just quickly say, do they get the training upon hiring or do they work for a little bit and then go through the training? Yes or no? Yes on hiring or later?

Mr. PEKOSKE. They get it both times, ma'am. You know, we have—for human trafficking training is what I think you are referring to, they will get it upon hire through the academy.

Ms. JACKSON LEE. No. Just the regular training, sir.

Mr. PEKOSKE. The regular training? They get it at—

Ms. JACKSON LEE. They go at the beginning?

Mr. PEKOSKE. They go at the beginning, usually within the first 6 to 8 months of their time at TSA. Then there is regular, annual recurring training as well.

Ms. JACKSON LEE. Right. Let me finish on this issue of a question of poor morale. That deals a lot with the question of National security.

So, as you well know, you have gone through a period of allegations of mismanagement, poor procedures, retaliation against whistleblowers, et cetera. In order to have a strong and effective team—which we all appreciate. They are the front line for security, and I want all of your TSOs and TSAs to know that, how much respect I have for them and how much work I have done with them across the Nation.

But what are you doing now to deal specifically with that question so that we have a very sharply defined and efficient and proficient security team at the TSO point of security in our airports and other places?

Mr. PEKOSKE. Yes. Representative Jackson Lee, we have made good progress on all three of those categories, on retaliation, mismanagement, and whistleblower complaints. I mean, they are all down compared to where they were several years ago. So the trend lines are in the right direction. That doesn't mean we have taken our pedal off the gas on this at all, because it is really, really important that we make more progress in this regard.

But I think too that our ability to pay people equitably will help with overall workplace morale. It will also help us attract the very best people into TSA and to keep the talent that we have. So all

those things together I think will forecast for continued good progress in this area.

Ms. JACKSON LEE. I take it that, Mr. Administrator, you believe that we are more secure because of your agency and your TSOs, that the Nation is more secure?

Mr. PEKOSKE. Without question, yes, ma'am.

Ms. JACKSON LEE. Thank you very much.

I do want to say, Madam Chair, it is because of our work and your work and Chairman Thompson that we have passed this very important reform bill for TSOs and TSA with the civil service structure and with the professionalism. We hope that the Senate will move quickly to support our TSOs and this agency because they deserve to be recognized as front line for the Nation's security.

With that, I yield back. Thank you.

Mrs. WATSON COLEMAN. Thank you. Thank you, Representative, and so noted.

With that, I want to thank the administrator for his valuable testimony. Very enlightening. Also to the Members for their very important questions.

The Members of the subcommittee may have additional questions for you, and we ask that you 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. Thank you all.

Without objection, the subcommittee stands adjourned. Have a good day.

[Whereupon, at 3:36 p.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS FROM CHAIRWOMAN BONNIE WATSON COLEMAN FOR DAVID P. PEKOSKE

Question 1. TSA seeks funding to improve pay for Transportation Security Officers and other employees in the fiscal year 2023 budget request. Providing pay equity for TSOs is critical to ensuring TSA can hire and retain the workforce it needs to keep the traveling public safe. If this request is funded and implemented, is it TSA's intent that employees should remain at their new pay levels and receive regular pay increases beyond fiscal year 2023?

Answer. Yes. If funding is provided, the Transportation Security Administration's (TSA) Pay Equity Plan would institute a ten-step, longevity-based progression to facilitate movement through the pay band for the TSA workforce that mirrors the step progression currently used in the General Schedule (GS). This would provide Transportation Security Officers (TSOs) salary growth and pay comparability to the GS. The lack of equitable compensation in this area, compounded by years of insufficient pay progression, impedes TSA's ability to meet mission requirements in the recruitment and retention of employees.

Specifically, the Pay Equity Plan would implement a GS-equivalent structure within the pay bands in which TSOs receive regular salary increases of a fixed-dollar amount based on an acceptable level of performance: Employees who are in steps 1 through 3 would receive a fixed increase every year, those in steps 4 through 6 would receive a fixed increase every 2 years, and those in steps 7 through 9 would receive a fixed increase every 3 years. As with the GS, no fixed increases would be provided to those at step 10 under the Pay Equity Plan, but annual salary adjustments would still be provided based on Government-wide increases authorized by the President.

Also under the Pay Equity Plan, TSOs in steps 1 through 9 would be eligible to receive performance-based quality increases equal to one step on an annual basis, similar to the Quality Step Increases of the GS. The Quality Step Increases will have strict controls placed on their use related to funding availability.

Question 2a. This committee has heard from stakeholders that TSA's new human resources system has led to delays that can be months long in processing applications for open TSO roles.

How long does the TSO hiring process take, on average?

Question 2b. Does TSA lose candidates to other opportunities due to the length of the hiring process?

Question 2c. What is TSA doing to streamline the TSO hiring process?

Answer. On average, the TSO hiring process ranges from 90–120 days, though this time frame average includes time often needed by candidates to give “two-week” notice at their place of employment and to make arrangements for household movement or residence relocation. The time can also vary depending upon speed of candidate actions taken and upon the manual interventions of airport and TSA HQ staff to help expedite the process. HQ staff often prioritizes processing for select designated priority airports and for traditionally “hard-to-hire” airports. This is completed using such tools as “Fast Track,” or One-Day, hiring events that combine several steps in the Federal hiring process for candidates that the event attend in-person. Other tools for prioritizing include using staff to execute outbound calls to candidates to encourage assessment scheduling and outbound calls to candidates to assist with completing the Standard Form 86 electronic questionnaires for investigations processing.

Unfortunately in this extremely competitive employment market, candidates are likely to identify alternative employment opportunities with private-sector employers that maintain rapid turnaround times in their hiring processes (i.e., non-security-related positions that do not require medical exams). Though candidates may find alternative employment simultaneous to the TSA Hiring process, the TSA proc-

ess itself is not necessarily directly attributable to time-to-hire, it is possibly a contributing factor.

TSA's Human Capital office is doing the following, among other things, to streamline the TSO hiring process:

- Hosting TSO Hiring Events (e.g., fast-track events) to assist candidates with applying and completing multiple steps in the hiring process on the same day. Currently, TSA hosts on average 12 TSO hiring events per month, primarily at either large or priority-designated airports.
- Expanding advertising for job opening announcements (JOA) and "Fast-Track" hiring events by exploring new means of traditional and non-traditional/digital/social media sources for advertising.
- Leveraging internal agency volunteers as detailee resources to conduct outreach to TSO candidates to encourage/assist them with taking action to move forward in the hiring process (e.g., scheduling computer-based tests, completing their Standard Form 86 National Security Questionnaire, scheduling medical exams).
- Conducting an in-depth review of the TSO candidate assessments process with regard to identifying if any of the step in the process can be eliminated or further streamlined.
- Ensuring candidate records properly flow through the hiring system by addressing functionality and performance issues within the TSA human resources system (e.g., ensuring all system links work correctly so candidate can schedule their assessments without delay, ensuring all integrations with other systems work correctly to reduce delays in processing).

Question 3. What recent hiring efforts has TSA undertaken to make sure it retains a full cadre of Air Marshals? How is TSA prioritizing diversity within the ranks of these new hires?

Answer. TSA's Law Enforcement Federal Air Marshal Service (LE/FAMS) is actively recruiting to meet hiring needs through fiscal year 2023. LE/FAMS will onboard recently-hired Federal Air Marshals for the remainder of calendar year 2022 and the beginning of calendar year 2023.

TSA has prioritized workforce diversity through a multifaceted recruitment effort for LE/FAMS. These efforts include:

- Promoting current and upcoming job announcements at National diversity conferences.
- Recruiting at colleges and universities throughout the country, emphasizing efforts on workforce ethnic, gender, and racial diversity with targeted marketing including fliers, electronic communications, and job fairs.
- Attending job fairs focused on veterans and sending recruitment material to military installations.

Question 4. At the requested \$107.6 million per year, it would take TSA until fiscal year 2036 to reach full operational capacity for Computed Tomography (CT). Please describe the security benefits TSA would gain from additional CT funding allowing TSA to reach full operational capacity on a faster time line.

Answer. TSA aims to rapidly procure and deploy enhanced checkpoint screening capabilities to bridge the gap in current accessible property screening technologies and the limitations in their ability to reliably and efficiently detect new and evolving threats to aviation. Computed Tomography (CT) is universally recognized as the most impactful capability currently available to address these threats at airport checkpoints. CT systems offer an enhanced imaging platform compared to dual view X-Ray systems presently deployed under the Advanced Technology (AT)-2 X-Ray program. Specifically, CT technology adds dimension (3-D images) and density information to images of objects within a carry-on item, enabling Transportation Security Officers (TSOs) to better identify and detect threats. In addition to enhanced visual interpretation by TSOs, the security benefits of CT include image manipulation, improved detection of homemade explosives, reduced false alarm rates, and reduced threat mass detection. Overall, CT is a vast improvement in checkpoint security effectiveness, providing superior detection capabilities and future planned operational efficiencies, to continue enhancing the passenger experience.

With additional CT funding, TSA would be able to maximize its ability to procure and deploy CT systems, bringing improvements to security effectiveness to airport checkpoints significantly earlier. Additionally, accelerating this CT capability to the field would substantially reduce the security and capability gap that exists between the airports with deployed CTs and those with the legacy Advance Technology systems. TSA has developed a Full Operational Capability (FOC) acceleration plan, including resource requirements, that would enable TSA to procure and deploy at its maximum capacity to reach FOC by fiscal year 2028. The Checkpoint Property Screening System (CPSS) Program's FOC quantity is 2,263 systems. Including

planned fiscal year 2022 procurements, CPSS will have procured 780 CT systems (~34 percent of FOC), leaving 1,483 remaining systems.

Question 5. What strategies has TSA implemented to increase throughput and minimize wait times for passengers as more CT machines are deployed?

Answer. TSA Headquarters is working closely with local TSA personnel at airports to increase throughput and reduce passenger wait times as more CT machines are deployed. First, local TSA personnel provide training specifically created to identify key focus areas for increased throughput when utilizing the checkpoint CT equipment and training. Second, TSA Headquarters consolidates and shares the target goals for key metrics and lessons learned from other airports with local TSA personnel, which enables increased throughput and decreases wait times. Finally, when local TSA personnel need specific assistance, a lean-six-sigma approach is employed to target the specific needs of that site to increase familiarization and efficiency when using the checkpoint CT. The initial results of this approach, which evaluates the airport specific operation and then looks to implement targeted improvements, has increased the operational efficiency of the checkpoints considered.

Question 6. Please describe TSA's obligation to ensure screening processes do not disproportionately affect certain classes of passengers, such as by requiring transgender passengers to undergo pat-downs more frequently than the general population.

Answer. TSA policy ensures screening of persons and property in compliance with all laws and regulations, to include anti-discrimination and anti-harassment laws.

TSA identified an opportunity to enhance our existing Advanced Imaging Technology (AIT) security effectiveness capabilities and simultaneously implement a gender-neutral algorithm. In coordination with the system manufacturer, TSA is in the process of testing this new algorithm. This change will benefit all travelers, including transgender, nonbinary, and other gender-nonconforming travelers who previously have been required to undergo additional screening due to alarms in sensitive areas. Upon completion of successful testing, TSA anticipates initiating deployment of the technology enhancement to airports later this year.

In May 2022, TSA also updated its screening procedures to better serve transgender, nonbinary, and gender-nonconforming travelers through less-invasive screening procedures for passengers who trigger the AIT scanner in a sensitive area. This change, which reduces the number of pat-downs for TSOs and the entire traveling public without compromising security, will be in effect until the gender-neutral AIT screening technology is deployed.

To coincide with the SOP update, TSA Training and Development released scenarios and briefings to ensure all checkpoint-certified officers are equipped with the knowledge to effectively engage with transgender/gender-diverse individuals during AIT screening. Additionally, TSA released a Gender Diversity Awareness Overview Briefing which defined gender diversity, identified terminology, and outlined best practices. The scenarios and briefings are recorded in the TSA Learning Management System to ensure officer completion.

Question 7a. Since 2006, the Transportation Security Grant Program (TSGP) has provided eligible public transportation systems with funding to protect critical transportation infrastructure and the traveling public from terrorism, while increasing transportation infrastructure resilience. However, since 2012, funding has remained flat at approximately \$88 million. This is a significant decrease from previous levels of up to approximately \$350 million annually in preceding years.

How would increased TSGP funding be used to improve surface transportation security?

Question 7b. What, if any, critical technology would benefit from additional TSGP funding and how would the funding improve its capabilities?

Answer. Increased funding could be leveraged to improve surface transportation security by allowing larger capital infrastructure security projects and cybersecurity projects to be funded. Historically, we have seen that the larger capital infrastructure projects can each take tens of millions of dollars to complete, which would equate to the majority of funding currently available through the Transportation Security Grant Program (TSGP) going to only one or two projects. In addition, specialized transit security operational teams could receive funding for more than 1 year of service at a time. Using fiscal year 2021 unfunded project requests as an example, increased TSGP funding could have resulted in funding for additional projects in perimeter hardening, specialized operational teams, and cybersecurity.

Critical technologies that would benefit from increased TSGP funding include, for example, intrusion detection for tunnels and security-restricted areas, structural hardening technologies, access controls, and cybersecurity. Greater funding to capital and cybersecurity projects could allow the Nation's transit systems to address

these capability gaps in a more complete and timely manner, while also allowing them to continue receiving funding for other operational and security needs.

Question 8a. Members of this subcommittee were surprised to learn that, from mid-December 2021 to mid-March of this year, TSA undertook an initiative to accept and analyze Amtrak passenger data to ascertain whether known or suspected terrorists are riding along the Northeast corridor. The data shared by Amtrak included personally identifiable information such as passengers' names; dates of birth; billing addresses; phone numbers; email addresses; and ticket origins and destinations.

What legal authority did TSA rely on to conduct this assessment?

Question 8b. The clear intent of language in section 1974 of the TSA Modernization Act is that TSA must notify Congress prior to vetting rail passengers. While we understand that TSA released a Privacy Impact Assessment on this initiative, Congress was not alerted to the undertaking. Should TSA plan to conduct another, similar initiative, will TSA commit to engaging Congress early on in the process?

Question 8c. Did TSA engage with civil rights and civil liberties groups prior to or during the collection of passenger data? Will TSA commit to doing so in the future?

Question 8d. I understand that the results of the assessment are Sensitive Security Information (SSI), but to the extent possible, please briefly expand on the level of utility of the findings given that there is no process in place to verify the identities of passengers riding Amtrak.

Answer. As it relates to this Amtrak assessment, TSA relied on its broad authorities under the Aviation and Transportation Security Act to "assess threats to transportation" and to "carry out such other duties, and exercise such other powers, relating to transportation security as the administrator considers appropriate." 49 U.S.C. § 114(f)(2) and (16). Additionally, TSA relied on 49 U.S.C. §§ 114(f)(1) (authorizing the administrator to "receive, assess, and distribute intelligence information related to transportation security"); 114(f)(3) (authorizing the administrator to "develop policies, strategies, and plans for dealing with transportation security"); 114(f)(4) (authorizing the administrator to "make other plans related to transportation security"); 114(f)(8) (authorizing the administrator to "identify and undertake research and development activities necessary to enhance transportation security"); and 6 U.S.C. § 1114(a) (authorizing the Secretary to "establish a program to provide appropriate information that the Department has gathered or developed on the performance, use, and testing of technologies that may be used to enhance railroad, public transportation, and surface transportation security") in order to receive data from Amtrak, perform post-trip analysis, and to deliver anonymized, aggregate results to Amtrak.

All of the requirements associated with TSA Modernization Act § 1974, including the mandate to provide Congressional notification, are premised upon the submission of a request by Amtrak's Board of Directors to TSA to use "Secure Flight Program or a similar passenger vetting system to enhance passenger rail security." TSA Modernization Act § 1974(a). In this instance, Amtrak's Board did not submit such a request to TSA for consideration. Nor did the Amtrak assessment involve the vetting of any Amtrak travelers before they traveled. Instead, Amtrak and TSA undertook this assessment as a preliminary step to gather and review historical passenger data that would inform risk-based future decisions by both Amtrak and TSA about costs and benefits of possible future actions. In the future, in addition to releasing Privacy Impact Assessments for initiatives such as this, TSA intends to engage Congress early on in the process.

TSA's Privacy Office engaged with a privacy advocacy group regarding the Amtrak assessment on several occasions prior to the assessment. The TSA Privacy Office regularly engages with privacy groups on TSA matters.

During the 90-day Post Travel Assessment, TSA identified individuals that were a potential match to a known or suspected terrorist (KST) Watchlist record, including individuals who made multiple trips. TSA and Amtrak continue to analyze and discuss the information to determine the value of the data-vetting results.

Question 9a. The horrific shooting on the New York subway system in Brooklyn in April 2022 drew significant scrutiny about the security of busy public transit systems.

What sort of engagement does TSA conduct with operators like the Metropolitan Transportation Authority to help them secure their systems?

Question 9b. What are the lessons learned for TSA in light of the shooting? Is there a need for more VIPR teams, Transit Security Grant Program funding, or other Federally-supported surface transportation security initiatives?

Answer. Public transportation owners and operators are primarily responsible for the safety and security of their infrastructure, systems, and passengers. To best

support owners and operators with their security needs, TSA focuses its efforts on periodic system assessments of an operator's voluntary implementation of industry/Government best practices, accurate and timely exchange of intelligence and information, and facilitating security drills and exercises. Operationally, TSA also provides trained explosives detection canines to Mass Transit and Passenger Rail systems, supports random baggage screening, and delivers active-shooter training as well as First Observer Plus training to front-line workers to observe, assess, and report suspicious activity.

Additionally, TSA regulations require owner/operators of higher-risk public transportation agencies, such as the Metropolitan Transportation Authority (MTA), to provide TSA-approved security training to employees performing security-sensitive functions. The training curriculum must teach these employees how to observe, assess, and respond to terrorist-related threats and/or security incidents. For example, the security training must teach employees to identify suspicious or dangerous items such as improvised explosive devices; appropriately report a security threat; and how to interact with the public and first responders at the scene of a security threat or incident. TSA has a three-step process for reviewing and approving an owner/operator's security training program. Following program submission by the owner/operator, TSA: (1) Assesses whether a submitted program includes key administrative information; (2) assesses whether the curriculum includes all the required security training topics; and (3) formally approves the security training program. Following the approval, TSA sends a letter to the applicable owner/operator notifying them of TSA's approval of their training program. The owner/operator must then provide initial training to security-sensitive employees within 1 year of the date of program approval.

TSA also engages and partners with representative and higher-threat venues, like the MTA, through formal Memorandums of Agreement to establish TSA-sponsored surface technology test beds. These TSA test beds:

- Provide a critical capability for evaluating the operational performance and suitability of candidate technologies in surface transportation environments.
- Offer system partners extended access to, and use of, promising technologies prior to making procurement decisions.
- Afford transportation systems and venues the opportunity to provide direct feedback to TSA and to technology vendors so that product configurations and Concepts of Operations (CONOPS) are optimized for use in surface transportation environments.
- Collaborate closely with international partners to identify solutions to capability gaps by providing synchronized vendor feedback and coordinating stakeholder engagement.

Further, TSA's Field Intelligence Officers (FIOs) in New York and New Jersey conduct regular intelligence liaison exchanges with the MTA, which includes providing both Classified and un-Classified transportation threat intelligence briefings to its members and senior leadership and conduct outreach with the MTA Police Department during weekly intelligence exchange meetings. Additionally, FIOs collaborate with Cybersecurity and Infrastructure Security Agency's (CISA) Protective Security Advisors from the NY/NJ area and their regional director on a recurring basis to include the physical security and vulnerability assessments of critical infrastructure, such as mass transit. TSA's LE/FAMS New York Field Office hosts the Quarterly New York/New Jersey Transportation Security Executives Meetings which includes MTA senior leaders. TSA also has representatives, including its regional security director (RSD) and surface inspectors, on the New York/New Jersey Regional Transit Security Working Group in which MTA and other area transit agencies participate. The TSA LE/FAMS maintains a regular dialog with MTA and other transportation stakeholders in the New York City metro area.

In this specific instance, TSA supported local law enforcement, who led the response to this shooting incident. Shortly after the shooting, the NY MTA director of emerging security solutions reached out to TSA's RSD to research technology suitable for the screening of weapons in a subway environment. The RSD connected NY MTA to TSA's Public Area Security and Infrastructure Protection and Requirements and Capabilities Analysis Branches.

TSA provides and offers a number of security support services to the Nation's mass transit agencies, including Visible Intermodal Prevention and Response teams and funding. While the security of the NYC subway system remains the responsibility of MTA, TSA can aid with implementing additional security measures should the MTA ask for assistance. Entities such as MTA have historically looked to the TSGP for funds to procure security technology.

Question 10a. In May 2021, the ransomware attack on Colonial Pipeline served as an important wake-up call for pipeline owners and operators and helped to cata-

lyze Federal efforts around pipeline cybersecurity. In the months following the attack, TSA released a number of cybersecurity directives for the pipeline, rail, and aviation sectors to fortify their defenses against similar attacks.

A year after the Colonial Pipeline attack, what is the status of TSA's cybersecurity efforts writ large?

Question 10b. Does TSA have the resources it needs to carry out all the cybersecurity directives it has released for the different transportation modes? If not, how can Congress support TSA?

Answer. TSA continues to take steps to enhance cybersecurity in the transportation sector. These include Security Directives (SD) for pipelines and surface transportation, Security Program Amendments in aviation, and Information Circulars (ICs) for owners and operators in aviation, pipeline, rail, and over-the-road-bus transportation sectors not covered by the SDs and Security Program changes. By the end of June 2022, TSA also issued security program requirements to large regulated airports and airline stakeholders to conduct cybersecurity self-assessments, as well as to develop remediation and incident response plans. TSA will issue an IC recommending the same measures to smaller airport and airline stakeholders. Furthermore, TSA plans to distribute an IC in July 2022 for all regulated airport and airline stakeholders recommending additional cybersecurity measures to ensure systems are protected. TSA is using lessons learned in the past year to update cybersecurity requirements and guidance; for example, TSA has already updated the pipeline SDs with improvements.

In the past year, TSA has reviewed and enhanced its internal cybersecurity efforts, such as cybersecurity training for TSA's surface workforce, policy development, assessments, and inspections. TSA has also established a Cyber Governance Senior Steering Group. The purpose of this group is to facilitate discussion, strategic direction, and conduct research and review of policy recommendations, requirements, and regulatory regimes needed to address cybersecurity risks across the Transportation Systems Sector and TSA Enterprise.

To support cybersecurity hiring efforts, TSA established the Cybersecurity Community of Practice (Cyber CoP) to streamline and inform hiring, staffing, training, and retention practices to elevate the cyber community to innovate and lead the agency with cyber infrastructure and maintaining threat awareness. As a result of this group, the direct hire policy is being updated to include Transportation Security Inspector (TSI Cyber) SV-1801-G/H, SV-1801-H/I, and SV-1801-I/J, and Supervisory TSI (Cyber) (STSI (Cyber)), SV-1801-J; these positions carry out our missions for protecting our Nation's pipelines. The Cyber CoP is also responsible for drafting the agency's first Cybersecurity Retention Incentive Plan to retain top talent; upon implementation, budget and pay structure limitations will be the next hurdle to overcome.

TSA, in partnership with the Federal Aviation Administration and the U.S. Department of Defense through the Aviation Cyber Initiative (ACI), continues to provide outreach to the aviation sector to include specific training initiatives directed at airports. ACI has undertaken several initiatives in fiscal year 2022, including:

- Conducting Interagency Aviation Cybersecurity Training for aviation cybersecurity personnel related to "foundational" cybersecurity, Wi-Fi hygiene, and workforce development.
- Conducting analysis on airport cybersecurity team structure to provide a basis for operational and procedural decisions. Findings will assist the aviation sector to better identify trends and gaps.
- Developing an integrated Positioning, Navigation, and Timing detect-and-response CONOPS for airports and spaceports to determine actions required in the event of an outage/interruption.

TSA continues to conduct inspections with the pipeline industry to evaluate compliance with the SDs. TSA has also hosted a technical roundtable series with industry partners to listen to questions and concerns on the SDs and broader cybersecurity matters. Additionally, TSA has offered multiple resources for stakeholders such as the 5N5 Cybersecurity Workshop and informational literature (i.e., Cybersecurity Resource Toolkit, Cybersecurity "Pocket" Awareness Guide, and "No-Cost" Cybersecurity Resource for Surface Transportation System handout). This awareness training provides resources regarding basic cyber hygiene and offers at least 5 non-technical actions to consider implementing in 5 days to enhance a company or agency's risk-management process and overall resiliency. While TSA plans to offer between 4 and 6 cybersecurity workshops each year, TSA has conducted 7 cybersecurity workshops since January 2022.

To support information-sharing efforts, TSA has also facilitated Classified intelligence briefings for owners and operators across aviation and surface transportation sectors. TSA will continue to coordinate with the Cybersecurity and Infrastructure

Security Agency and other intergovernmental partners to share cybersecurity threat intelligence and provide direction to mitigate threats and potential vulnerabilities to transportation stakeholders.

TSA anticipates cyber risks to evolve and cybersecurity threats to the transportation systems sector to increase over the next 10 years and TSA will likely need Congressional funding and support to increase staff and fund programs to mitigate risks to transportation operators. Such needs may include hiring additional employees and contractors to support cybersecurity directives and security program amendments, conduct inspections and risk assessments, provide facilitated exercises, trainings, threat intelligence, and legal support, and acquire the technology and tools needed to improve the quality of inspections and automate the process to meet this dynamic threat.

Question 11a. The President's fiscal year 2023 budget request proposes to eliminate TSA's staffing of exit lanes. This change would place burdens on airport operators with limited budgets and could result in degradations to security.

How many airports would be affected by this change?

Question 11b. What feedback has TSA received from airport stakeholders on how this would impact them?

Answer. This change would impact 109 airports where TSA currently monitors exit lanes co-located with security checkpoints. The limited feedback TSA has received regarding the proposed change conveys concerns related to budgetary and staffing impacts on airport stakeholders.

Question 12a. Subcommittee Members have heard concerns that TSA's new competitive model for TSA PreCheck enrollments will place financial burdens on the contractor providing enrollments for the Transportation Worker Identification Credential (TWIC) and Hazardous Materials Endorsement (HME) programs, including possibly leading to the closure of some enrollment centers. How does TSA plan to ensure the long-term health of the TWIC and HME programs?

Answer. TSA understands that the addition of new TSA PreCheck enrollment providers, as required by the FAA Reauthorization Act of 2018 (Pub. L. 115–254), may impact the Universal Enrollment Services (UES) contract operated by IDEMIA. IDEMIA provides enrollment services for TSA PreCheck, the Transportation Worker Identification Credential (TWIC), and Hazardous Materials Endorsement (HME) programs.

TSA was mandated by the FAA Reauthorization Act to increase enrollment in the TSA PreCheck Application Program and enter into other transaction agreements (OTAs) with at least two additional enrollment providers to offer TSA PreCheck enrollment services. TSA has entered into OTAs with two new enrollment providers, but they are not yet operational.

Until the TSA PreCheck OTA enrollment providers are fully operational, TSA cannot determine what (if any) impact might occur to UES enrollment volumes, or any magnitude of possible impact. However, the UES contract provides flexibility with enrollment center hours/days of operation to help balance costs with demand. Additionally, the UES enrollment provider may choose to reduce the number of non-contractually required enrollment centers if warranted due to a decrease in demand for services. The UES enrollment provider is contractually required to maintain over 300 UES enrollment centers Nation-wide to support populations such as TWIC and HME.

Question 12b. What metrics will TSA use to track the health of the TWIC and HME programs?

Answer. TSA continuously monitors the health of the TWIC and HME programs via contractually-required UES performance metrics. TSA reviews the IDEMIA-reported average wait times for applicants at both the individual enrollment center and National levels. TSA also monitors the percentage of time an enrollment center is open based on actual hours open versus scheduled hours. Finally, TSA reviews call center performance metrics, including but not limited to, speed to answer, response time, duration time, etc., to ensure that IDEMIA is performing contract-specified acceptable quality levels, and TWIC and HME applicants remain supported with quality enrollment services.

Question 12c. What steps is TSA taking to ensure the continued operation of enrollment centers in rural areas?

Answer. Specifically, as it relates to TSA PreCheck expansion of OTA providers, TSA will require the OTA providers to demonstrate how any proposed enrollment locations near mandatory UES locations will grow or expand TSA PreCheck enrollments. This review would occur during the site survey evaluation process that is required for all potential enrollment locations. TSA will also scrutinize any locations that are proposed to open near mandatory UES locations that have program-specific requirements (e.g., there are numerous enrollment locations that are required to be

within a certain mileage from a port to support the TWIC population). These measures support UES enrollment centers that service TWIC and HME in rural areas.

Question 12d. What changes will you make to assist the current Universal Enrollment Services (UES) provider, should it become clear that the new PreCheck model endangers its ability to continue fulfilling the UES contract as it relates to TWIC and HME enrollments?

Answer. TSA has already implemented changes to the UES contract by removing certain required airport locations that can be more expensive for the UES enrollment provider. Other mandatory UES locations remain required by TSA to ensure the continued accomplishment of its National security mission. TSA remains committed to ensuring enrollment services are available to the public Nation-wide, with a focus on easing cost and travel burdens for the applicant burden. In order to achieve this goal, TSA requires a Nation-wide network of UES enrollment locations but provides flexibility via the UES contract in terms of days and hours of operation. This enables the UES enrollment provider to balance operating costs and demand.

Question 12d. Will TSA need additional authority or a change in law to make those changes?

Answer. TSA does not require any changes in law at this time. TSA will exercise its existing authorities to implement any needed changes to ensure the execution of the UES contract.

QUESTIONS FROM RANKING MEMBER CARLOS A. GIMENEZ FOR DAVID P. PEKOSKE

Question 1. I've heard anecdotal reports that when checkpoint lines are long, non-PreCheck and non-Global Entry travelers are being moved into lanes with only walk-through metal detectors. These travelers are not low-risk and we need to ensure they are being adequately screened. Administrator Pekoske, can you commit that non-low risk passengers at the Nation's airports are being screened using Advanced Imaging Technology and not by walk-through metal detectors?

Answer. TSA is committed to properly screening all PreCheck and standard passengers at our Nation's airports. The current AIT deployment methodology is 100 percent AIT coverage in standard screening lanes. Standard screening lanes with AIT are directed to be the first to open and last to close. TSA has a goal to meet 95 percent of the operational capacity of the AIT (185 Passenger Per Hour). Federal Security Directors are authorized to use co-located walk-through metal detector (WTMD) to process standard passengers when the AIT becomes the bottleneck of the checkpoint. The overflow of standard passengers through the WTMD must be conducted in a random and unpredictable manner so an adversary cannot game the system and the accessible property and shoes of those individuals are still screened through the standard lane as non-PreCheck passengers.

Although TSA aims to screen all standard passengers with the AIT units, due to airport space constraints, some standard lanes cannot accommodate an AIT unit. This is most common in our Nation's smaller airports where a WTMD must be used. TSA has implemented countermeasures for this configuration by initiating On-Person Unpredictable Screening Procedures.

TSA has the goal to achieve 100 percent AIT screening of all standard passengers and is prioritizing both short-term and long-term solutions to help achieve this. One solution is the recently-developed Low Probability of False Alarm (Low Pfa) Algorithm. This algorithm will play a critical role to increase AIT utilization rates by increasing the probability of detection while reducing false alarm rates by 50 percent. The reduction in false alarms will reduce the need for the TSO to conduct a pat-down minimizing the time the passengers spend at the AIT, which will increase throughput and overall use of the AIT. If follow-on Operational Test and Evaluation (FOT&E) of the Low Pfa Algorithm is successful the algorithm will be deployed to the current AIT fleet beginning in fiscal year 2023. TSA will also be exploring potential WTMD replacement solutions that increases capability beyond metal detection to screening passengers for both metallic and non-metallic threats. This solution is being pursued under the Next-Generation On-Person Screening Program which aims to provide higher detection and efficiency in the screening of passengers.

Question 2. I'm concerned that TSA appears to be replacing aging checked-baggage Explosive Detection Systems (EDS) with the same legacy EDS systems that do not meet current detection standards. TSA appears to be delaying EDS modernization development efforts, despite the availability of new systems that can meet the expected upcoming detection standards.

What are TSA's plans for recapitalizing checked-baggage EDS systems in U.S. airports and what efforts have been made to utilize the authority that Congress provided under sections 1914 and 1925 of the TSA Modernization Act of 2018?

Answer. TSA is in the process of replacing legacy Explosive Detection Systems (EDS) with the current generation of EDS from the Qualified Products List. These EDS were designed to meet EDS Competitive Procurement requirements, first solicited in 2011. These machines provide better detection, imagery, and tool manipulation capabilities and can meet the latest detection standards TSA released. Three hundred fourteen airports currently have EDS capable of reaching the current detection standards. The typical lifecycle for an EDS is 15 years; however, it is the technology's ability to meet detection standards and remain maintainable that dictates the actual life span of particular models of EDS. EDS that are not maintainable or unable to reach current detection requirements are deemed technically obsolete by TSA and the TSA begins to work with airports to schedule removal and replacement of these EDS. The recapitalization of units that cannot reach current detection standards is planned to be complete by fiscal year 2026. The schedule for removal of the CTX 9000 and CTX 9400 is shown below:

Fiscal Year	9000/9400 Decommis- sioned	9000/9400 Remaining In Field
2022	32	207
2023	50	157
2024	65	92
2025	48	44
2026	44	0

The dates for the removals are subject to change as airports work through both design and construction. Schedules are primarily driven by the airport authority that is managing the project.

Besides the CTX 9000 and CTX 9400, there are also older stand-alone CTX 5500's still remaining at two airports. These systems are planned for removal and replacement by the end of the second quarter of fiscal year 2023. One integrated 5500 is still deployed and will complete its recapitalization this fiscal year.

TSA is also seeking to establish a new Electronic Baggage Screening Program, which will be used to qualify and procure next generation screening equipment for the next 15–20 years. This new program will encompass enhanced requirements to improve the technology provided to the field. TSA is committed to enhancing and updating our transportation security equipment and appreciates Congress' support to date.

