

GAO

Report to the Ranking Democratic
Member, Committee on Transportation
and Infrastructure, House of
Representatives

September 2005

**TRANSPORTATION
SECURITY
ADMINISTRATION**

**More Clarity on the
Authority of Federal
Security Directors Is
Needed**





Highlights of [GAO-05-935](#), a report to the Ranking Democratic Member, Committee on Transportation and Infrastructure, House of Representatives

TRANSPORTATION SECURITY ADMINISTRATION

More Clarity on the Authority of Federal Security Directors Is Needed

Why GAO Did This Study

The Transportation Security Administration (TSA) assigned Federal Security Directors (FSD) to oversee security, including the screening of passengers and their baggage, at the nation's more than 440 commercial airports. FSDs must work closely with stakeholders to ensure that airports are adequately protected and prepared in the event of a terrorist attack. This report addresses (1) the roles and responsibilities of FSDs and the clarity of their authority relative to that of other airport stakeholders during security incidents, (2) the extent to which FSDs formed and facilitated partnerships with airport stakeholders, and (3) FSDs' views of key changes TSA made to better support or empower the FSD position.

What GAO Recommends

GAO recommends that the Secretary of Homeland Security direct TSA to update its Delegation of Authority to FSDs and communicate this information to FSDs and airport stakeholders. The Department of Homeland Security generally concurred with GAO's findings and recommendations and described corrective actions that it has initiated or plans to take to address the issues identified.

www.gao.gov/cgi-bin/getrpt?GAO-05-935.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Cathleen Berrick at (202) 512-8777 or Berrickc@gao.gov.

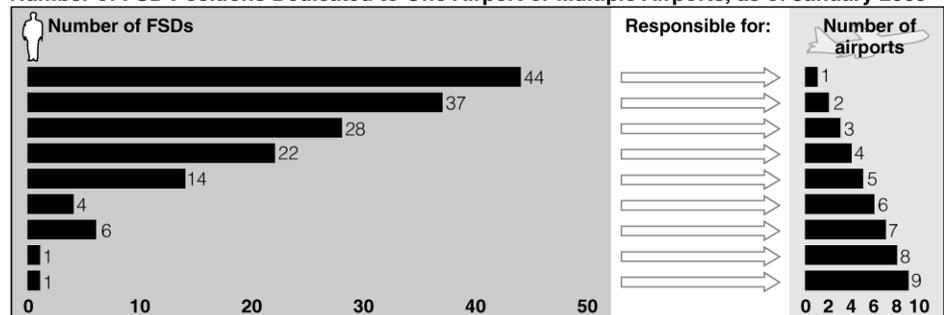
What GAO Found

TSA has issued guidance that clearly defines FSDs' roles and responsibilities. However, TSA's guidance related to FSDs' authority is outdated and lacks clarity regarding FSD authority relative to other airport stakeholders. TSA's document that delegates authority to FSDs gives them authority to supervise and deploy a TSA law enforcement force that was never established. Also, it does not clearly address FSD authority during a security incident relative to other parties with airport security responsibilities. At airports GAO visited, stakeholders said that this information had never been communicated to them and they were not always clear on the FSDs' authority in such situations. For example, confusion arose at one airport over whether the FSD had the authority to take certain actions during a security incident. In August 2005, TSA officials stated that they were updating guidance on FSDs' authority but had not finalized their revisions prior to this report's issuance.

All of the FSDs and most stakeholders at the airports GAO visited reported developing partnerships that were generally working well. Communication and coordination were taking place among stakeholders at these airports, including meetings, briefings, and training exercises. According to TSA, partnerships with airport stakeholders are essential to FSDs' success in addressing aviation security and customer service needs. For example, FSDs rely on law enforcement stakeholders during security incidents since they do not have their own law enforcement resources. FSDs also rely on air carriers for passenger volume information to schedule screeners, and air carriers rely on FSDs for efficient screening that minimizes passenger wait times.

TSA made changes in 2004 to better support or empower the FSD position, and most of the 25 FSDs we interviewed generally viewed these changes favorably. For example, most of the FSDs we interviewed were satisfied with TSA's new local hiring process that provided more options for FSDs to be involved in hiring screeners, and most said that the new process was better than the more centralized hiring process it replaced. Most FSDs we interviewed also saw value in the headquarters group TSA established to provide operational support to the field and a communication link among headquarters, field-based Area Directors, and FSDs.

Number of FSD Positions Dedicated to One Airport or Multiple Airports, as of January 2005



Source: GAO analysis of TSA data.

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Abbreviations

ATSA	Aviation and Transportation Security Act
BTS	Border and Transportation Security
CBP	Customs and Border Protection
DHS	Department of Homeland Security
DOT	Department of Transportation
FBI	Federal Bureau of Investigation
FSD	Federal Security Director
ICE	Immigration and Customs Enforcement
MANPADS	Man Portable Air Defense System
TSA	Transportation Security Administration
TSES	Transportation Senior Executive Service

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United States Government Accountability Office
Washington, DC 20548

September 23, 2005

The Honorable James L. Oberstar
Ranking Democratic Member
Committee on Transportation and Infrastructure
House of Representatives

Dear Mr. Oberstar:

Federal Security Directors (FSD) are the ranking Transportation Security Administration (TSA) authorities responsible for leading and coordinating TSA security activities at the nation's more than 440 commercial airports. During 2002, the first year FSDs were assigned to airports, FSDs worked to meet deadlines associated with screening, including deploying over 55,000 passenger and baggage screeners and screening checked baggage using explosive detection systems. As a part of their security responsibilities, FSDs must coordinate closely with airport and air carrier officials, local law enforcement, and emergency response officials to ensure that airports are adequately protected and prepared in the event of a terrorist attack. FSDs' success in sustaining and ensuring the effectiveness of aviation security efforts are dependent on their ability to develop and maintain effective partnerships with these stakeholders.

In March 2004, after FSDs had been deployed at airports for over 2 years, we surveyed all 155 FSDs at that time and learned that most thought they needed certain additional authorities and flexibilities to better address airport staffing and security needs. Since that survey, TSA has taken steps to enhance FSDs' authority and provide flexibilities in certain areas. To provide additional information on the ability of FSDs to address airport security needs, this report addresses the following questions: (1) What are the roles and the responsibilities of FSDs and how clear is their authority relative to that of other airport stakeholders during security incidents? (2) To what extent are FSDs involved in the development of TSA aviation security policy? (3) How have FSDs at selected airports formed and facilitated partnerships with airport stakeholders, and how are these partnerships working? (4) What key changes has TSA made or planned to make to better support or empower the FSD position, and how have selected FSDs viewed these efforts?

To address these questions, we interviewed TSA's Chief Operating Officer and officials from TSA's Aviation Security Program Office, Office of Law Enforcement, Office of Compliance Programs, and Office of Human

Resources, and we reviewed relevant laws and TSA documentation related to the FSD position. To obtain additional views on the role of the FSD and FSD-stakeholder partnerships, we met with headquarters officials from the Department of Homeland Security's (DHS) Border and Transportation Security Directorate (BTS),¹ and the Federal Bureau of Investigation's (FBI) Counter-Terrorism and Criminal Investigations Divisions. We also met with officials from national organizations representing airports (the American Association of Airport Executives and the Airports Council International), airport law enforcement officials (the Airport Law Enforcement Agencies Network), and air carriers (the Air Transport Association). We conducted site visits to seven airports. We selected these airports because they incorporated all five airport security categories²—three airports with an FSD dedicated solely to each airport, and two sets of airports where the FSD was responsible for at least two airports. At each airport, we met with the FSD (five in total) or the top-ranking TSA official, as well as the Assistant FSDs for Law Enforcement and Regulatory Inspection, where these positions existed. During our meetings with FSDs, we obtained their views on changes TSA made to further enhance the FSD position, as well as views on their roles and responsibilities and perspectives on their partnerships with local stakeholders. At airports, we also met with key stakeholders—airport managers, airport law enforcement, station managers representing selected air carriers, and FBI Airport Liaison Agents and officials from DHS's Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) (at the two international airports we visited) to obtain their views on the roles and responsibilities of the FSD and partnerships and communication mechanisms with FSDs.

To corroborate and expand on what we learned from the FSDs we interviewed during our site visits, we randomly selected 25 additional FSDs and telephoned them to obtain their views on a range of topics including recent TSA initiatives and the development of federal aviation security policy. We also included selected questions—regarding the

¹ BTS, one of five operational directorates within DHS, is tasked with securing the nation's borders and safeguarding its transportation infrastructure. TSA is part of the BTS organization. As part of his July 2005 announcement to reorganize the department, the Secretary of DHS proposed the dissolution of BTS, pending the enactment of legislation to effect this change.

² TSA classifies commercial airports in five airport security categories based on factors such as the number of takeoffs and landings, the extent of passenger screening, and other security considerations.

adequacy of the FSDs' authority and flexibility—that we had posed earlier, in a March 2004 Web-based survey of all 155 FSDs in place at that time conducted in support of other aviation security reviews. Of the 25 FSDs we interviewed by telephone as part of this review, 21 were FSDs at the time of that Web-based survey and, as such, responded to both. The information we obtained during our seven airport visits and telephone interviews with 25 FSDs cannot be generalized to all airports and FSDs across the nation.

We conducted our work from August 2004 through September 2005 in accordance with generally accepted government auditing standards. Appendix I contains more details about our scope and methodology.

Results in Brief

TSA developed guidance that describes the roles and responsibilities of the FSD position, such as ensuring overall aviation security, providing regulatory oversight, implementing policy, and managing stakeholder relationships. However, the document that specifically describes the FSDs' authority—TSA's Delegation of Authority to FSDs—is outdated, does not clearly address the extent of FSD authority relative to other airport stakeholders, and has not been adequately communicated to these stakeholders. The document has not been updated since FSDs were first assigned to airports and gives FSDs authority to supervise and deploy a TSA law enforcement force that was envisioned but never established. Also, the document describes some of the authorities of FSDs but does not clearly address the extent of their authority relative to other airport stakeholders, including law enforcement agencies, during security incidents. Stakeholders at the airports we visited said they were not always clear on the authority FSDs had relative to that of other agencies, particularly FSDs' authority in various security incidents, and that such information had not been communicated to them. For example, at two airports, confusion or conflicting opinions arose over whether the FSD had the authority to take certain actions during particular security incidents. Stakeholders at the national level also questioned the clarity of the FSDs' authority relative to other agencies, particularly during security incidents. For example, FBI headquarters officials stated that past airport training exercises revealed that some FSDs thought they were in charge of certain situations for which the FBI had authority. According to these officials, in an actual security incident, confusion over roles could result in conflict, confusion, and increased response time. In addition, 18 of the 25 FSDs we interviewed by telephone said they believed that TSA needs to do more to clarify their roles and responsibilities for the benefit of FSDs and stakeholders, and many stated that the authority of the FSD, in particular,

needed clarification. In August 2005, TSA officials stated that they had drafted a new Delegation of Authority that clarified FSDs' authority. However, TSA had not completed the revision prior to the issuance of this report.

TSA does not charge FSDs with responsibility for developing federal aviation security policy, but it does provide several opportunities for some FSDs to be involved in developing some such policies. TSA's FSD Advisory Council provides one mechanism for selected FSDs to be involved in TSA's development of aviation security policy. The FSD Advisory Council consists of 22 FSDs who the Administrator selects based on various factors, such as airport security category. FSD members provide the Administrator their opinions and guidance on establishing and modifying TSA policies and procedures when requested and have opportunities for input in other areas. On occasion, some FSDs also have had the opportunity to provide input on draft federal aviation security policy through ad hoc consultation groups organized by TSA's Aviation Security Program Office. Testing new technology and procedures at their airports has been another way for some FSDs to be involved in developing federal aviation security policy.

FSDs responsible for the seven airports we visited reported that they had entered into partnerships with airport stakeholders, and FSDs and stakeholders we contacted at these airports said that their partnerships were generally working well. TSA recognizes that building and maintaining partnerships with airport stakeholders is essential to FSDs' success in addressing security as well as maintaining an appropriate level of customer service. TSA established general guidance for FSDs to follow in building stakeholder partnerships but has left it to the FSDs to determine how best to achieve effective partnerships at their respective airports. FSDs need to partner with law enforcement stakeholders, for example, because they do not have a law enforcement body of their own to respond to security incidents. Partnerships can be of mutual benefit to FSDs and airport stakeholders and can enhance customer service. For example, FSDs rely on air carrier data on the number of passengers transiting through checkpoints to appropriately schedule screeners, and air carriers rely on the FSD to provide an efficient screening process to minimize wait times for passengers. At the airports we visited, FSDs and stakeholders cited several ways FSDs maintained partnerships, including being accessible to their stakeholders to help resolve problems and meeting with stakeholders to discuss how to implement new security policies. In addition, a variety of communication and coordination efforts were in place at the airports we visited, and many of these efforts existed before

TSA assigned FSDs to airports. Formal mechanisms included security and general airport operations meetings, incident debriefings, and training exercises to help ensure a coordinated response in the event of a security incident.

TSA made changes in 2004 to better support or empower the FSD position by providing FSDs with more authority and flexibility, and FSDs we interviewed generally viewed most of these efforts favorably. For example, TSA implemented a local hiring initiative designed to vest FSDs with more authority to address their screener staffing needs by, among other things, giving FSDs the flexibility to select their level of participation in the hiring process. Most of the 25 FSDs we interviewed stated that this new hiring method addressed their needs better than TSA's former highly centralized approach, although 12 of the 25 FSDs said that to a great or very great extent, they still wanted more authority in this area. When we originally posed the same question regarding FSD authority in hiring screeners in our March 2004 survey of all 155 FSDs, 88 percent of those FSDs stated that to a great or very great extent they wanted more authority in selecting screeners. In another effort to move more decision making to the field, TSA physically relocated its five Area Director positions from headquarters to the field and established a group in headquarters to provide operational support and a communication link among headquarters, field-based Area Directors, and FSDs. FSDs we interviewed were split on whether they thought moving the Area Director position to the field was helpful, but most considered the group TSA established in headquarters to be a valuable resource. TSA had three other efforts under way that could significantly affect FSDs—the implementation of a new staffing model for allocating screeners at airports, a reassessment of the number of management positions allocated to each FSD, and a reassessment of which and how many airports are assigned to FSDs. TSA took steps to involve at least some FSDs in these efforts. However, most of the 25 FSDs we interviewed said that TSA had not involved them. TSA headquarters officials said that they acknowledge the importance of FSDs' involvement in agency planning efforts, and when practical and appropriate, have attempted to obtain a broad spectrum of FSD input.

To assist TSA in fully communicating key areas of FSD authority to ensure organizational goals and objectives are achieved, we recommend that the Secretary of Homeland Security direct the Assistant Secretary of Homeland Security for TSA to update the Delegation of Authority to FSDs to clearly reflect their authority relative to other airport stakeholders during security incidents and communicate this information to FSDs and relevant stakeholders.

We provided a draft of this report to DHS for review. DHS, in its written comments, generally concurred with our findings and recommendations and agreed that efforts to implement these recommendations are critical to enable FSDs to effectively oversee security at the nation's commercial airports. DHS described actions TSA has initiated to revise and update the Delegation of Authority to FSDs. Once approved, TSA plans to notify FSDs and airport stakeholders of their responsibilities under the new Delegation of Authority. A copy of DHS's comments is included as appendix III.

Background

A federal position dedicated to overseeing security at commercial airports was first established in 1990 under the Federal Aviation Administration and was later transferred to TSA. The Federal Aviation Administration established the position of Federal Security Manager pursuant to a mandate in the Aviation Security Improvement Act of 1990.³ Federal Security Managers, responsible for security at the nation's largest airports, developed airport security plans in concert with airport operators and air carriers; provided regulatory oversight to ensure security measures were contained in airport plans and were properly implemented; and coordinated daily federal aviation security activities, including those with local law enforcement. According to TSA officials, regional civil aviation security field offices, headed by Civil Aviation Security Field Officers and staffed with security inspectors, had been in place at commercial airports since the mid-1970s and eventually covered the more than 440 commercial airports required to have security programs. In practice, the field office staff performed compliance and enforcement inspections and assessed penalties, while the Federal Security Managers served in a liaison and coordination role as on-site security experts. To avoid duplication of effort, Civil Aviation Security Field Officers were not assigned responsibilities at airports where Federal Security Managers were designated or stationed.

In November 2001, shortly after the terrorist attacks of September 11, 2001, the President signed the Aviation and Transportation Security Act (ATSA) into law, shifting certain responsibilities for aviation security from air carriers to the federal government and the newly created TSA.⁴ Specifically, ATSA created TSA and granted it direct operational

³ Aviation Security Improvement Act of 1990, Pub. L. No. 101-604, § 104, 104 Stat. 3066, 3070-71.

⁴ Aviation and Transportation Security Act (ATSA), Pub. L. No. 107-71, 115 Stat. 597 (2001).

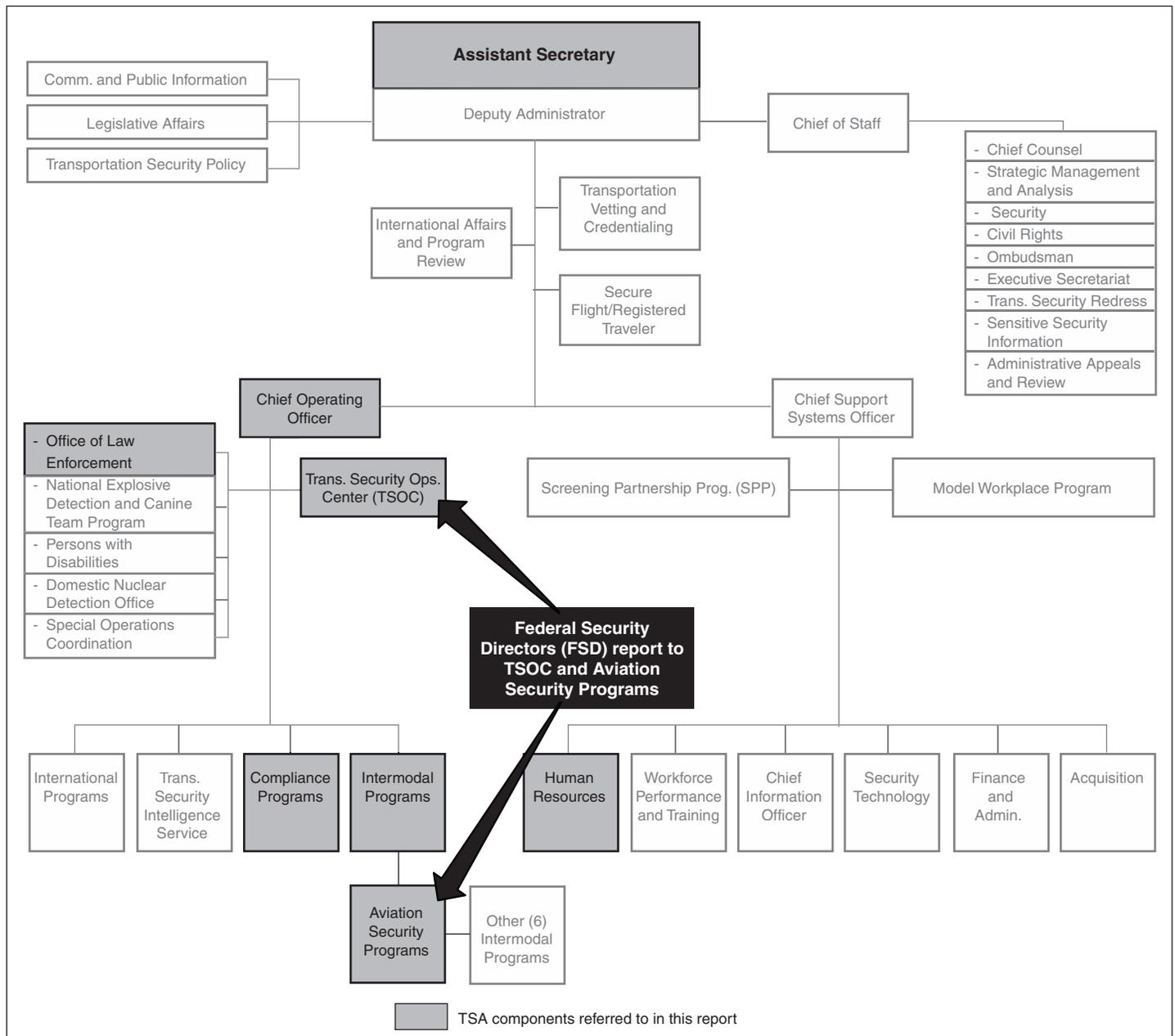
responsibility for, among other things, passenger and checked baggage screening. On February 17, 2002, pursuant to ATSA, TSA assumed responsibility from FAA for security at the nation's commercial airports, including FAA's existing aviation security programs, plans, contracts, regulations, orders, directives, and personnel.⁵ On February 22, 2002, FAA and TSA jointly published a final rule transferring the civil aviation security regulations from FAA to TSA and amending those rules to comport with ATSA and enhance security as required by the act. According to TSA officials, DOT and TSA leadership administratively changed the name of the Federal Security Manager to Federal Security Director to avoid confusion with the liaison role of the Federal Security Manager prior to September 11. The FSD role was more comprehensive and had responsibilities that included overseeing passenger and baggage screening. Airport operators retained responsibility for the security of the airport operating environment, that is, perimeter security, access control to secured areas, and other measures detailed in the approved airport security plan, while the FSD provided regulatory oversight over these efforts.

FSDs report to one of five Area Directors, based on their geographic regions, on administrative matters. However, they report to TSA headquarters (the Aviation Security Program Office and Transportation Security Operations Center) on operational issues, such as reporting security incidents. FSDs are part of the Aviation Security Program Office within TSA's Office of Intermodal Programs, as shown in figure 1. The Aviation Security Program Office focuses on specific functions related to TSA's Aviation Security Program, including staffing, training, and equipping the federal security work force. The Transportation Security Operations Center serves as a single point of contact for security-related operations, incidents, or crises in aviation and all surface modes of transportation. FSDs are to report any security incident at their airport immediately to the center, which is to provide guidance, if needed, as well as look for patterns among all incidents that occur throughout the country. The center provides FSDs daily intelligence briefings based on incident information from FSDs and information from TSA's Transportation Security Intelligence Service. The Transportation Security Intelligence

⁵ ATSA created TSA as an agency within the Department of Transportation. The Homeland Security Act of 2002, Pub. L. No.107-296, 116 Stat 2135, enacted in November 2002, transferred TSA to the newly created Department of Homeland Security, where TSA presently resides as a distinct entity within the Border and Transportation Security Directorate.

Service provides FSDs, Deputy FSDs, and Assistant FSDs with a classified Daily Intelligence Summary containing the most current threat information from the intelligence community, law enforcement agencies, and stakeholders and provides the FSD staff with an unclassified TSA Field Intelligence Summary to be used in briefing screeners and screening management about current threats and other issues related to aviation security.

Figure 1: Transportation Security Administration Organization Chart



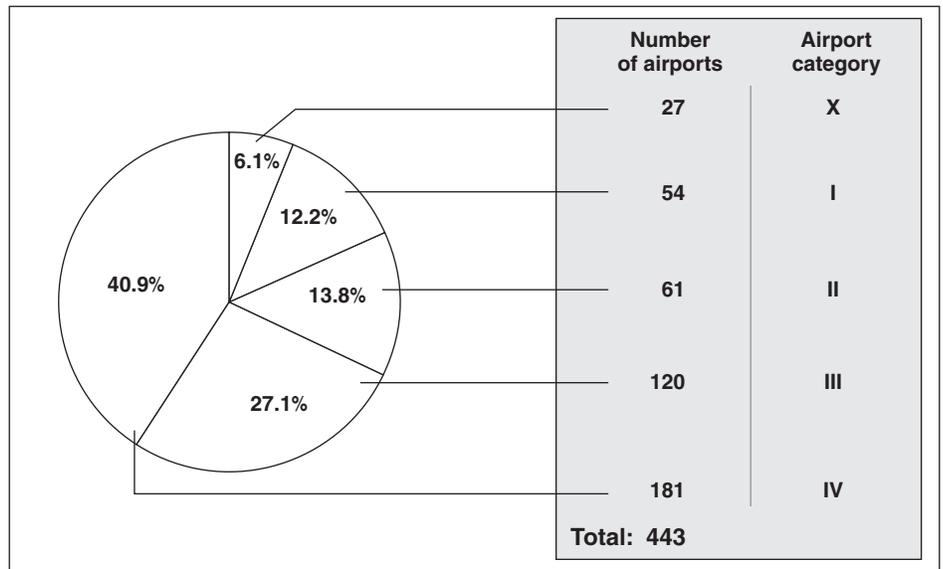
Source: Developed by GAO based on TSA data.

TSA's Area Directors are responsible for monitoring and annually assessing the performance of FSDs. FSD performance is to be assessed in terms of successful accomplishment of organizational goals as well as specific performance metrics associated with aviation security within the FSD's area of responsibility. Area Directors are required to follow DHS's performance management guidance for FSDs who are part of the Transportation Senior Executive Service (TSES) and TSA's performance management guidance for FSDs who are not part of the TSES (non-TSES). According to TSA Human Resources officials, about one-third of the FSDs are part of the TSES, and they are generally assigned to larger airports.

FSDs are responsible for overseeing security operations at the nation's commercial airports—443 airports as of January 2005—which TSA classifies in one of five airport security categories (X, I, II, III, IV).⁶ These categories are based on various factors such as the total number of takeoffs and landings annually, the extent to which passengers are screened at the airport, and other special security considerations. In general, category X airports have the greatest number of passenger boardings and category IV airports have the fewest. These airports can vary dramatically, not just in passenger and flight volume, but in other characteristics, including physical size and layout. Figure 2 identifies the number of commercial airports by airport security category, as of January 2005.

⁶ According to TSA, the total number of commercial airports regulated for security in the United States varies depending on various factors such as the type and level of commercial operations that an aircraft operator conducts at that particular airport, the time of year or season where a particular airport is located, and the economic stability of that airport's region.

Figure 2: Commercial Airports by Airport Security Category, as of January 2005



Source: GAO analysis of TSA data.

Note: TSA periodically reviews and updates airport security categories to reflect current operations. We used the categories in place in January 2005 to conduct the above analysis. Percentages do not total 100 because of rounding.

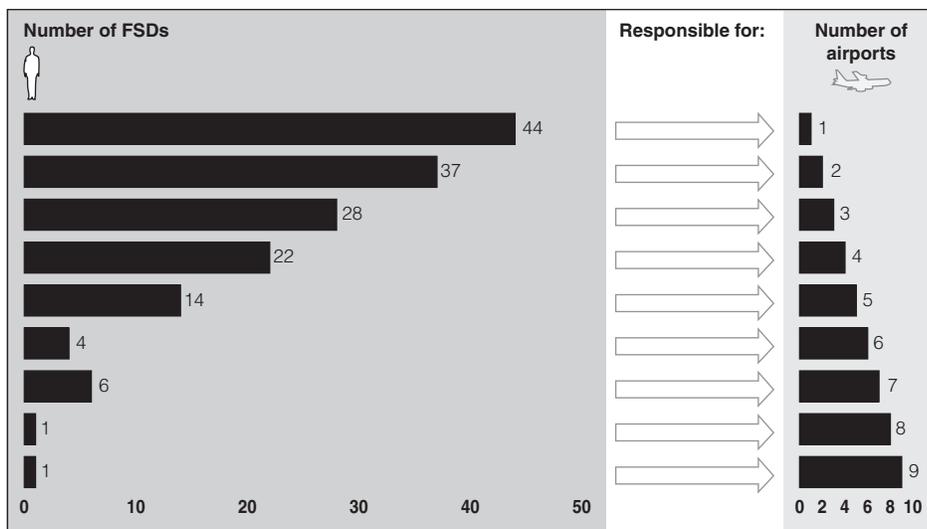
TSA had 157 FSD positions at commercial airports nationwide, as of January 2005.⁷ Although an FSD is responsible for security at every commercial airport, not every airport has an FSD dedicated solely to that airport. Most category X airports have an FSD responsible for that airport alone. Other airports are arranged in a “hub and spoke” configuration, in which an FSD is located at or near a hub airport but also has responsibility over one or more spoke airports of the same or smaller size that are generally located in geographic proximity.⁸ At spoke airports, the top-ranking TSA official located at that airport might be a Deputy FSD, Screening Manager, or even Screening Supervisor, although the FSD has

⁷ The number of FSDs was based on the most current list TSA had at the time of our review.

⁸ In contrast to how TSA uses the terms “hub airport” and “hub and spoke,” airlines refer to an airline hub as an airport that an airline uses as a transfer point to get passengers to their intended destination. It is part of a hub and spoke model, where travelers moving between airports not served by direct flights change planes en route to their destination.

overall responsibility for the airport.⁹ Figure 3 identifies the number of FSDs responsible for specific numbers of airports. For example, figure 3 shows that 44 FSDs are responsible for a single airport, 37 are responsible for two airports (one hub and one spoke), and 1 is responsible for nine airports (one hub and eight spokes).

Figure 3: Number of FSD Positions with Responsibility for a Designated Number of Airports, as of January 2005



Source: GAO analysis of TSA data.

FSDs rely on their management staff to help carry out their responsibilities at airports, but the exact FSD management positions vary by airport. At larger airports, FSDs might have four Assistant FSDs—one for Law Enforcement, one for Regulatory Inspection, one for Screening, and another for Operations. However, not every FSD or airport has these Assistant FSD positions. Assistant FSDs for Law Enforcement coordinate law enforcement activities at the airport and often work with local Joint Terrorism Task Forces. Assistant FSDs for Regulatory Inspection are responsible for matters related to the enforcement of, and compliance

⁹ A Screening Manager is responsible for individuals at screening checkpoints and maintains communication with supervisors regarding any issues that might reveal a weakness or vulnerable area of security screening that is discovered during the course of screening duties. A Screening Supervisor is responsible for supervising personnel performing preboard security screening of persons and their carry-on and checked baggage.

with, approved security plans and directives pertaining to airport and aviation security. These responsibilities include a key function of the oversight of airport compliance with regulatory requirements and security measures contained in approved security plans and security directives. Assistant FSDs for Screening are responsible for passenger and baggage screening and managing all screener staff, and Assistant FSDs for Operations are responsible for managing nonscreening operations (e.g., exercise planning and execution, crisis management, and vulnerability assessments) and designated aspects of administrative support. An FSD responsible for a large airport may also have a Deputy FSD, and that position could be located at a hub airport where the FSD is located or at a spoke airport. Other FSD management staff positions vary by airport and airport size, but may include a Stakeholder Manager, Customer Support Manager, Training Coordinator, Human Resource Specialist, Financial Specialist, Scheduling Operations Officer, Screening Supervisors and Managers, administrative support personnel, as well as other positions.

Federal Security Directors Have a Range of Responsibilities, but TSA's Guidance Regarding FSDs' Authority Is Unclear

TSA developed guidance that describes the many roles and responsibilities of the FSD position, most of which is associated with securing commercial airports from terrorist threats. However, its guidance addressing FSD authority is outdated and does not clearly describe the FSDs' authority relative to other airport stakeholders during a security incident. Furthermore, some of the stakeholders at airports we visited said that the FSDs' authority relative to others was not always clear during a security incident, and that the FSDs' authority in such cases had not been communicated to them. Most of the 25 FSDs we interviewed by telephone said that TSA needed to do more to clarify the roles and responsibilities of the FSD position for the benefit of FSDs and stakeholders, with the majority of these FSDs stating that their authority needed further clarification.

FSDs Have a Range of Responsibilities Related to Airport Security

The FSD is the ranking TSA authority responsible for the leadership and coordination of TSA security activities at the nation's commercial airports. As such, the FSD is responsible for providing day-to-day operational direction for federal security at the airport or airports to which the FSD is assigned. ATSA established broad authorities of the FSD, while specific responsibilities of the FSD are laid out in TSA Delegation Orders, the FSD

position description, and TSA's 2004 Executive FSD Guide,¹⁰ and include the following:

Overseeing security screening of passengers, baggage, and air cargo.

FSDs are responsible for providing direct oversight of passenger and baggage screening by managing the local screening force, which is typically composed of federal employees.¹¹ To carry out this responsibility, FSDs engage in activities that include ensuring implementation of required screener-training programs, anticipating and preparing for training on new screening technologies and procedures, and developing local training initiatives to test and improve screener performance. In accordance with regulations, aircraft operators perform their own security screening of air cargo, and FSDs are responsible for overseeing operators' performance in implementing required security measures.

Providing regulatory oversight of all U.S. air transportation facilities and operations. FSDs are responsible for ensuring that airports, airlines (foreign and domestic), air cargo carriers, and indirect air carriers comply with TSA regulations and security directives governing such things as perimeter security, access controls, procedures for challenging questionable identification documents, aircraft searches, and general security procedures.¹² This is accomplished through administering appropriate compliance and enforcement actions with the goal of discovering and correcting deficiencies and vulnerabilities in aviation security. FSDs oversee civil enforcement activities at their airports involving findings of noncompliance with security requirements by

¹⁰ TSA's Executive FSD Guide: A Tool for Development (August 2004).

¹¹ As of August 2005, five airports rely on a private screening contractor instead of a federal TSA screening force, and two additional airports have applied to TSA to use private screeners. Section 108 of ATSA required TSA to establish a pilot program permitting a small number of commercial airports to use private screening contractors to conduct passenger and baggage screening operations rather than federal screeners. Beginning on November 19, 2004, all commercial airports with federal security screening became eligible to apply to opt out of using federal screeners through the Screening Partnership Program. According to TSA guidance, the FSD at a privately screened airport would not have direct administrative control over the screening workforce but would still be responsible for overall security at the airport. For more information see GAO, *Aviation Security: Preliminary Observations on TSA's Progress to Allow Airports to Use Private Passenger and Baggage Screening Services*, [GAO-05-126](#) (Washington, D.C.: Nov. 19, 2004).

¹² Indirect air carriers, sometimes referred to as freight forwarders, consolidate cargo shipments and deliver them to air carriers and cargo facilities of passenger and all-cargo air carriers that store cargo until it is placed aboard an aircraft.

airlines, airports, and individuals, including passengers. To carry out their regulatory oversight responsibilities, FSDs and staff engage in activities that include conducting stakeholder meetings with all regulated parties to discuss regulatory changes or educate them on current aviation threats.

Analyzing and addressing security threats. FSDs are responsible for conducting analyses of security threats and vulnerabilities in and around their airports. To carry out this responsibility, FSDs seek intelligence from sources external to TSA, build systems to analyze the information received from intelligence organizations and apply it to the local airport security, and direct TSA regulatory agents to test security measures and procedures and identify potential security weaknesses.

Building and managing relationships with airport stakeholders. FSDs are responsible for building and managing relationships with local stakeholders (e.g., airport management, airlines, and concessionaires) to ensure that security operations run smoothly. To carry out this responsibility, FSDs engage in activities that include collaborating with airlines to identify and resolve issues of efficient passenger flow and customer service while maintaining security standards. FSDs also coordinate with airport and airline management; federal, state, and local governments; law enforcement agencies; and relevant private sector entities to organize and implement a Federal Security Crisis Management Plan at each airport. The plan is essentially a protocol for what TSA employees and airport stakeholders should do in the event of an emergency, including a terrorist incident, within the airport.

Other FSD responsibilities include communicating information received from TSA headquarters to appropriate stakeholders, maintaining quality customer service for airlines and passengers, providing leadership to the TSA employee population, managing and coordinating their direct staff, and overseeing management of TSA facilities and equipment resources. In addition, TSA has directed FSDs to conduct outreach and liaison with the

general aviation community in their areas, although it has not given FSDs regulatory oversight responsibility over general aviation airports.¹³

TSA's Guidance Regarding Aspects of FSDs' Authority Is Outdated, Lacks Clarity, and Has Not Been Adequately Communicated to Stakeholders

FSDs' roles and responsibilities have been fairly well documented, but their authority relative to other airport stakeholders during security incidents has not been clearly defined. Section 103 of ATSA addressed FSD authority at the broadest level by giving FSDs responsibility for overseeing the screening of passengers and property and for carrying out any other duties prescribed by the TSA Administrator.¹⁴ TSA's Executive FSD Guide, discussed earlier, describes FSD responsibilities, but it does not address the FSDs' authority in security incidents. That authority is addressed more specifically in TSA's June 2002 Delegation of Authority to Federal Security Directors (Delegation Order), which gives FSDs the authority to provide for overall security of aviation, including the security of aircraft and airports and related facilities to which they are assigned.¹⁵

The Delegation Order is outdated in that it gives FSDs the authority to train, supervise, equip, and deploy a TSA law enforcement force that was never established. Officials from TSA's Aviation Security Program Office acknowledged that the document is outdated and has not been updated since FSDs were first assigned to airports. According to officials from TSA's Office of Law Enforcement, TSA originally envisioned that all FSDs would be federal law enforcement officers (e.g., GS-1811—criminal investigators) and would command a TSA police force. However, the force was never established, and FSDs were not given federal law enforcement status. TSA has assigned an Assistant FSD for Law Enforcement to about half the FSDs in the country, but this is the only law enforcement position

¹³ General aviation includes a wide range of on-demand activities such as pilot training, flying for business and personal reasons, delivery of emergency medical services, and sightseeing. Most of the responsibility for determining vulnerabilities and enhancing security at general aviation airports lies with airport operators. For more information on TSA activities related to general aviation, see GAO, *General Aviation Security: Increased Federal Oversight Is Needed, but Continued Partnership with the Private Sector Is Critical to Long-Term Success*, GAO-05-144 (Washington, D.C.: Nov. 10, 2004).

¹⁴ Pursuant to ATSA, the head of TSA was referred to as the Under Secretary of Transportation for Security. Since TSA transferred to DHS, the head of TSA is now referred to as the Assistant Secretary of Homeland Security for TSA. This position is also referred to as the TSA Administrator.

¹⁵ TSA's Delegation of Authority to FSDs was issued on June 14, 2002.

on their staff. Instead, airport police or state or local law enforcement agencies primarily carry out the law enforcement function at airports.¹⁶

Furthermore, the Delegation Order does not clearly address the extent of FSD authority relative to other parties with responsibilities related to airport security, including law enforcement agencies. For example, the Delegation Order gives the FSD authority to clear, close, or otherwise secure facilities under certain circumstances, and after taking such action, requires the FSD to provide feedback to the airport operator on the reasons the security action was taken. The document also provides that, under certain circumstances, the FSD has the authority to cancel, delay, return, or divert flights and search and detain persons or property. However, it does not clearly address what authority, if any, FSDs have over other parties, such as airport law enforcement personnel, on which it would need to rely to take these actions. In August 2005, TSA officials told us that they had drafted a revised Delegation Order that clarified the authority of FSDs and that it is was being reviewed internally. They stated that the revised document restates some of the FSDs' previous authority and provides for some new ones, such as entering into interagency agreements.

Stakeholders at some of the airports we visited told us that the FSDs' role, particularly regarding their authority relative to other parties, was not sufficiently clear, and at least one stakeholder at every airport we visited said such information had never been communicated to them. At three of the seven airports, stakeholders said that aspects of the FSD's authority during a security incident lacked clarity. For example, at two airports, confusion or conflicting opinions developed over whether the FSD had the authority to take certain actions during particular security incidents. Furthermore, six stakeholders at two of the airports we visited were also unclear about the FSD's authority regarding control over airport law enforcement personnel and canine teams, access to secured information, and specific operational changes. Additionally, at least one stakeholder at each of the seven airports we visited said he or she had never been briefed or given information on the role of the FSD. Among these stakeholders was an airport manager who said he had specifically sought out documents detailing the FSD's roles and authority, including how the FSD

¹⁶ Some airports have their own independent airport police forces; others rely on state and city police forces. Still others have contractual agreements for airport security with local sheriff's departments.

would fit into the airport's incident command system. At another airport, airport management officials said they had to take the initiative, in conjunction with the FSD and law enforcement stakeholders, to develop a matrix identifying first responders and the lead agency for various types of incidents after a potential hijacking situation highlighted the need to document and share such guidance.

Several stakeholders at the national level also raised questions regarding the clarity of the FSD's authority relative to that of other parties, including FSDs' authority in particular security incidents. Specifically, FBI headquarters officials and representatives of two industry associations representing airports and airport law enforcement officials voiced concern about the clarity of FSDs' authority, noting that initially some of the first FSDs attempted to assert control over airport stakeholders, such as the airport police department. FBI headquarters officials were concerned, on the basis of past airport exercises, that relationships between FSDs and the FBI had not been explicitly delineated. Officials stated that if a conflict with local FBI authorities occurred during an actual security incident, it might create confusion and result in a longer response time. As of October 2004, FBI headquarters officials informed us that the FBI was attempting to enter into a memorandum of understanding with TSA to clarify certain aspects of each agency's authority. TSA officials said that, as of August 2005, TSA and the FBI had not entered into a memorandum of understanding and were not able to provide us any additional information on this issue.

Our telephone interviews with selected FSDs also indicated a need for a clearer statement of their authority. Most (18) of the 25 FSDs we interviewed said, to varying degrees, that TSA needed to do more to clarify the role and responsibilities of the FSD position—not just for the benefit of FSDs and their staff, but for the benefit of airport stakeholders as well. (These and other responses to selected questions we posed during our interviews with 25 FSDs are contained in app. II.) More specifically, when we asked those 18 FSDs what needed further clarification, 11 said that their authority needed to be further defined. Among these 11 were 6 FSDs who believed TSA should develop a document that delineates the authority of the position or update the Delegation Order. For example, FSDs told us that other agencies do not understand the authority of the FSD or TSA, and have asked for a document to be made widely available to federal agencies, state and local law enforcement, emergency responders, and other airport stakeholders. Four FSDs explained that clarification of the FSDs' authority is needed with respect to critical incident response.

TSA Provided Opportunities for Some FSDs to Participate in Developing TSA Aviation Security Policy

TSA does not charge FSDs with responsibility for developing TSA aviation security policy. However, TSA does expect FSDs to provide input on draft policy from TSA headquarters when called upon and to recommend policies and procedures for addressing emerging or unforeseen security risks and policy gaps. According to TSA officials, the agency provides several opportunities for some FSDs to be involved in developing some TSA aviation security policies through the FSD Advisory Council, ad hoc consultation groups, and the piloting of new security procedures and technology.

The FSD Advisory Council provides a mechanism for selected FSDs to be involved in TSA's efforts to develop aviation security policy, according to TSA officials. The FSD Advisory Council was originally established as a way for the Aviation Security Program Office to conduct outreach among the FSDs. However, in May 2004, the TSA Administrator recast the council as an advisory board reporting directly to him and, for the most part, responding to his agenda items. The council consists of 22 FSDs who the Administrator selects based on factors such as geographic location, airport security category, and strong FSD leadership, according to a TSA official responsible for council coordination. Most FSDs do not serve on the council for more than 1 year, but their term is ultimately left to the Administrator's discretion. Council meetings occur over a 3-day period in Washington, D.C., generally on a monthly basis. According to TSA officials, during council meetings, the FSDs provide the Administrator their opinions and guidance on establishing and modifying TSA policies and procedures and have opportunities for input in other areas. Four of the five FSDs at airports we visited, including two who were council members, saw the council as an effective way for the Administrator to gather input on new TSA policy initiatives and issues confronting FSDs. The fifth FSD commented that most of the issues discussed by the council appeared to be more relevant to airports larger than his.

On occasion, some FSDs have the opportunity to provide input on draft TSA aviation security policy through ad hoc consultation groups organized by the Aviation Security Program Office, according to TSA officials. For instance, when TSA establishes a new standard operating procedure, it typically consults a selected group drawn from, perhaps, 9 or 10 airports. These groups are ad hoc and may include different combinations of FSDs, FSD staff, and airport stakeholders. For example, TSA formed a group of FSDs, screeners, and airport and air carrier staff from multiple airports to address anticipated increases in the 2004 summer travel season. According to the TSA officials, TSA typically consults such groups on most significant policy developments. However, the more urgent or sensitive a new policy,

the less likely TSA will have time to obtain input outside of headquarters. The official stated that TSA does not involve every FSD in every policy it develops but added that he could not think of any policy in the last 6 months that had not involved at least some FSDs in its development.

Participating in pilots of new technology and procedures at their airports is another way FSDs can be involved in developing TSA aviation security policy. TSA has a variety of ongoing pilot programs that it generally characterizes as either technology- or procedure-based. For example, TSA has tested and evaluated at multiple airports a technology pilot—the Explosive Trace Detection Portal Program—that is designed to analyze the air around a passenger for traces of explosive material. TSA’s procedure-based pilots include the Registered Traveler Program, which identifies participating travelers through biometric identifiers, such as fingerprints, and helps to expedite these passengers through required security screening for weapons and explosives. In addition, TSA has piloted other program initiatives, such as its Next Generation Hiring Program, which TSA reported provides a more localized approach to screener hiring that enables FSDs to influence the hiring process for their airports. TSA first piloted this initiative at Boston Logan International Airport and gradually expanded testing to other airports, continuing to make changes before implementing the program nationwide.

Not all FSDs or their airports have been involved in piloting new technologies and procedures. According to TSA headquarters officials, TSA decided to limit the airports at which it conducts these types of pilots to a selected group of “model” airports, although it does conduct pilots not involving technology or procedures at other airports. As such, in December 2004, in an effort to streamline the airport selection process for technology pilots, TSA identified 15 airports and recommended they be used for such pilots on an ongoing basis.¹⁷ According to these officials, the selected airports provide diversity in geography, demographics, and baggage and materials to be screened. Ten of the 25 FSDs we interviewed said TSA had offered their airports opportunities to pilot a new program or technology (collectively, more than 20 such opportunities), and all of them subsequently participated.

¹⁷ TSA may add other airports to its recommended model airport list on a case-by-case basis on the recommendation of the Assistant Administrator for Aviation Security Programs.

Although TSA officials told us that opportunities exist for some FSDs to be involved in developing TSA aviation security policy, most of the FSDs (21 of 25) who we interviewed characterized themselves as not involved in developing such policy. Three of the five FSDs at airports we visited suggested that TSA should consult FSDs on security policies before issuing them, although some noted time may not permit this on urgent security measures. Two of these FSDs said it would be helpful if TSA allowed FSDs a comment period for new policy, and another said that because TSA does not involve FSDs in developing policy, its weekly national conference calls with FSDs are filled with questions and discussions about new security directives.

FSDs Formed Partnerships with Key Stakeholders and Participated in Communication and Coordination Efforts

FSDs reported they entered into these partnerships at the seven airports we visited, and FSDs and stakeholders stated that these partnerships were generally working well. Furthermore, FSDs initiated communication and coordination efforts with stakeholders or were involved in efforts already established—such as meetings and briefings—to address a range of issues, including airport security, operations, and coordination.

TSA Views Stakeholder Partnerships with FSDs as Essential

As discussed earlier, TSA has given FSDs responsibility for building and managing relationships with airport stakeholders and has generally left it to the FSDs to determine how to develop effective stakeholder relationships. According to TSA's Executive FSD Guide, building and maintaining stakeholder partnerships is a major responsibility of FSDs, and these partnerships can create capabilities at airports where the sum is greater than the parts. TSA further reinforces the importance of FSDs' building and managing partnerships by including this activity as a standard rating element on their annual performance assessments. TSA addressed the importance of partnerships in connection with planning for increased passenger traffic during the summer months of 2004 in its best practice guide—the Aviation Partnership Support Plan.¹⁸ This document recognized the need for FSDs and airport stakeholders to work together toward achieving security and customer service. For example, the plan addressed the importance of TSA and air carrier station managers working together to identify a process for communicating, handling, and destroying

¹⁸ TSA Aviation Partnership Support Plan (May 14, 2004).

sensitive passenger load data, and it encouraged FSDs to develop formal working groups to bring together local stakeholders.

According to parties at the airports we visited and TSA guidance, developing partnerships with airport stakeholders is essential for FSDs to effectively do their job. First, according to FSDs, FSD staff, and law enforcement stakeholders at the airports we visited, FSDs lack law enforcement personnel to respond to a security incident and, therefore, must rely on federal, state, and local law enforcement agencies in these instances. TSA also recognizes that, for example, FSDs would have to work with the FBI and other law enforcement agencies to respond to a security incident on an aircraft where the door has been closed for embarkation, because FSDs do not have the resources needed to respond to such an incident. Second, developing partnerships can provide benefits to FSDs and airport stakeholders. For example, FSDs need air carrier data on the number of passengers transiting airport checkpoints to appropriately schedule screeners. At the same time, air carriers seek an efficient screening process to minimize wait times for their customers. Various parties we interviewed, including airport stakeholders, BTS and FBI officials, and an industry representative, recognized the importance of partnerships in helping the airport operate smoothly. For example, one industry representative said that airport management needs security and threat information from the FSD, and the FSD needs to understand nonsecurity issues that affect the FSD's job, such as an upcoming local event that may increase passenger traffic.

FSDs and Stakeholders Reported Partnerships Were Generally Working Well

FSDs and most of the stakeholders at the seven airports we visited said that they had developed partnerships, and they described these partnerships as generally working well. The FSDs responsible for these airports reported having positive partnerships with airport stakeholders. More specifically, one FSD said that having common goals with stakeholders, such as ensuring security, enhanced their partnerships. Another FSD saw himself as a catalyst for partnerships at his airport and as a facilitator among stakeholders who did not always get along. At most of these airports, stakeholders also reported that FSD-stakeholder partnerships were working well and identified examples of successful practices. Some spoke of the value of an FSD being accessible to stakeholders to help resolve problems by, for example, being visible at the airport and maintaining an open-door policy. Seven stakeholders stated

that the FSDs at their airports discussed TSA security directives and worked with them when it was not clear how to interpret or implement them.¹⁹ At one airport, the FSD, airport management, and air carriers teamed together to look for opportunities to enhance security and customer service. To this end, they formed a working group and developed a proposal for TSA that addressed issues involving technology, infrastructure, transportation assets, and local budgetary control for the FSD. Finally, at another airport, in an effort to manage stakeholders' concerns about wait times and customer service, the FSD arranged for staff to help screen all of the airport vendors and concessionaires, as required, but at an established time to ensure passengers were minimally affected.

Partnerships at airports across the country were generally working well or better at the time of our review than when TSA first assigned FSDs to airports, according to several federal agency officials and industry representatives at the national level. Some airport stakeholders and industry representatives stated that some FSDs' authoritative management style and lack of airport knowledge contributed to tensions in earlier FSD-stakeholder relationships. However, during the course of our review, TSA officials said they received very few complaints about FSDs from airport stakeholders, and industry representatives and officials from BTS (which oversees CBP and ICE), and the FBI said that partnerships were generally working well or had improved. For example, FBI officials had queried 27 of their Airport Liaison Agents in October 2004 about their relationships with FSDs, and 20 of the 22 agents who responded characterized these relationships as generally good. FBI officials told us that at one airport where coordination and partnerships stood out as being particularly strong, the FSD met with stakeholders every morning.

TSA established 80 Assistant FSD for Law Enforcement positions across the country to help FSDs partner and act as liaison with law enforcement stakeholders and to conduct certain criminal investigations. This position is always filled by a federal law enforcement officer (a criminal investigator), and is the only law enforcement officer assigned to an FSD. Office of Law Enforcement officials stated that this position is essential for interacting with local law enforcement stakeholders, and they would

¹⁹ According to TSA officials, FSDs are responsible for ensuring affected parties receive security directives, but they do not expect FSDs to hand-deliver every security directive to every stakeholder.

like to see every FSD have at least one Assistant FSD for Law Enforcement and more than one at larger airports. Assistant FSDs for Law Enforcement report directly to their respective FSDs, and at smaller airports without this position, the FSD takes on responsibility for coordinating with law enforcement stakeholders.²⁰ Given the number of positions authorized, not all FSDs have Assistant FSDs for Law Enforcement on their staff. Of the 25 FSDs we interviewed, 13 reported having this position on their staff, and 12 reported not having this position. Regardless of whether these FSDs had this position, almost all (23) said it was important to have the position on their staff to coordinate with the law enforcement and intelligence community and perform criminal investigations.²¹ An Assistant FSD for Law Enforcement explained during one airport visit that his familiarity with legal processes and procedures facilitated his working relationship with the FBI and U.S. Attorneys. FBI headquarters officials also reported that the Assistant FSD for Law Enforcement position has helped improve coordination between TSA and the FBI at airports. TSA did not provide an agency-level position on whether every FSD needs an Assistant FSD for Law Enforcement.

Although most of our contacts reported that partnerships between FSDs and airport stakeholders were generally working well, about half (13) of the 25 FSDs we interviewed said that it is challenging to foster partnerships with the parties they are responsible for regulating. Several FSDs stated that while it may be hard to partner with those one regulates, having good communication and relationships with stakeholders and a mutual understanding of the responsibility of regulating airport security makes such partnering possible. According to officials from TSA's Office of Compliance Programs, the office has articulated a policy of compliance through cooperation, which has helped FSDs foster partnerships with airport stakeholders while achieving TSA's regulatory oversight mission. For example, TSA established a Voluntary Disclosure Program that allows

²⁰ According to TSA Office of Law Enforcement officials, if a specific need should arise at an airport without an Assistant FSD for Law Enforcement, the Office of Law Enforcement will instruct the nearest Assistant FSD for Law Enforcement to respond to the situation.

²¹ About half (13) of the 25 FSDs said they had a criminal investigator as part of their management staff (when FSDs have criminal investigators on their staff, they hold the position of an Assistant FSD for Law Enforcement), and all of those FSDs considered this position to be important in addressing their airports' security needs—12 of the 13 considered it very important—and several added that they needed more than one of these positions on their staff. In addition, 10 of the 12 FSDs who did not have this position on their staff considered it a position that would be important in supporting their airports' security needs.

stakeholders to forgo civil penalty actions by bringing violations to the attention of TSA and taking prompt corrective action. The philosophy behind this program is that aviation security is well served by providing incentives to regulated parties to identify and correct their own instances of noncompliance and to invest more resources in efforts to preclude their recurrence.²² According to Office of Compliance Program officials, 75 percent of issues of noncompliance were closed by administrative action rather than civil enforcement during the past 2 fiscal years. Furthermore, in half the cases reported, FSDs were able to address the discovered security gaps and close the issue with a note to the inspection files, instead of writing a formal investigation report.

At one airport we visited, not all stakeholders agreed that partnerships with the FSD were working well. Airport management, airport law enforcement, and air carriers at this airport said the FSD was not accessible, often did not attend meetings to which he had been invited, and sometimes did not send FSD staff to meetings in his place. These stakeholders also criticized the FSD for not distributing security directives and meeting to discuss their implementation. However, local federal stakeholders at this airport (representing the FBI, CBP, and ICE) said that the FSD had established positive partnerships with them and had communicated well.

FSDs and Stakeholders Said They Participated in Many Communication and Coordination Efforts

According to TSA's Executive FSD Guide, FSDs are responsible for conducting group or one-on-one meetings with airport managers and air carriers. FSDs and stakeholders at all seven of the airports we visited told us that they were involved with these and other communication and coordination efforts. FSDs and stakeholders described a variety of such mechanisms, including meetings and training exercises, noting that many of these were in place before FSDs were assigned to airports. A BTS official explained that at larger airports, FSDs inherited coordination mechanisms and relationships established between federal agencies and other stakeholders. In contrast, at smaller airports, FSDs had to educate

²² TSA's voluntary disclosure policy directive relates to information and guidance that may be used by aircraft operators (except individuals), indirect air carriers, foreign air carriers, airports, and flight training providers when voluntarily disclosing to TSA apparent violations of TSA regulations (applicable regulations include 49 C.F.R. parts 1542, 1544, 1546, 1548, and 1552). The TSA Voluntary Disclosure program does not apply to violations or apparent violations committed by individuals serving as agents of covered regulated entities.

stakeholders on involving and communicating more with federal officials. At two of the larger airports we visited, stakeholders said that the FSDs initiated communication and coordination efforts on their own, such as holding routine intelligence briefings and meetings with law enforcement agencies and representatives of U.S. Attorneys' Offices. Aside from the more formal communication and coordination mechanisms, FSDs and some of the stakeholders at all seven airports we visited said they frequently shared information and developed partnerships informally through telephone calls, e-mails, and face-to-face interactions.

At all of the airports we visited, FSDs and stakeholders reported that meetings to discuss improvements to airport security and operations and coordination meetings were held, although the type of participants and frequency of these meetings varied. FSDs and stakeholders reported that some of these meetings were held on a weekly, monthly, or quarterly basis, while others were held on an impromptu basis when FSDs or stakeholders had an issue to discuss. According to an FBI official, most of the Airport Liaison Agents they had queried were having monthly meetings with their FSDs. Similarly, a BTS official said that all FSDs had monthly meetings with representatives from other BTS agencies (ICE and CBP) to improve coordination of law enforcement and security efforts among these agencies at airports.²³ Although five of the seven airports we visited had standing formal meetings, two of the smaller airports did not. Rather, at these airports, the FSD and stakeholders reported interacting daily and holding meetings on an as-needed basis.

In addition to meetings, incident debriefings and training exercises to ensure a coordinated response in the event of a security incident were conducted at most of the airports we visited. Stakeholders at three of the airports mentioned that debriefings occurred after an actual incident to address questions and discuss how the incident had been handled. For example, at one airport, a stakeholder explained that a debriefing helped alleviate concerns he had regarding his lack of involvement during a particular incident. According to TSA, response to an actual event is typically only as good as the training for it; hence, TSA requires FSDs to hold quarterly training exercises at their airports. Training exercises

²³ In August 2004, the Under Secretary of BTS directed all DHS agencies with an airport presence to establish a formal committee to ensure that senior operational managers were communicating across agency lines and fully coordinating law enforcement and security efforts. The FSD was tasked with coordinating the establishment of these committees.

included tabletop simulation exercises,²⁴ hijacking scenarios, and Man Portable Air Defense Systems (MANPADS)²⁵ vulnerability assessments to identify areas where a MANPADS attack could be launched. Sometimes protocols or security directives are written as a result of airport incidents and debriefings. At all seven airports we visited, protocols for responding to incidents existed, according to FSDs, their staff, or stakeholders, and at most of these airports, protocols were written into the Airport Security Plan. However, a TSA headquarters official explained that a protocol cannot exist for every possible incident, given that security incidents are often unique.

TSA Made Changes to Better Support or Empower the FSD Position and Was Planning Additional Changes

TSA has made a number of changes intended to provide FSDs with more authority and flexibility in carrying out their responsibilities, and most FSDs we interviewed responded favorably to these changes. In addition, TSA was planning additional efforts during our review that could affect FSDs, and the majority of the 25 FSDs we interviewed said they were not involved in these efforts.

Most FSDs We Interviewed Viewed the Changes TSA Made Favorably

To further support or empower the FSD position, TSA increased FSDs' authority to address performance and conduct problems, established a local hiring initiative, increased flexibility to provide screener training, relocated Area Director positions to the field, and established a report group and a mentoring program. The majority of FSDs we interviewed had positive views of most of these changes.²⁶

²⁴ A tabletop exercise is a focused practice activity that places the participants in a simulated situation requiring them to function in the capacity that would be expected of them in a real event. Its purpose is to promote preparedness by testing policies and plans and by training personnel.

²⁵ MANPADS are shoulder-launched surface-to-air guided missiles that are accurate, concealable, transportable, and designed to be user-friendly. DHS, in partnership with other federal agencies, is working to counter the threat of MANPADS to civilian commercial aircraft. As part of its overall MANPADS strategy, TSA is performing airport vulnerability assessments to identify and map the areas around an airport from which a MANPADS attack could be initiated, and it is working with surrounding communities to coordinate the efforts of agencies responsible for responding to this type of threat.

²⁶ Some of the changes we discussed with FSDs during airport visits had just recently been implemented by TSA.

Local hiring initiative. TSA developed a local screener hiring initiative that, among other things, vested more hiring authority with FSDs to address airport staffing needs. To meet a post-September 11 statutory deadline, TSA brought a workforce of 57,000 federal screeners on board within 6 months using a highly centralized approach of recruiting, assessing, hiring, and training.²⁷ With this accomplished, TSA began piloting a reengineered local hiring initiative, called Next Generation Hiring, in June 2004. Its goal was to ensure the involvement of FSDs and their staff in the hiring process, streamline the process, and make the process more responsive to the full range of airport needs. The program was designed to give FSDs and their staff the flexibility to determine which aspects, or phases, of local hiring they wish to participate in, and how much contractor support they need.²⁸ TSA incorporated modifications as a result of lessons learned from its pilot and initial implementation sites as it gradually rolled out this initiative to additional locations. By March 2005, TSA had established 12 fully operational local hiring centers around the country, with locations based on various factors, including geography and operational need.

When we asked all 155 FSDs in our March 2004 survey if they wanted more authority in selecting screeners, 136 (88 percent) said they wanted more authority to do this to a great or very great extent, and another 9 percent said they wanted more authority in this area to a moderate extent. When we interviewed 25 FSDs during this review, approximately 1 year after TSA began rolling out the Next Generation Hiring program, 12 reported that they wanted more authority in selecting screeners to a great or very great extent, even given their participation options under Next Generation Hiring, and another 8 said they wanted more authority in this area to a moderate extent.²⁹

²⁷ We previously reported that TSA's hiring process hindered the ability of some FSDs to adequately staff passenger and baggage screening checkpoints. See GAO, *Aviation Security: Challenges Exist in Stabilizing and Enhancing Passenger and Baggage Screening Operations*, GAO-04-440T (Washington, D.C.: Feb. 12, 2004).

²⁸ For each of the three basic phases of hiring (recruiting, interviewing, and job offer and acceptance), FSDs may choose whether they want to conduct the phase primarily on their own, work in partnership with the TSA contractor, or turn the execution over to the contractor. Joint execution is not an option for the third phase—job offer and orientation.

²⁹ Of the 25 FSDs we interviewed in the spring of 2005 as part of this review, 21 had responded to our Web-based survey of all FSDs, which we conducted in March 2004 as part of other GAO reviews.

Nevertheless, 18 of the 25 FSDs stated that Next Generation Hiring provided for their airports' screener staffing needs better than TSA's former hiring process to a very great, great, or moderate extent. In addition, 14 of the 25 FSDs stated that, overall, they were satisfied with the new program's ability to meet their screener staffing needs, but 7 said they were not satisfied.³⁰ Comments from those dissatisfied FSDs included statements that the contractor had not done a good job in the recruiting aspect of the process and that the new hiring process still takes too long—a comment echoed by some FSDs we interviewed during our airport visits earlier in the program's rollout.

TSA officials stated that the goal of Next Generation Hiring was not necessarily to reduce the time it takes to bring a new screener on board at every airport. Rather, the goal was to be more responsive to all local hiring needs—not just the needs of the largest airports. According to a program official, early data on Next Generation Hiring have been positive, though limited. For example, data from a nonscientific sample of several airports showed that under Next Generation Hiring, fewer screeners resigned within their first month than before the program was in place (about 18 percent resigned in the first month before Next Generation Hiring; about 7.5 percent resigned in the first month after the program was initiated at those airports). Officials also concluded, on the basis of their limited data and anecdotal information, that candidates selected at airports where the FSD and staff were conducting the hiring process were more selective in accepting offers because they had more knowledge of what the job would entail than contractors did when they handled the hiring process.

Increased flexibility to provide screener training. TSA expanded FSDs' flexibility to offer training locally to screeners in two respects in April 2004. First, TSA developed and implemented a new basic screener training program to cover the technical aspects of both passenger and checked baggage screening, and allowed FSDs to choose whether new screeners would receive instruction in one or both of these screening functions during initial training. According to TSA officials, this approach provides the optimum training solution based on the specific needs of each airport and reflects the fact that, at some airports, the FSD does not need all screeners to be fully trained in both passenger and checked baggage screening. Second, TSA offered FSDs the flexibility to deliver basic screener training using either contractors or local TSA employees as

³⁰ The remaining 4 FSDs said they had no opinion on this issue.

instructors, provided they have experience as instructors and are approved by TSA.³¹

Prior to TSA providing FSDs with more training flexibility, 110 of the 155 FSDs (71 percent) who responded to our March 2004 survey said that they wanted more flexibility to design and conduct local training to a great or very great extent.³² A year later, when we asked 25 FSDs during this review about their satisfaction with the flexibility they had in offering training locally to screeners, 21 said they were satisfied. Several noted this was an area where they had seen improvement in the flexibility TSA had given them.

Increased authority to address performance and conduct problems. TSA expanded FSDs' authority to address employee performance and conduct problems over time, beginning in 2003 when FSDs were delegated authority to suspend employees for up to 3 days. In July 2004, FSDs were delegated the authority to take the full range of disciplinary actions, including removal, in accordance with TSA policy. In September 2004, TSA again increased the authority of FSDs by allowing them to use a streamlined, one-step process in taking certain disciplinary actions, such as the termination of employment for screeners involved in theft or the use of drugs or alcohol.³³ During our telephone interviews with FSDs, conducted more than 6 months after the last of these increases in FSD authority, 24 of the 25 FSDs said they were satisfied with their current authority to address employee performance and conduct problems.

³¹ For local employees to be approved as instructors by TSA, they must be nominated by an FSD and have a current or prior instructor certification by a recognized training and development organization or have at least 2 years of experience as an instructor. In addition, local TSA instructors must have successfully completed the course of instruction they will be teaching and demonstrate instructional skills by assisting a TSA-approved instructor in classroom instruction and monitoring actual classroom instruction. We reported this and other information related to TSA screener training and performance issues in GAO, *Aviation Security: Screener Training and Performance Measurement Strengthened, but More Work Remains*, [GAO-05-457](#) (Washington, D.C: May 2, 2005).

³² The question posed in that survey asked FSDs about their need for more flexibility to design and conduct local training and did not specify screener training.

³³ In addition, the one-step process may be used to suspend screener personnel for 3 days or less; suspend, remove, or reduce pay band or rate of pay for any employee serving a trial period; and to indefinitely suspend screeners for serious misconduct that necessitates immediate action under certain designated conditions. All indefinite suspensions must be reviewed for legal sufficiency by a TSA counsel and may be coordinated with a designated Employee Relations Specialist prior to issuance.

Moreover, 2 of the 5 FSDs we interviewed during our airport visits said that their increased authority in this area was an important change that exemplified TSA's efforts to further empower FSDs.

Relocation of Area Director positions. In September 2004, as part of an overall reorganization effort, TSA physically relocated its five Area Director positions from the Aviation Security Program Office in headquarters to the field. According to TSA headquarters officials, the goal was to move more TSA authority and decision making from headquarters to the field and to create efficiencies in TSA's processes and procedures. In making this change, TSA named five existing FSDs—one in each of TSA's five geographic areas—to assume the responsibility of being Area Directors in addition to continuing to serve as FSDs of major airports. FSDs in each of the new Area Directors' geographic regions report to their respective Area Director on administrative matters. However, they report to TSA headquarters (the Aviation Security Program Office and Transportation Security Operations Center) on operational issues, such as reporting security incidents. To support these "dual hatted" FSDs with their additional Area Director responsibilities, TSA authorized each to hire five additional staff.

The 25 FSDs we interviewed were divided on whether they thought having Area Directors in the field was helpful—12 said it was helpful and 12 said it was not helpful—and some offered comments.³⁴ On one hand, several FSDs said that field-based Area Directors who were also FSDs had a much better understanding of what FSDs encounter each day. On the other hand, several said that FSDs were better served by Area Directors located at headquarters because they were more aware of everything that was taking place and had more staff to support them. Views on this topic were also mixed among the five FSDs we interviewed during our airport visits.

Two Area Directors were among the 25 FSDs we interviewed, and both thought the change to field-based Area Directors was helpful but thought that the position should be further empowered. One explained that the Area Directors should be involved in operational issues in addition to administrative matters, although he would need additional staff if he also had this responsibility. The other Area Director said that, as one of only five Area Directors, he is responsible for too many airports.

³⁴ One FSD had no opinion.

*Report Group.*³⁵ In conjunction with moving the Area Director positions out of headquarters, TSA established this group in September 2004 to conduct some of the duties previously performed by Area Directors when at headquarters. It was also intended to provide operational support and a communication link between TSA headquarters and field-based Area Directors, and in turn, FSDs and their staff. The group manages and standardizes communications (including sending daily recaps of each day's business), continually updates point-of-contact lists that identified who FSDs and their staff should contact when a problem arises, and serves as a troubleshooter for unresolved issues. For example, FSDs and their staff may call the Report Group for assistance if they have already contacted the appropriate headquarters contacts and their issue or question was not resolved.

Of the 25 FSDs we interviewed, 16 considered the Report Group to be a valuable resource, and 7 said they did not consider it valuable. Although TSA established the group just prior to our airport visits, FSDs we interviewed at that time saw the potential value of the group and noted that its daily recaps were already helpful in consolidating and sharing consistent information, as were the point-of-contact lists.

Mentoring Program. TSA began offering an optional mentoring experience to newly appointed FSDs and Deputy FSDs in April 2004 to support their transition into their new positions. Under this program, mentor coordinators match new FSDs and Deputy FSDs (mentoring colleagues) with more experienced counterparts (mentors) at other airports somewhat comparable in size and complexity. As TSA names new FSDs and Deputies, the coordinators offer them a choice of prescreened volunteer mentors, give participants suggested steps for proceeding with the mentoring relationship, and provide a list of frequently asked questions and answers about the program.

Only 2 of the 5 FSDs we visited and 4 of the 25 FSDs we interviewed had participated in the Mentoring Program—either by being a mentor or by being mentored—and all but one saw it as having value.³⁶ One FSD, who

³⁵ This group was named the Communications Liaison Group when it was initially established in September 2004 and was later renamed the Report Group. When established, the group was composed of former Area Directors and their staff.

³⁶ Of the 25 FSDs we interviewed by telephone, only 4 were named FSDs after TSA established the Mentoring Program.

had been mentored, explained that having a mentor helped him learn a very challenging job and provided the opportunity to bounce ideas off of an experienced FSD. About half (13) of the 25 FSDs said that they were not familiar with TSA's mentoring program.

TSA Was Planning Additional Initiatives That Could Affect FSDs

At the time we interviewed FSDs, TSA was planning the following three additional initiatives that could affect at least some FSDs. The majority of the 25 FSDs we interviewed said they were not involved in these efforts.

TSA's Screening Allocation Model. TSA has been developing a model for determining screener staffing levels after initially deploying its federal screener workforce in 2002 based on estimates of screeners performing screening functions under privatized agencies, instead of a model. In September 2003, in an effort to right-size and stabilize its screener workforce, TSA hired a consultant to conduct a study of screener staffing levels at the nation's commercial airports. Among other things, the consultant was tasked with (1) developing a comprehensive modeling approach with appropriate details to account for the considerable variability that occurs among airports, (2) creating a staffing analysis model to be used as a management tool to determine daily and weekly staffing levels and deploying the model to commercial airports nationwide, and (3) developing user-friendly simulation software to determine optimum screener staffing levels for each commercial airport with federal screeners. In March 2004, while awaiting the completion of this model, TSA established specific airport staffing limits to meet a congressionally mandated cap for screeners set at the level of 45,000 full-time-equivalent positions. In the summer of 2004, the model was selected, developed, and deployed for airport data input. That fall, TSA officials told us they expected the model, which was being validated with airports at the time, would demonstrate TSA's need for screeners beyond the mandated cap. FSDs we interviewed during our airport visits shared this view and the expectation that many airports would see increases in their screener allocations. In July 2005, TSA finalized and submitted to Congress its

standards for determining aviation security staffing for all airports at which screening is required.³⁷

The Screening Allocation Model does not give FSDs the authority to determine the number of screeners authorized for their airports, nor was it intended to do so. When asked if they would like to have greater authority in determining screener staffing levels for the airports they oversee, 23 of the 25 FSDs we interviewed answered that, to a great or very great extent, they would like greater authority. One FSD commented, for example, that there will always be a need for FSDs to have a way to adjust screener numbers and that the screener staffing system needs to have sufficient flexibility to address sudden changes in screening demands. This view was fairly consistent with what FSDs had said a year earlier in our March 2004 survey, when we posed the same question to all FSDs. At that time, 145 of 154 FSDs (94 percent) answered in the same way when asked if they wanted more authority in determining the number of screeners for their airports.

Although TSA officials said that they had obtained a variety of data from FSDs during the course of the development of its Screening Allocation Model, not all of the FSDs we contacted saw themselves as having been involved in the model's development. Of the 25 FSDs we interviewed, 14 said that TSA had not involved them or provided them with the opportunity to have input into the development of the model. Of the 14 FSDs who said they were not involved, 11 were dissatisfied regarding their lack of involvement. Furthermore, among the 11 FSDs who said they were involved in developing the model, 5 were dissatisfied regarding their level of involvement.³⁸ According to TSA officials, FSDs provided information for the model regarding their respective airports, and headquarters validated the numbers the model generated for each airport.

³⁷ The Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, 118 Stat. 3638, required TSA to develop and submit, to the Committee on Commerce, Science and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, standards for determining aviation security staffing at commercial airports no later than 90 days after December 17, 2004, the date of the act's enactment, and GAO to conduct an analysis of these standards. TSA's submission of its Report to Congress—Aviation Security Staffing Standards—constituted TSA's submission to meet this reporting requirement of the law.

³⁸ Ten of the 25 FSDs pointed out that the model, as modified, functions under a 45,000 screener cap, which is too low and does not take into account real-life factors such as screener vacation time, military time, training time, or sick leave. As a result, according to one FSD, security lines are longer and service is poorer.

Reassessments of airport hub and spoke configurations and FSD management staff. TSA began two related reviews in June 2004: (1) a reassessment of the hub and spoke configurations of commercial airports and (2) a reassessment of the number of management and administrative positions allocated to each FSD.³⁹ The hub and spoke reassessment could result in changes to the number or the specific airports for which some FSDs are responsible. According to TSA headquarters officials, TSA undertook this reassessment because some FSDs had airports in more than one state, and complexities arose when working with multiple state laws and regulations, as well as U.S. Attorneys and police departments from multiple state jurisdictions. Officials anticipated that after TSA completes its review, a few situations will continue in which FSDs have responsibility for airports in more than one state, but only when the distance between certain airports necessitates.

Related to its review of hub and spoke configurations, TSA undertook a reassessment of FSD management staff levels, recognizing that some airports—typically smaller ones—were overstaffed, while others—typically larger airports—were understaffed. According to TSA officials, TSA initially distributed FSD staff based on the security classification of the airport and, to a lesser extent, the size or annual number of aircraft boardings. This, coupled with resource constraints that resulted in fewer positions being authorized than were needed, resulted in an imbalance in FSD staff among airports. Authorizations for the FSD staff positions ranged from 1 position at category III and IV airports with a minimum threshold of boardings, to 16 positions at category X and large category I airports. TSA made decisions regarding some of these positions (e.g., whether a particular FSD should be assigned a Deputy FSD or an Assistant FSD for Law Enforcement), while FSDs were left to make decisions about other positions (e.g., whether to include a Training Coordinator or a Human Resources Specialist as one of the FSD’s management staff). Although TSA made adjustments to some FSDs’ staff levels over time, officials recognized that an across-the-board reassessment was needed.

The majority of the 25 FSDs we interviewed said that they were not involved in either of these two reassessment efforts, and most who were not involved were dissatisfied with their lack of involvement. Fourteen of

³⁹ According to TSA officials, the hub and spoke reconfigurations and new FSD staffing numbers were rolled out to the field in late July 2005—about 1 year after TSA began the reassessment and several months after we conducted telephone interviews with FSDs.

the 25 FSDs said they had not been involved in TSA's reassessment of airport hub and spoke configurations, and 19 of the 25 FSDs said they had not been involved the reassessment of FSD management staff levels. TSA headquarters officials said that they acknowledge the importance of FSDs' involvement in agency planning efforts, and when practical and appropriate, TSA has attempted to obtain a broad spectrum of FSD input. They said that in conducting these two particular reassessments, they formed a team that included three FSDs and three Deputy FSDs.

Conclusions

For FSDs to carry out their responsibilities effectively, FSDs, their staff, and airport stakeholders need a clear statement of the FSDs' authority, relative to other stakeholders, in the event of security incidents. TSA's primary document outlining FSDs' authority is outdated, and neither it, nor other statements TSA has issued, delineates the authority of the FSD in various security situations relative to other parties. The absence of a clear understanding of the authority of the position has reportedly resulted in confusion during past security incidents and has raised concerns among some stakeholders at both the national and airport levels about possible ambiguity regarding FSDs' authority during future incidents. Updating TSA's Delegation of Authority to FSDs to clarify their authority relative to others and developing other documents, as warranted, would benefit FSDs by further enabling them to communicate and share consistent information about their authority with their staff and airport stakeholders, including law enforcement agencies. Stakeholders need to be clear on which agency has authority or lead responsibility in the event of various types of security incidents to reduce the likelihood of confusion or a delayed response.

Recommendations for Executive Action

To clarify the authority of the Federal Security Director during various security incidents and help ensure a consistent understanding of the authority of FSDs among FSDs, their staff, and airport stakeholders, we recommend that the Secretary of Homeland Security direct the Assistant Secretary of Homeland Security for the Transportation Security Administration to take the following two actions:

- update TSA's Delegation of Authority to FSDs to clearly reflect the authority of FSDs relative to other airport stakeholders during security incidents and
- communicate the authority of the FSD position, as warranted, to FSDs and all airport stakeholders.

Agency Comments and Our Evaluation

We provided a draft of this report to DHS for its review and comment. On September 15, 2005, we received written comments on the draft report, which are reproduced in full in appendix III. DHS, in its written comments, generally concurred with our findings and recommendations, and agreed that efforts to implement these recommendations are critical to enable FSDs to effectively oversee security at the nation's commercial airports. Regarding our recommendation that TSA update its Delegation of Authority to FSDs and communicate this information to FSDs and relevant stakeholders, DHS stated that a new restatement of the Delegation Order has been drafted by a working group composed of FSDs from the FSD Advisory Council and the Office of Chief Counsel. The Delegation Order has a new concise format that restates some of the FSDs' previous authorities and proposes some new authorities, such as entering into interagency agreements and administering oaths, consistent with the evolving operational requirements in the field. DHS further stated that the Delegation Order is being internally coordinated for comment and clearance and will be presented for consideration of senior leadership and the Administrator. At that time, FSDs and airport stakeholders will be notified of their responsibilities under the new Delegation Order.

TSA also provided additional technical comments on our draft report, which we have incorporated where appropriate.

As agreed with your offices, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from the date of this report. At that time, we will send copies to appropriate congressional committees and subcommittees, the Secretary of Homeland Security, the Assistant Secretary of Homeland Security for TSA, and other interested parties. We will also make copies available to others upon request. In addition, the report will be available at no charge on GAO's Web site at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-3404 or at berrickc@gao.gov. Contact points for our Offices of

Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made major contributions to this report are listed in appendix IV.

Sincerely yours,

A handwritten signature in black ink that reads "Cathleen A. Berrick". The signature is written in a cursive style with a large initial 'C'.

Cathleen A. Berrick
Director, Homeland Security and Justice Issues

Appendix I: Objective, Scope, and Methodology

To examine the role of the Federal Security Director (FSD), we addressed the following questions: (1) What are the roles and the responsibilities of FSDs and how clear is their authority relative to that of other airport stakeholders during security incidents? (2) To what extent are FSDs involved in the development of federal aviation security policy? (3) How have FSDs at selected airports formed and facilitated partnerships with airport stakeholders, and how are these partnerships working? (4) What key changes has the Transportation Security Administration (TSA) made or planned to make to better support or empower the FSD position, and how have selected FSDs viewed these efforts?

To address aspects of each of these objectives, we interviewed TSA's Chief Operating Officer and other TSA officials from headquarters offices, including the Aviation Security Program Office, Office of Law Enforcement, Office of Compliance Programs, and Office of Human Resources. We reviewed the Aviation and Transportation Security Act, and other relevant laws, as well as TSA documents related to the FSD position, including delegations of authority, position descriptions, the Executive FSD Guide, performance management guidance, and the FSD Advisory Council Charter. We also reviewed TSA documents related to its recent operational changes, such as the Next Generation Hiring Guide, Communication Liaison Group Mission Statement,¹ and the TSA Management Directive on Addressing Performance and Conduct Problems. We met with Department of Homeland Security (DHS) headquarters officials from the Border and Transportation Security Directorate, which oversees TSA, and Counter-Terrorism Division and Criminal Investigations Division officials within the Federal Bureau of Investigation (FBI) headquarters. To address all but the fourth objective, we also met with representatives of four national associations—the American Association of Airport Executives, Airports Council

¹The Communications Liaison Group was subsequently renamed the Report Group, but the original mission statement remained in effect.

International, Air Transport Association, and Airport Law Enforcement Agencies Network.²

In addition, to address all of this report's objectives, we conducted field visits to seven airports. We selected these airports because they were close to our staff and incorporated all five airport security categories—three airports with an FSD dedicated to a single airport and two sets of airports where the FSD was responsible for at least two airports. Specifically, we visited three category X airports (Los Angeles International Airport, California; Washington Dulles International Airport, Virginia; and Ronald Reagan Washington National Airport, Virginia); Bob Hope Airport, California (category I); Long Beach-Daugherty Field Airport, California (category II); Charlottesville-Albemarle Airport, Virginia (category III); and Shenandoah Valley Airport, Virginia (category IV).

At each airport we visited, we met with local TSA officials and key airport stakeholders to discuss the role of the FSD and FSD-stakeholder partnerships and communication mechanisms. We met with the FSD (at the three airports with dedicated FSDs and the two hub airports) or the top-ranking TSA official (at the two spoke airports), as well as the Assistant FSDs for Law Enforcement and Regulatory Inspection, where these positions existed. During our meetings with FSDs, we also obtained their views on changes TSA had made or planned to make to enhance the FSD position. We also met with key airport stakeholders, including airport managers, airport law enforcement officials, station managers representing selected air carriers (15 representatives of 12 air carriers and, additionally, two air carrier representative groups specific to two airports we visited), and FBI Airport Liaison Agents and officials from DHS's Customs and Border Protection as well as Immigration and Customs

² The American Association of Airport Executives, which represents over 800 airports (mostly domestic) and has approximately 4,000 members, works to shape federal policy governing aviation and ensure that the airport perspective is included as legislation and regulations are developed. The Airports Council International, with 567 members operating over 1,540 airports in 175 countries and territories, is an international association of airports whose primary purpose is to advance the interests of airports and to promote professional excellence in airport management and operations. The Air Transport Association is the only trade association of principal U.S. airlines. Among other things, it works with its members to support measures that enhance airport safety and security. The Airport Law Enforcement Agencies Network is composed of domestic and foreign airport law enforcement agencies, or port authorities and their associated national law enforcement, regulatory, or intelligence agencies. Its mandates include facilitating the exchange of information concerning airport-related crimes among member agencies and providing insight and experience to governmental agencies.

Enforcement (at the two international airports we visited). At each airport, we conducted a single joint interview with representatives from multiple air carriers, and we selected air carriers through different means. At airports with an air carrier council, we asked the council head to identify approximately three carriers. Although we left the final decision to the council head, we suggested that he or she include the largest or one of the largest carriers (according to the percentage of the airport's passenger travel) at the airport, an independent air carrier, and an international carrier, if it was an international airport. At airports without an air carrier council, the Air Transport Association or the airport operator recommended the air carriers. At the smallest airports, we met with all air carriers because of the small numbers. Because we selected a nonprobability sample of airports to visit, the information we obtained during these visits cannot be generalized to all airports or FSDs across the nation.

To corroborate what we learned from the five FSDs during our field visits, we telephoned 25 additional FSDs to obtain their views on a range of topics including recent TSA initiatives and federal aviation security policy. We also included selected questions—regarding their need for greater authority and flexibility—that we had posed in our March 2004 Web-based survey of all 155 FSDs, conducted to support other GAO aviation security reviews. This allowed us to make a rough comparison between the 2004 responses and 2005 responses to these questions. We selected a random sample of FSDs in place since September 1, 2004, to ensure they had an experience base from which to answer our questions.³ We excluded from the list the five FSDs we interviewed during our airport visits and individuals who were no longer FSDs.⁴ TSA reviewed our selection procedures but did not know the identities of the specific 25 FSDs we interviewed. The 25 FSDs were from a cross section of all five airport security categories. A GAO survey specialist who was involved in designing the Web-based survey, along with GAO staff knowledgeable about issues facing FSDs developed the structured telephone interview

³ Twenty-one of the 25 FSDs we interviewed had responded to our March 2004 survey of all FSDs. Twenty of the 21 FSDs were named as FSDs in 2002, and the other 1 became an FSD in 2003. The 4 FSDs who were not included in the March 2004 survey were not named as FSDs until later in 2004, after we conducted the initial survey.

⁴ We based our sample on a September 2004 list of FSDs. We subsequently updated this list based on our review of TSA press releases of new FSD assignments made from September 2004 through March 2005, and then verified our revised list with TSA for accuracy and completeness before drawing our sample of FSDs.

instrument. We conducted pretest interviews with 3 FSDs to ensure that the questions were clear and concise, and subsequently conducted the 25 telephone interviews from late April to early May 2005. Although the telephone interviews were conducted with a random sample of FSDs, the sample is too small to generalize the interview results to all FSDs across the nation with reliable statistical precision.

The practical difficulties of conducting interviews may introduce errors, commonly referred to as nonsampling errors. For example, difficulties in how a particular question is interpreted, in the sources of information that are available to respondents, or in how the data were analyzed can introduce unwanted variability into the results. We took steps in the development of the questions, the data collection, and the data analysis to minimize these nonsampling errors. For example, a survey specialist helped develop the interview questions in collaboration with GAO staff with subject matter expertise. Then, as mentioned earlier, the draft questions were pretested to ensure that the questions were relevant, clearly stated, and easy to comprehend. Interviews were conducted by GAO staff familiar with the subject matter and proper interviewing procedures. Finally, when the data were analyzed, a second, independent analyst checked to make sure that the results were correct.

We conducted our work from August 2004 through September 2005 in accordance with generally accepted government auditing standards.

Appendix II: Responses to Selected Questions from Interviews with 25 Federal Security Directors

Note: GAO interviewers did not read "no opinion" or "don't know" response options to respondents, however they recorded these responses when provided. Interviewers informed respondents that if they had any comments to any question, the interviewer would record the comment.

1. To what extent, if at all, do you need or would you like to have greater authority in determining the number of screeners to better address airport specific staffing or security needs at the airport(s) you oversee?

Very great extent	14
Great extent	9
Moderate extent	1
Some or little extent	1
No extent	0

2. Did TSA involve you or provide you any opportunity to have input into the development of the REGAL screener staffing model?

Yes	11
No	14

3. How satisfied are you with that involvement? Would you say you are:

Very satisfied	4
Generally satisfied	5
Not satisfied	16

4. In your opinion, to what extent, if at all, does the Next Generation Hiring program provide for your airport(s)'s screener staffing needs better than TSA's former hiring process?

Very great extent	3
Great extent	7
Moderate extent	8
Some or little extent	2
No extent	4
No opinion	1

**Appendix II: Responses to Selected Questions
from Interviews with 25 Federal Security
Directors**

5. Overall, how satisfied are you with Next Generation Hiring's ability to meet your airport's screener staffing needs? Would you say you are:

Very satisfied	4
Generally satisfied	10
Not satisfied	7
No opinion	4

6. Given the options FSDs have for participating in the selection of screeners under Next Generation Hiring, to what extent, if at all, do you need or would you like to have greater authority in the selection of screeners in order to better address airport specific staffing or security needs at the airport(s) that you oversee?

Very great extent	7
Great extent	5
Moderate extent	8
Some or little extent	1
No extent	3
No opinion	1

7. Did you participate in TSA's orientation program for new FSDs?

Yes	23
No → (Skip to Question 9)	2

8. How valuable do you think this orientation program was in preparing you for your duties as an FSD? Would you say it was:

Very valuable	10
Generally valuable	12
Not valuable	1

**Appendix II: Responses to Selected Questions
from Interviews with 25 Federal Security
Directors**

9. With the exception of the orientation program that you may have attended, has TSA provided you any additional or follow-up training?

Yes	15
No	10

10. In your opinion, does TSA need to provide additional training to either new or experienced FSDs to help them do their job more effectively?

Yes	23
No → (Skip to Question 12)	2

11. In what areas does TSA need to provide more training to FSDs?¹ (Respondents could provide more than one response.)

Regulatory Matters	11
Human Resources	10
Depends on the FSD's Background	6
Leadership	6
General Management	5
FSD Roles and Responsibilities	3
Aviation Industry	2
Technical Training on Equipment	2

12. How involved have you been in TSA's effort to reassess hub and spoke configurations of airports across the country? Would you say you have been:

Very involved	6
Generally involved	5
Not involved	14

13. How satisfied are you with that level of involvement? Would you say you are:

Very satisfied	6
Generally satisfied	6
Not satisfied	12
No opinion	1

¹ This was an open-ended question; respondents were not provided response categories.

**Appendix II: Responses to Selected Questions
from Interviews with 25 Federal Security
Directors**

14. Given your airport's security needs, would you say that the current number of FSD management positions TSA has allocated to you is:

More than adequate	1
Adequate	17
Not adequate	7

15. How involved have you been in TSA's effort to reassess the number of management positions each FSD should be allocated? Would you say you have been:

Very involved	3
Generally involved	3
Not involved	19

16. How satisfied are you with that level of involvement? Would you say you are:

Very satisfied	1
Generally satisfied	6
Not satisfied	17
No opinion	1

17. Do you currently have an 1811 (that is, a criminal investigator) on your FSD management staff?

Yes	13
No	12

18. Regardless of whether you currently have an 1811, how important do you think it is to have an 1811 on your staff to support your airport's security needs? Would you say it is:

Very important	19
Generally important	4
Not important → (Skip to Question 20)	2

**Appendix II: Responses to Selected Questions
from Interviews with 25 Federal Security
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19. Please respond to the following questions::

	Very important	Generally important	Not important
a. How important is it to you to have an 1811 on your staff to facilitate communication and/or coordination with the law enforcement and/or Intelligence community?	20	3	0
b. How important is it to you to have an 1811 on your staff to perform the duties of a criminal investigator?	16	7	0

20. In your opinion, how helpful is it having TSA Area Directors located in the field rather than in headquarters? Would you say it is:

Very helpful	8
Generally helpful	4
Not helpful	12
No opinion	1

21. How valuable a resource do you think TSA's Report Group, previously named the Communication Liaison Group, is for FSDs? Would you say it is:

Very valuable	2
Generally valuable	14
Not valuable	7
No opinion	2

22. Which of the following statements best describes your familiarity with TSA's mentoring program for new FSDs and Deputy FSDs?

I am familiar with it and have been a mentor	1
I am familiar with it and have been a mentee	3
I am familiar with it, but have not been a participant	8
I am not familiar with it → (Skip to Question 24)	13

**Appendix II: Responses to Selected Questions
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23. In your opinion, how valuable is the mentoring program in preparing new FSDs or Deputy FSDs for their roles? Would you say it's:

Very valuable	6
Generally valuable	4
Not valuable	1
No opinion	1

24. How satisfied are you with your current authority to take disciplinary or adverse actions to address employee performance or conduct problems? Would you say you are:

Very satisfied	11
Generally satisfied	13
Not satisfied	1

25. How satisfied are you with the flexibility TSA has given you to offer training locally to your screeners?

Very satisfied	9
Generally satisfied	12
Not satisfied	3
No opinion	1

26. To what extent, if at all, do you think TSA needs to do more to clarify the role and responsibilities of the FSD position?

Very great extent	3
Great extent	8
Moderate extent	5
Some or little extent	2
No extent → (Skip to Question 29)	7

27. What do you think needs further clarification? (See page 18 of this report for a discussion of the responses received.)

**Appendix II: Responses to Selected Questions
from Interviews with 25 Federal Security
Directors**

28. Who would need that clarification? *(Respondents could provide more than one response.)*

FSDs	16
FSD management staff	16
airport stakeholders	16
Other	10

29. To what extent, if at all, do the demands of screening keep you from focusing on other significant aspects of airport security as much as you would like?

Very great extent	1
Great extent	2
Moderate extent	6
Some or little extent	6
No extent → <i>(Skip to Question 31)</i>	10

30. In your opinion, how challenging, if at all, is it to develop partnerships with stakeholders you regulate? Would you say it's:

Very challenging	2
Generally challenging	11
Not challenging	12

31. Given FSDs' responsibilities for ensuring airport security, how adequately do you think TSA headquarters has focused on its regulatory oversight mission? Would you say it's been:

More than adequate	1
Adequate	17
Not adequate	7

**Appendix II: Responses to Selected Questions
from Interviews with 25 Federal Security
Directors**

32. Has TSA ever offered any of your airports the opportunity to pilot a new program or technology?

Yes	10
No	14
Don't know	1

33. Have any of your airports ever participated in a TSA pilot of a new program or technology?

Yes	10
No	→ (Skip to Question 35) 14
Don't know	→ (Skip to Question 35) 1

34. Overall, how satisfied have you been with the level of involvement you've had in evaluating this pilot program or technology? Would you say you have been:

Very satisfied	8
Generally satisfied	1
Not satisfied	1

35. Overall, how satisfied have you been with your airport's level of involvement in piloting new TSA programs or technologies? Would you say you have been:

Very satisfied	4
Generally satisfied	10
Not satisfied	8
No opinion	3

36. Overall, how involved have you been as an FSD in developing federal airport security policy? Would you say that you've been:

Very involved	1
Generally involved	3
Not involved	21

**Appendix II: Responses to Selected Questions
from Interviews with 25 Federal Security
Directors**

37. How satisfied are you with that level of involvement? Would you say you are:

Very satisfied	1
Generally satisfied	8
Not satisfied	16

38. How often, if ever, do you think that TSA security policies, as they are initially issued, need clarification?

Most of the time	7
Sometimes	15
Never → (Skip to Question 40)	3

39. More specifically, which types of security policies—security directives, policy directives, and/or standard operating procedures—need clarification at times? For each type, please tell me if you think they need clarification. (Respondents could provide more than one response.)

Security Directives	19
Policy Directives	12
Standard Operating Procedures	19
Other	0

40. At your airport(s), how often, if ever, do you find that it is not feasible to implement TSA security policies as they are initially issued?

Most of the time	0
Sometimes	7
Never → (Skip to Question 42)	18

41. More specifically, which types of security policies—security directives, policy directives, and/or standard operating procedures—are not feasible to implement at times. (Respondents could provide more than one response.)

Security Directives	5
Policy Directives	3
Standard Operating Procedures	5
Other	0

**Appendix II: Responses to Selected Questions
from Interviews with 25 Federal Security
Directors**

42. When questions arise, how satisfied are you with TSA's efforts to clarify security policy?

Very satisfied	4
Generally satisfied	19
Not satisfied	2

Appendix III: Comments from the Department of Homeland Security

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

September 15, 2005

Ms. Cathleen Berrick
Director, Homeland Security & Justice Issues
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Berrick:

RE: Draft Report GAO-05-935, *Transportation Security Administration: More Clarity on the Authority of Federal Security Directors Is Needed.*

Thank you for the opportunity to comment on the subject draft report. The Department of Homeland Security (DHS) appreciates the work done to identify areas for improvement in the Transportation Security Administration's (TSA's) review of Federal Security Directors roles and responsibilities. We generally concur with the report and its recommendations and appreciate the discussion of challenges, and related on-going and planned work designed to fully meet our responsibilities.

The report acknowledges the substantial progress TSA has made to better support and empower the Federal Security Director position through increased communication and coordination efforts. To clarify the authority of the Federal Security Director during various security incidents and help ensure a consistent understanding of this authority, GAO recommends that "the Secretary of Homeland Security direct TSA to update its *Delegation of Authority to FSDs and communicate this information to FSDs and airport stakeholders*". DHS agrees that efforts to implement these recommendations are critical to enable Federal Security Director's to effectively oversee security at the nation's commercial airports.

TSA already has initiated efforts to revise and update the Delegation of Authority for the Federal Security Directors. A new restatement of the FSD Delegation has been drafted by a working group composed of FSDs from the Advisory Council and the Office of Chief Counsel. The Delegation has a new concise format that restates some of the FSDs previous authorities and proposes some new authorities (e.g., inter-agency agreements, administering oaths, etc.) consistent with the evolving operational requirements in the field. The Delegation is being internally coordinated for comment and clearance. The Delegation will be presented for consideration of senior leadership and the Administrator.

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At that time, FSDs and airport stakeholders will be notified of their responsibilities under the new Delegation.

In summary, DHS appreciates your review of the roles and responsibilities of Federal Security Directors and thanks you for the thorough analysis and discussion that comprises this report. We continue to be cognizant of the areas upon which we can improve.

Sincerely,



Steven J. Pecinovsky
Director
Departmental GAO/OIG Liaison Office

Appendix IV: GAO Contact and Staff Acknowledgments

GAO Contact

Cathleen A. Berrick, (202) 512-8777 or berrickc@gao.gov

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In addition to the contact mentioned above, Glenn Davis, Assistant Director; David Alexander; Grace Coleman; Tracey Cross; Wayne Ekblad; David Hancock; Stuart Kaufman; Janice Latimer; Thomas Lombardi; and Lori Weiss made key contributions to this report.

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