

**TSA OVERSIGHT AND EXAMINATION OF THE
FISCAL YEAR 2016 BUDGET REQUEST**

HEARING

BEFORE THE

SUBCOMMITTEE ON AVIATION OPERATIONS,
SAFETY, AND SECURITY

OF THE

COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE

ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

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MARCH 17, 2015
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ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

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TSA OVERSIGHT AND EXAMINATION OF THE FISCAL YEAR 2016 BUDGET REQUEST

TUESDAY, MARCH 17, 2015

U.S. SENATE,
SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND
SECURITY,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Subcommittee met, pursuant to notice, at 2:31 p.m. in room SR-253, Russell Senate Office Building, Hon. Kelly Ayotte, Chairman of the Subcommittee, presiding.

Present: Senators Ayotte [presiding], Thune, Moran, Gardner, Cantwell, Klobuchar, Blumenthal, Booker, Manchin, and Peters.

OPENING STATEMENT OF HON. KELLY AYOTTE, U.S. SENATOR FROM NEW HAMPSHIRE

Senator AYOTTE. Good afternoon and welcome. As you may know, today marks my first hearing as the Chairman of this Subcommittee, and today's hearing represents the first of what we anticipate will be an active spring schedule.

The Subcommittee will soon begin a series of hearings in preparation for this year's Federal Aviation Administration reauthorization effort, as the agency's authorization expires in September of this year.

I am very appreciative to be here with Senator Cantwell, my Ranking Member. We basically just switched places. I have had the honor of working with her in the past. I know we will work together in a bipartisan fashion in this committee on these important issues.

At a time when our Nation faces evolving security threats, often focused on the airline industry and its partners, the Transportation Security Administration's role is more important than ever.

To protect the traveling public in our transportation systems, we need strong leadership and a coherent strategy from TSA to ensure our Nation is pursuing the best security policies.

To that end, in January, I joined several of my colleagues on the Commerce Committee, including Chairman Thune, Ranking Member Nelson, Ranking Member Cantwell of this committee, and Chairman Fischer in writing to the President asking him to prioritize the formal nomination of the TSA Administrator, as former Administrator John Pistole announced his intention to retire in October 2014, which brings me to today's witness.

I want to welcome to the Subcommittee Mr. Melvin Carraway, who serves as Deputy Administrator and current Acting Adminis-

trator at TSA. Although Mr. Carraway has a long history of service in various capacities at TSA, today's hearing is the first time he will testify before a congressional committee, but we really appreciate all of your hard work and what you are trying to do.

Thank you for being here, and thank you for all your service to the Nation. I look forward to hearing from you on many important issues facing TSA and the safety of the traveling public.

I also look forward to working closely with you moving forward to address these issues. I hope you will view this subcommittee as a partner in your important work.

At today's hearing, I look forward to hearing your views on a number of issues facing our Nation's security situation and TSA's operations. I know my colleagues have strong interest in your comments as well. In short, we want to hear your vision for the agency and how the budget request for Fiscal Year 2016 supports TSA's mission.

Additionally, I hope to hear from you how we can address a number of issues that have recently garnered media attention, including Federal Air Marshals' misconduct and access control failings.

As you know, TSA has adopted an intelligence-driven, risk-based security approach, which is designed to allow the agency to deploy resources in a more focused and efficient manner, concentrating on unknown and high risk travelers. This approach simultaneously helps alleviate burdensome procedures for low-risk passengers.

One tool that TSA uses in its risk-based security strategy is TSA Pre✓[®] which I am sure many of us have used. TSA recently announced its intent to expand enrollment options for application for Pre✓[®], and we need to make sure this effort does not diminish the safety or security of passengers but applies to low-risk travelers for their convenience.

Anyone who travels through our Nation's airports is well aware that TSA relies heavily on technology in order to screen passengers and carry out its mission. Cost-effective acquisition policies and procedures are critical to ensuring TSA is able to deploy the best technology to effectively and efficiently screen passengers and baggage.

Last Congress, I introduced legislation to improve transparency and accountability in technology acquisition spending and planning by TSA. The legislation was passed out of the Commerce Committee and ultimately signed into law in December.

Under the law, TSA is required to develop, update, and publish biennially a strategic 5 year technology investment plan, analyze whether an acquisition is justified before acquiring any security related technology, establish and report baseline performance requirements before acquiring any security related technology, utilize any existing equipment in inventory before getting additional units, and report to Congress on the feasibility of tracking TSA's security technologies through automated information and data capture technologies.

Understanding that this law is still being implemented, as it is relatively new, I look forward to hearing an update on your acquisition reform efforts.

Finally, the Federal Air Marshal Service is responsible for detecting, deterring, and disrupting criminal and terrorist acts against air carriers, passengers, airports, and crews.

As an additional line of defense against threats while flights are in the air, the Federal Air Marshal Service should be promoting confidence in our Nation's civil aviation system. Yet recent news stories have dogged the service, including media reports of abuse of authority with regard to improper scheduling for inappropriate personal reasons. This is extremely troubling, and recent media accounts have also exposed security gaps in the use of security identification display area, or SIDA badges.

While these instances may largely be attributed to employee misconduct or misuse of the credential and not terrorist activities, we must make sure that the proper mechanisms and checks are in place to prevent these abuses from occurring and to ensure security.

The Aviation Security Advisory Committee is conducting a review of access control measures, and I look forward to reviewing their findings and recommendations.

Also disturbing is the exposure of a gun smuggling operation where an airline employee was able to sneak firearms through the secure areas of an airport and into the cabins of commercial airliners with the help of a co-conspirator.

This series of security and procedural breaches must be investigated exhaustively, and it should also highlight the need for ongoing assessments of security weaknesses.

TSA is very often the face of security on the home front. Mr. Carraway, you have a tough job overseeing the agency with an ever evolving threat landscape.

We must all continue to work to ensure that TSA is able to adapt as well as stay ahead of those threats that we face as a nation.

I would like to now turn it over to Ranking Member Cantwell, and it is really is an honor to serve with her on this subcommittee.

**STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Thank you, Chairman Ayotte, and welcome to the Chair position, and I enjoyed working with you in similar capacities, so I am sure together we will continue to focus on aviation and I look forward to the series of hearings that we have set up over the next few weeks.

Acting Administrator Carraway, thank you for testifying here today. The Transportation Security Administration's mission has remained constant for the 13 years since this committee created the agency to protect our travelers and our transportation system.

In the time since the agency was first authorized, the threats facing our transportation network have evolved to protect the traveling public and need to continue to evolve. There have been obstacles and missteps along the way, but we all appreciate the hard work and dedication that the men and women there have made to keep us safe.

To ensure the free and safe movement of people and goods and services through the transportation system, TSA has adapted. Security measures have been reactive at times but the shift from one-

size-fits-all approach to a risk-based security has mitigated certain burdens for travelers. For example, children and older Americans no longer have to remove their shoes, and low-risk passengers can avail themselves of expedited screening through the Pre✓[®] program, which is now active at 119 airports.

The \$7.3 billion TSA budget proposed by the Administration continues to develop the agency's multi-layered risk-based approach which has improved security while creating efficiencies and enabling commerce.

Through investments in workforce training and terrorist watch list systems, TSA is building a counterterrorism workforce and enabling intelligence and data driven decisions. Analyzing and leveraging this information to better identify the threats enables TSA to maximize the coverage where needed through a variety of tools such as the Federal Air Marshal K-9 Units, VIPR teams, and other behavioral detections, TSA can match each threat with the necessary levels of security.

This ability to adapt security to the threat level is crucial for our success. We recently saw this in action when TSA addressed emerging threats from abroad by requiring travelers at their final part of departure into the United States to open and activate certain electronic screening devices.

This intelligence-driven decisionmaking is critical to our success in combating terrorist threats. We must also thank our international partners since we are not in this alone, and TSA does important work with foreign nations to ensure that our passengers are appropriately screened before boarding planes headed back to the U.S. As with so many international efforts, this is no small task.

Another major area of concern for all of our intelligence and security forces is the increased presence that terrorist groups have on the Internet as a terrorist organization uses the Internet to recruit followers, to disseminate instructions, and to share information about perceived security vulnerabilities. We must remain vigilant to improve our security posture.

While there are important investments in intelligence capability and aviation security, this budget also contains cuts to service transportation security and VIPR teams, which I hope you will address today.

Acting Administrator Carraway, our transportation system, our railroad system, our pipeline networks are all vitally important, and must be secure.

In recent years, there have been a number of surface transportation facilities under attack in places like Russia and Mumbai, London and Madrid, as well as threats in New York and Washington, D.C.

We cannot allow our focus to be so narrow that we do not focus on preparing for those other types of transportation.

Thank you for being here today, and we look forward to your continued mission of the TSA. Thank you.

Senator AYOTTE. Thank you. We are very honored to have Mr. Carraway here today, and he is the Acting Administrator of the Transportation Security Administration.

Mr. Carraway?

**STATEMENT OF MELVIN CARRAWAY,
ACTING ADMINISTRATOR, TRANSPORTATION SECURITY
ADMINISTRATION, U.S. DEPARTMENT OF HOMELAND
SECURITY**

Mr. CARRAWAY. Good afternoon, Madam Chairman Ayotte. Thank you for inviting me, and Ranking Member Cantwell, and distinguished members of the Subcommittee. Thank you for the opportunity to appear before you today.

TSA is tasked with protecting the nation's transportation systems and has developed its Fiscal Year 2016 budget request with three priorities in mind, advancing risk-based security, enhancing workforce engagement, and improving organizational efficiency.

TSA could not accomplish this mission without a trained and equipped workforce. In recent years, the adversaries we face have become more inventive, persistent, and adaptive in design, construction, and concealment of explosives, and they are not isolated to a single country or a single region of the world.

As such, TSA is working to mitigate the risk we all face when traveling from, within, and to the U.S.

In Fiscal Year 2014, transportation security officers screened 650 million passengers and more than two billion carry-on and checked bags, preventing approximately 105,000 dangerous prohibitive items, including 2,300 firearms, from being carried onto planes.

Additionally, Federal Air Marshals flew thousands of flights domestically and internationally providing in-flight security for high risk routes. Visible Intermodal Prevention and Response, VIPR, teams conducted almost 17,000 operations.

Transportation security inspectors completed over 1,054 airport inspections, including 17,894 aircraft operator inspections, and 2,959 foreign air carrier inspections, to ensure compliance with rules and regulations, and TSA's vetting systems perpetually vetted 14.8 million transportation worker records each day against the Terrorist Database.

Our risk-based security initiatives boost the effectiveness of security resources by focusing them on high risk and unknown travelers and commerce, while at the same time facilitating the efficient movement of legitimate travelers, and commerce and trade.

As a result, TSA's RBS initiatives are responsible for approximately \$350 million in savings over the past two years. There are now 132 airports offering expedited screening through TSA's Pre✓[®], and 326 enrollment centers have processed an enormous amount of individuals.

As a result, TSA increased the percent of passengers receiving some sort of expedited screening from 9.6 in September 2013 to 44.3 one year later. TSA's Pre✓[®] volume has increased 100 percent since 2013.

To help facilitate greater participation in our expedited screening initiatives, TSA is exploring private sector enrollment capabilities leveraging industry's expertise.

The President's budget for Fiscal Year 2016 includes \$7.3 billion for TSA, which represents a seven percent decrease and savings of \$653 million in appropriated funding. The Fiscal Year 2016 budget includes a reduction of \$119 million and 1,748 personnel related to workforce savings from RBS efficiencies.

As RBS measures change the nature of airport screening operations, including reducing the number of necessary lanes, TSA can reduce the number of transportation security specialists-explosives, we call them TSS-Es, resolve checkpoint alarms when a suspected threat is detected with fewer screeners and improved technology. Fewer TSS-Es are required. This will result in a reduction of \$2 million and 18 employees.

Additionally, TSA recently conducted an analysis of inspection data and risk sources to drive and prioritize the inspection activity as a result. TSA is proposing a reduction of \$6.5 million and 64 employees.

In April 2012, TSA established the TSA Academy located at the Federal Law Enforcement Training Center in Glynco, Georgia, and joined more than 92 partner organizations to train at FLETC. The Academy's initial course offering taught "Essentials of Supervising Screening Operations" led by dedicated groups of instructors and facilitators, including Academy staff, Federal Air Marshals, and Federal Security Directors.

In support of TSA's efforts to further professionalize its screening workforce, the budget request includes \$2.5 million to expand mission essential training at the TSA Academy. The funding will expand training staff to serve more employees and support beneficial follow on training.

The budget request also supports an increase of \$5.2 million to hire and train additional FAMs. The last class of Federal Air Marshals came on board on September 11, 2011. It is again time for this vital program to refresh its ranks.

The President's budget also includes funding to support Department-wide initiatives related to cybersecurity, requesting \$2.9 million for remediation efforts to achieve critical network infrastructure protection.

As TSA continues applying risk-based security principles throughout the organization, we must continue investing in the workforce we need to ensure our future successes. Through hard work and operational efficiencies, we are becoming a smaller, more capable workforce.

Madam Chair, thank you again for the opportunity to discuss the President's Fiscal Year 2016 budget for TSA. I look forward to working with the Committee, and I am pleased to answer any questions that may arise.

[The prepared statement of Mr. Carraway follows:]

PREPARED STATEMENT OF MELVIN CARRAWAY, ACTING ADMINISTRATOR,
TRANSPORTATION SECURITY ADMINISTRATION, U.S. DEPARTMENT OF HOMELAND
SECURITY

Good afternoon Chairman Ayotte, Ranking Member Cantwell, and distinguished members of the Subcommittee. Thank you for the opportunity to appear before you today to discuss the President's Fiscal Year (FY) 2016 Budget Request for the Transportation Security Administration (TSA).

TSA is a high-performing counterterrorism organization, applying a multi-layered, intelligence-driven, risk-based approach to protect the Nation's transportation systems, including aviation, mass transit, rail, highway, and pipeline. In support of this mission, TSA developed the FY 2016 budget request with three priorities in mind: advancing risk-based security, enhancing workforce engagement, and improving organizational efficiency.

TSA could not accomplish this essential mission without a workforce trained, equipped and committed to the safety and security of this Nation. Each of our more than 50,000 personnel remains steadfast in the face of a threat that has not diminished more than a decade following the terrorist attacks on September 11, 2001. In fact, over the years, the adversary has become more inventive and persistent, while at the same time growing and spreading to other countries and regions. We continue to face a real and persistent threat from adversaries adept in the design, construction and concealment of explosives. As such, TSA is evolving our approach to transportation security and to mitigate risks we all face when traveling from, within and to the United States. I am proud of the employees on the frontlines who conduct themselves as true professionals in the performance of their daily duties.

In pursuit of TSA's mission, in FY 2014, Transportation Security Officers screened approximately 650 million passengers, and more than 2 billion carry-on and checked bags, preventing approximately 105,000 dangerous prohibited items, including 2,300 firearms, from being carried onto planes. TSA also screened a daily average of 6 million air passengers against terrorist databases.

Additionally, Federal Air Marshals (FAMs) flew thousands of flights domestically and internationally providing in-flight security for high risk routes; Visible Intermodal Prevention and Response (VIPR) teams conducted almost 17,000 operations; Transportation Security Inspectors (TSIs) completed over 1,054 airport inspections, 17,894 aircraft operator inspections, and 2,959 foreign air carrier inspections to ensure compliance with rules and regulations; and TSA's vetting systems perpetually vetted 14.8 million transportation worker records each day against the Terrorist Screening Database.

Risk-Based Security (RBS)

TSA continues to deploy multi-layered, intelligence-driven, risk-based initiatives to enhance security. These risk-based security initiatives boost the effectiveness of security in a more efficient manner, by directing resources focused on high-risk and unknown travelers and commerce, while at the same time facilitating the movement of legitimate travelers and trade. In addition, TSA has enhanced the customer experience for the traveling public. RBS methods have proven more efficient in moving people through the checkpoint than standard screening lanes, requiring fewer screeners and fewer lanes than traditional screening operations. As a result, TSA continues to gain efficiencies through RBS initiatives, with savings of approximately \$350 million over the past two years at airports.

In order to bolster the ongoing success of RBS initiatives, TSA continues to expand the prescreening process by increasing the number of known, lower-risk travelers eligible for expedited screening. TSA has made substantial strides in RBS including:

- Increasing the number of airports with TSA Pre✓[®] screening lanes to 132;
- Establishing 559 dedicated and supplemental TSA Pre✓[®] lanes; and
- Adding TSA Pre✓[®] Application Program enrollment sites at 326 centers, which have processed nearly one million applicants.

TSA continues to work closely with airlines to expand the number of air carriers participating in TSA Pre✓[®], enhance Known Crewmember, and extend eligibility for TSA Pre✓[®] to U.S. Armed Forces personnel and Department of Defense civilian employees. In November 2014, TSA offered TSA Pre✓[®] expedited screening benefits to students of the four U.S. service academies. On average, more than 60,000 Department of Defense employees benefit from TSA Pre✓[®] on a weekly basis.

Through these measures, TSA increased the percent of passengers receiving some form of expedited screening from 9.6 percent in September 2013 to 44.3 percent a year later. TSA Pre✓[®] volume has increased 600 percent with more than 300 million passengers receiving expedited screening, since 2013. More than 12.5 million passengers were screened between November 26 and December 2, a 1.3 percent increase from 2013. Of the record number of travelers flying over this past holiday season, nearly 50 percent experienced expedited screening. In addition, nationwide, 99.6 percent of passengers moved expeditiously through checkpoint lines, waiting less than 20 minutes in line.

TSA continues to focus on increasing the population of known and trusted travelers receiving TSA Pre✓[®] by expanding participation to additional U.S. and foreign air carriers, identifying and enrolling more trusted populations. In addition, TSA is exploring private sector enrollment capabilities, leveraging industry expertise in marketing and offering additional opportunities for enrollment beyond the existing 326 centers currently in existence across the Nation.

TSA's multi-layered approach to screening also includes real time threat assessments through the deployment of behavior detection techniques, explosives detection

canines and explosives trace detection equipment, and risk-based physical screening utilizing differentiated screening procedures and technology applications.

Our RBS security efforts are part of a strategic application of intelligence-driven risk mitigation principles that moves away from the one-size-fits-all approach to security. TSA will continue to focus on adopting risk-based approaches to other aspects of aviation security, including checked baggage, air cargo, regulatory compliance, and through the identification of potential enhancements to FAM deployments.

Budget Highlights

The FY 2016 President's Budget includes total funding of \$7.3 billion for TSA. This represents a 7 percent decrease in TSA's overall budget, and a savings of \$653 million in appropriated funding, over the past five years, if the FY 2016 request is enacted. This funding supports TSA's three strategic priorities constituting the basis of TSA's budget request.

Risk Based Security

TSA continues to promote the most effective security in the most efficient manner. The implementation of RBS initiatives has resulted in a smaller, more professional and capable workforce. The FY 2016 budget includes a reduction of \$119 million and 1,748 personnel related to workforce savings due to RBS efficiencies. This includes a reduction of \$110.5 million and 1,666 full-time equivalents (FTE) from the screener workforce due to a more efficient screening process requiring fewer personnel.

As TSA RBS measures change the nature of screening operations, including reducing the number of lanes and transitioning to a smaller, more professional workforce, TSA is able to reduce the number of Transportation Security Specialist-Explosives (TSS-E) personnel by 18 employees and \$2.0 million. TSS-Es resolve checkpoint alarms when a suspected threat is detected, and train TSOs to better recognize characteristics of explosive devices. This program will continue to operate in the Nation's largest airports, but with fewer screeners and improved technology, fewer TSS-Es are required for the training responsibility.

Additionally, TSA recently conducted an analysis of inspection data and risk scores to drive and prioritize inspection activity. That information, along with the latest intelligence, will be used to deploy Transportation Security Inspectors to focus on those areas with higher risks and those parties requiring additional oversight to improve security compliance. As a result, TSA is proposing a reduction of \$6.5 million and 64 employees.

Workforce Engagement

In April 2012, TSA established the TSA Academy located at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia and joined more than 92 partner organizations who train at FLETC. The Academy's initial course offering was the Essentials of Supervising Screening Operations led by a dedicated group of instructors and facilitators including Academy staff, Federal Air Marshals (FAMs), Federal Security Directors, and members of the FLETC Leadership and International Training Division. The course was designed and developed for delivery to our more than 4,500 Supervisory Transportation Security Officers. By the end of FY 2014, 167 classes were delivered and 4,568 participants trained, including training for Lead Transportation Security Officers, Transportation Security Inspectors, Security Training Instructors, and TSS-E personnel.

In support of TSA's efforts towards professionalization of the screening officer workforce, the budget request includes \$2.5 million to expand mission essential training at the TSA Academy. The funding will expand training staff to serve more categories of employees and support follow-on training that will continue to build upon an established foundation.

The budget request also supports an increase of \$5.2 million to hire and train additional FAMs. These efforts will include recruitment of women and veterans which will enhance the diversity and skill set of our workforce. The last class of FAMs came onboard on September 11, 2011. Hiring will allow this vital program to refresh its ranks, and assign new hires to locations of strategic value based on risk-based principles and in accordance with a newly developed Concept of Operations governing strategic deployment of FAMs on high-risk flights.

In FY 2016, the FAMS will finalize the workforce realignment begun in FY 2015, through the closure of the final two of six offices. Upon completion of the workforce realignment, resources will be positioned with greater strategic value, enhancing the ability of the organization to schedule FAMs on missions of the highest criticality, thereby ensuring the most effective security in the most efficient manner.

Department-Wide Initiatives

TSA's budget includes funding to support Department-wide initiatives related to cybersecurity and Watchlist services. TSA requests \$2.9 million for cybersecurity remediation efforts to achieve the Department of Homeland Security's goal of remediating all known vulnerabilities in the most high-risk systems by FY 2017, thereby enhancing critical network infrastructure protection.

TSA utilizes the Watchlist Service, which provides terrorist screening data to DHS components. The request includes an increase of \$2.8 million to automate currently manual processes. Once completed, real-time updates will be available to TSA and other users of the Watchlist Service.

Conclusion

As TSA continues applying risk-based security principles throughout the organization, we must also continue shaping and investing in the workforce we need to enable our future successes. Through hard work and a focus on efficiency, we are becoming a smaller, more capable workforce. I am committed to developing, training and equipping that workforce to continue providing the most effective security in the most efficient manner.

Mr. Chairman, thank you again for this opportunity to discuss the President's FY 2016 budget request for TSA. I look forward to working together and will be pleased to answer any questions you may have.

Senator AYOTTE. Thank you for your testimony, Mr. Carraway. I wanted to follow up with you on what I had asked about in my opening statement, the Transportation Security Acquisition Reform Act, that we had worked on, and signed into law late last year. It does have a number of good government provisions.

Can you give me an update on how it is going on implementing the Act?

Mr. CARRAWAY. Let me first say thank you very much. It has made a difference. Our Acquisition Department has used the initiative very well. In fact, last week we had industry partners engaged in the activity at headquarters. I met with them and discussed moving forward. It is engagement like this that the bill really brought to bear, and our Acquisition Department is using it very rigorously as we move forward.

I will be able to provide you further details about improvements that have occurred as we go forward, but I can tell you it has made a difference, both in processes and uses, and discussions with the industry as well.

Senator AYOTTE. Great. You had said you just had recent meetings with the industry, one of the parts of it is the five year investment plan that I know is being put together by the agency.

In that, will you be engaging the private industry in that plan, and also give them an opportunity to give you feedback on a draft of it?

Mr. CARRAWAY. Yes, I will. What you indicated at the very beginning of your opening remarks is about partnerships. My background is built on partnerships, as my discussion was with industries, partnerships is going to drive us moving forward, and I will be engaging them through that process.

Senator AYOTTE. Thank you so much. With that, I assume all of the partnerships, including security technology manufacturers are involved in the development of it?

Mr. CARRAWAY. They were all present at the meeting; yes.

Senator AYOTTE. Great. Fantastic. I look forward to an update on that as you are able to implement the Act, and any feedback you

have in terms of how we can continue to work on this issue to improve acquisition at TSA.

Mr. CARRAWAY. I will do.

Senator AYOTTE. One of the other issues I wanted to ask about is as we look at some of the issues I raised in my opening statement, the alleged misconduct by the Federal Air Marshals that has been reported in the news recently, I understand that it is probably under investigation, but can you share with us what you can in terms of ensuring that we have the type of professionalism and integrity in such an important security service within TSA?

Mr. CARRAWAY. Let me begin by saying I deplore, do not tolerate misconduct, behavior that brings discredit to the agency. I act and have my staff act on those issues very swiftly.

It is important to show accountability, not just at the leadership level, but accountability also down to the workforce. That is what I demand of the folks in TSA, because our mission is so critical, so accountability becomes so important.

I cannot speak to the particulars of any investigation, but I can tell you that we have made significant changes not just in the FAM Service but throughout TSA, by enlisting OPR, which is our Office of Professional Responsibility. We have done integrity testing continuously with our workforce.

In regard to the FAM Service, we have done an overhaul of our FAM Service. The leadership, new leadership have been brought into the FAM Service. It is an overhaul of all their operations to create a check and balance in all of their operations to include the TSOC, which is the Transportation Security Operations Center, our Mission Control Center, and all those efforts that are involved.

We have auditing that has also been done. This occurred immediately at the change of leadership.

Senator AYOTTE. Great. Thank you for that. In turn, I also wanted to cover the issue that arose with the security identification display area badges. How do we ensure that those types of abuses do not occur again where we have, as I understood it, a number of badges that were unaccounted for, and we obviously want to make sure that those do not end up in the wrong hands.

Mr. CARRAWAY. TSA is a regulatory agency. Our responsibility is to oversee the airports and their use of badges.

In the instance we are talking about here, there is always a second biometric that is instilled in those badges. Although they may be missing, some not accounted for, the use of them is probably pretty limited because of the biometric effort that is instilled.

For example, in Dallas/Ft. Worth, which I am very familiar with, they require a palm print in addition to the face image that is also on the card before you enter into the process. Some require a PIN number, as Atlanta does. Other similar biometrics are attached to the cards.

Although they may be missing, there are some other security safeguards that are in place, but that does not excuse the missing or not accounted for cards. We have the ability to hold the airports accountable for those cards, and in many cases, we do if the excuse or the reason or justification is not applied appropriately.

Senator AYOTTE. Great. Thank you. Senator Cantwell?

Senator CANTWELL. Mr. Carraway, I know budget challenges are always top of mind, and one of the issues of allocating scarce resources are about how we work with our various airports as they try to integrate new equipment as well.

I want to ask particularly about TSA's level of support for in-line baggage screening at some of our smaller hubs, because they are obviously trying to keep pace.

The FAA through discretionary grants and AIP entitlement funds is supporting a much needed terminal expansion at the Tri-Cities Airport in Pasco, and a regional non-hub airport located in the southeast part of our state. They just experienced an annual growth rate of something like 12 percent.

The FAA is helping them, but they do not support the installation of the new in-line baggage screening operation. How does TSA work hand in hand with the FAA on these installations, and how do you fairly evaluate these proposals for in-line screening?

Mr. CARRAWAY. Typically, we want to make sure that the planning up front is fully done, and in many cases, there happens to be a lot of changes that occur. Allocating funds or setting aside funds becomes very difficult in those situations.

We deal with them talking about how the changes are going to occur, and when we can help them appropriately, we do so. We are constantly engaged with FAA on any changes that occur, and we keep in line with our budget in regard to that.

We just simply cannot make promises to a system that may not be fully implemented or designed properly, so we do not allocate any funds in that regard until we know that has really been secured.

Senator CANTWELL. As far as major hubs versus smaller airports, you help both; right?

Mr. CARRAWAY. Oh, yes. That is what I meant.

Senator CANTWELL. Since TSA was created, obviously we have seen all sorts of different types of threats and they continue to evolve, so what is the process for trying to improve the screening process for the future as opposed to the past, and what the last incident was?

Mr. CARRAWAY. Well, I best can explain it by talking about RBS that has moved from an idea, risk-based security, to a philosophy within TSA. In every aspect, we use that moving forward to assure that the resources that we use are moved in a direction that is going to provide us utility in regards to a threat.

I have a briefing each and every morning in regards to what that threat may be. In the past, we have known that the threat has been an entity, al-Qaeda, or some other group. Now, the threat has sort of metastasized. It is decentralized. Our efforts continue in addressing with our partners domestically and internationally ways to address that.

Any of those determinations are best used at the checkpoint, whether it is for EDO experiences, K-9s, or new technology that we bring to the table as well. We always attempt to stay ahead of the threat, and RBS allows us to do that.

Senator CANTWELL. Thank you. Thank you, Madam Chair.

Senator AYOTTE. Thank you, Senator Cantwell. Senator Peters? Senator Peters stepped out. Senator Booker?

**STATEMENT OF HON. CORY BOOKER,
U.S. SENATOR FROM NEW JERSEY**

Senator BOOKER. Thank you very much to both the Chair and the Ranking Member for holding this really important hearing, and it is great to have you here, Mr. Carraway, your first time testifying before Congress.

I am really grateful not only for you being here but really for your service. You are a great American working to secure our nation, which is the most wanted tradition in our country.

The security of our transportation modes is a critical part of the country's well-being in general. All the work you do on behalf of this country again is just critical in protecting our country, our livelihoods, and the most precious element of this nation, which is the people.

I would be remiss if I did not also just thank publicly all the TSA employees for the hard work they do. They get a lot of hassle, but they do a lot of hard work day in and day out, dedicated professionals who should be recognized as such.

Mr. CARRAWAY. Thank you very much.

Senator BOOKER. While we have made great strides to prevent terrorist incidents in the aviation sector, I think there is still work to do to improve gaps in our surface transportation system. If you look at the terrorist deaths, the attacks focused on surface transportation. In many ways, that is the more frightening reality globally, those soft targets.

The security of surface networks may not garner as much attention but a large scale attack on our surface networks could result in a significant loss of life as we have seen in other countries, and also have devastating economic ramifications.

I believe we need to be devoting a greater amount of resources to focus on our surface transportation security. In the 9/11 Commission Act, Congress required TSA to undertake several surface transportation security actions. Some of these have languished since 2007, like training the front line transit and freight employees. I understand that in the absence of TSA's guidance, many agencies have stepped up and implemented training programs themselves, but if we cannot get a training program out the door, it raises serious concerns about the agency and how it is using its resources.

Mr. Carraway, the first question is what is taking so long? Can you apprise the Committee of that?

Mr. CARRAWAY. Let me begin by saying in 90 percent of our effort, the budget has been toward aviation because it seems the threat continues in the aviation sector, but that being said, it is important for us to show and demonstrate our reserve to deal with the surface area as well.

VIPR teams do that. They are flexible. They are a resource that I think many in the local state sector have taken advantage of. We assist them on several levels. We also provide training to them as often as we can.

This is one of the areas where partnerships really become very critical, and I support that wholeheartedly.

We have a division that is specifically designed to address that issue. There are conference calls that we hold every week with the

private sector, from pipeline to rail and other surface entities as well.

We do stay engaged and we understand the importance of it and provide support to them as often in regard to the VIPR as much as we can.

Senator BOOKER. I just want to say, and I know my time is going to end in a moment, I hope I have another round, just to remind the Committee, since the 9/11 terrorist attacks, there have been nearly 2,000 attacks against transit systems globally, resulting in close to 4,000 deaths.

These attacks include the 2004 bombing of a commuter train in Madrid, which killed 191 people. The July 2005 bombing of the London subway trains and bus, which killed 52 people. The July 2006 attack on commuter attacks in Mumbai which killed 207 people.

And the May 2010 attack on a passenger train in India killing 148 people. More recently, December 2013, a suicide bomber killed 16 and injured at least 40 at a Russian train station.

I understand 90 percent of our resources may be going to aviation, but anybody that is looking at a map of terrorist attacks since 9/11 would say hey, wait a minute, rail is really important.

It is unacceptable to me, and I am not taking away from the really great leadership, I affirmed your leadership, this is a Senator who supports you, but I just think to have TSA congressional specifications of what should have been done to lie unaccomplished for 6 to 7 years is just unacceptable, and they should be addressed, given all these attacks.

I guess in the 20 seconds I have left, I will try to sneak a question in, although Senator Ayotte may crush me on that, I just want to say really quick why is the surface transportation part of your budget actually being reduced in Fiscal Year 2016?

Could you explain why TSA is requesting less funds in Fiscal Year 2016 for transportation security? With the leave of my chairman.

Mr. CARRAWAY. Yes, sir. Thank you very much for the question. It is because of the RBS initiative, the way we direct our activities. What we have taken is an account of all of those transit, rail, pipeline systems you account for, giving them a ranking, and what we do then is we move our resources to those high risk areas.

When that is the case, we do not need as many bodies or employees to address that issue because we can focus upon where that high risk issue is. That is why RBS becomes effective to us, becomes efficient. We are using that manpower specifically.

Also, I can tell you I have met many of the rail entities, from Amtrak, New Jersey to New York, Port Authority individuals, and have discussed these issues with them. We stay engaged at every level on the threat.

Senator BOOKER. Thank you. I appreciate the indulgence of the chair in going over.

Senator AYOTTE. Senator Manchin?

**STATEMENT OF HON. JOE MANCHIN,
U.S. SENATOR FROM WEST VIRGINIA**

Senator MANCHIN. Thank you, Madam Chairman. Again, Mr. Carraway, I piggy back on what my good friend, Senator Booker, had said about the TSA and how difficult the job is, and I know the abuse they take.

The only thing I will say is they have an awful lot of my little pen knives that people give me and I forget to take them. If there is a way I can reclaim them, I would appreciate it, tell me where to go. There were some really sentimental ones there I lost. I would like to try to reclaim them.

I want to take off on what Senator Booker talked about as far as trains. As you know, transporting crude oil now, and in just the last 4 years, from 2009 to 2013, shipment by rail has gone up 3,300 percent. They are expecting 10 more derailments this year.

We just had a train derailment in West Virginia, it was just an unbelievable thing. Thank God we had no injuries. It was a miracle. If it had happened a mile or two prior to where they actually went and derailed, we would have lost maybe a whole community.

With that being said, and I know Senator Booker was just telling you about the rules, nothing has been implemented. We are not getting these changes that we are going to desperately need. I want to know what efforts are ongoing that will reflect on the new reality of what we are doing within this country, and it is going to be growing exponentially.

Mr. CARRAWAY. I can certainly get back to you on that issue, let you know that all of those sectors within rail/pipeline are important to me and to my staff as well. I can tell you with assurance and hope to give you confidence that we take those issues very swiftly. I will get back with you on what we can do and possibly what we can do further.

Senator MANCHIN. The train rules as far as how we transport hazardous material in this country have not changed for quite some time. We are in jeopardy of losing an awful lot of lives, and we are having a tremendous amount of increase in that arena.

The Pre✓[®] facility, we have a new one at Tri-State Airport in Huntington. We are very appreciative of that. I understand you had a 600 percent increase since 2013.

Mr. CARRAWAY. Yes, sir.

Senator MANCHIN. It is just unbelievable. It is giving legitimate travelers, honest law abiding citizens of this country, a way to expedite, and I appreciate that.

In response to the CBS story that ran last November about standard screening lanes merging with the Pre✓[®] lanes, I think it is important to get a clearer picture of why and when these mergers take place, and what is being done to ensure that a lone wolf factor, as we are hearing an awful lot about or seeing, or other potential terrorists are not slipping through those cracks, if they are merging along those lanes.

Mr. CARRAWAY. If I can explain to you the difference between the standard lane and the Pre✓[®] lane. The Pre✓[®] lane operates at about 300 passengers an hour, a standard lane, about 170, or half that, 150, an hour.

Senator MANCHIN. Pre✓[®] has more volume?

Mr. CARRAWAY. Yes, and I can explain to you why. What happens is because we have used the RBS principles, we know about those individuals that are going through the Pre✓[®] lane. We know more about them, they are at low risk, so they are not taking off their jackets or shoes, so they are passing through that quicker.

It may appear to those that that lane is longer, when in actuality they are actually going faster, sort of like being at the—

Senator MANCHIN. I think the concern is when they merge.

Mr. CARRAWAY. What happens is if you are designated for Pre✓[®], you will go through the Pre✓[®] lanes, and you will get that security. Typically, sometimes, because of the way the airport is constructed, they will know when they come up they will say I am Pre-Checked, so they will go through without taking off their jackets and shoes. Those in the center lane will simply proceed as usual.

What happens that probably is not really noticed, besides knowing much about the individual is in the Pre✓[®], there is a possibility that individual will have an ETD, explosive trace detection on their hands, there is a possibility they may receive a pat down, an additional pat down. There is the possibility even that an individual if a dog—

Senator MANCHIN. My time is about to expire, if I may. Here is the problem. I go through the Pre✓[®]. I will use me as an example. I have a new knee, cobalt titanium knee. I have to go through the full body scan. Here in D.C. at Reagan, the Pre✓[®] does not do that. They have to walk me over to go through the body scan. In little Charleston, West Virginia, they make me hold a yellow tag. Here, they do not.

What we are saying is could it be merged. Let's say I am really going through the full check, not the Pre✓[®], the reason—

Mr. CARRAWAY. The reason it is difficult to merge those is because if you are in Pre✓[®], the idea is to expedite that, to keep the lanes moving. That is how we gain our efficiency. That is how we gain the real benefit of—

Senator MANCHIN. Yes, but as soon as they know I have to go through the full body scan, they send me over here.

Mr. CARRAWAY. Right.

Senator MANCHIN. I could very easily have been somebody on the airline and got right in with me and snuck through maybe. You do not think?

Mr. CARRAWAY. I do not think so. I really have a great deal of confidence in my people.

Senator MANCHIN. If you get my pen knives back, I will let you slide on that.

Mr. CARRAWAY. Yes, sir.

Senator MANCHIN. Thank you, Madam Chairman.

Senator AYOTTE. Thank you, Senator Manchin. Those of us that serve with you in the Senate can understand why you might be undergoing some additional scrutiny.

[Laughter.]

Senator AYOTTE. I just saw that Senator Blumenthal arrived. Senator Blumenthal?

**STATEMENT OF HON. RICHARD BLUMENTHAL,
U.S. SENATOR FROM CONNECTICUT**

Senator BLUMENTHAL. Thank you very much. Thank you for being here, thank you for your service. I want to follow up on some of the questions that I heard Senator Booker ask about surface transportation, because I think one of the misconceptions that is widely shared, one of the common misconceptions, is that the TSA focuses only on air transport.

Do you think there is a need for more funding and maybe more allocation of resources to surface transportation, and if so, where in the country, and what kind of surface transportation?

Mr. CARRAWAY. I do not want to assume, being positive about resources from a budget perspective will happen. I can just address it from what I know that we have done heretofore, and how we are proceeding with issues as it relates to the surface environment. Our FAMs are very flexible in using the VIPRs. In the VIPRs, we have transportation inspectors. We have behavioral detection officers. Often, there are K-9s as well.

What they do is they assess in their communities, in their regions, where the highest risk is. They have communication with rail, pipeline, and other surface entities to determine where their best use would be, and they are then allocated and they then serve to support what the state and local agencies are doing in that area as well.

That indicates and I believe is the best use of our resources to address where those high-risk areas are. Who knows them best than the locals that are there. We partner with them to move in that area. That is how we address the issues.

Senator BLUMENTHAL. What would you say is the greatest threat? I ride the train very frequently going back up to Connecticut. What should I be looking for?

Mr. CARRAWAY. What frightens me more so than anything else in talking to our partners in Amtrak and others is that individual that may be carrying a backpack or device of some type to create harm.

Senator BLUMENTHAL. With a bomb?

Mr. CARRAWAY. Yes, of course.

Senator BLUMENTHAL. How often have you found those kinds of devices on trains?

Mr. CARRAWAY. Well, we have not found any, but I believe what the deterrent is, the deterrent such as the FAMs, Amtrak Police, Port Authority officers, those are deterrents because you never know where they may end up, and that is the flexibility that the VIPRs actually bring to the table.

Senator BLUMENTHAL. Let me shift topics for a moment. The Pre✓[®] system, who actually supervises and maintains control, who actually runs that system?

Mr. CARRAWAY. I am not exactly sure I understand your question.

Senator BLUMENTHAL. Do you, for example, determine when Pre✓[®] is open or not open at an airport?

Mr. CARRAWAY. It is the TSA Federal Security Director (FSD) in conjunction with the loads that may be happening at the airport, the events that may be happening at the airport environment.

They look at what the schedules are with the airlines, with the airports, and the FSD, the Federal Security Director, is responsible for opening or closing the Pre✓[®] lanes.

Senator BLUMENTHAL. You as Acting Administrator do not have control over that?

Mr. CARRAWAY. No. That responsibility is to the Federal Security Director; yes, sir.

Senator BLUMENTHAL. Finally, let me just say as a frequent traveler and I interact with a lot of TSA public servants, and they are almost uniformly very polite and careful and courteous and professional, I have no personal complaints about them.

Have the complaints that you have received from the public trended in one way or another?

Mr. CARRAWAY. Thank you for that question. Before I left the office, I was asking about that issue. I was pleasantly pleased to find that 80 percent of the comments from the public that we have received within the last six months have been very, very positive.

Obviously, Pre✓[®] has sort of helped that, but 80 percent of them have been positive. I was very happy about that.

Senator BLUMENTHAL. Great. My time has expired. I thank you for being here.

Mr. CARRAWAY. Thank you.

Senator AYOTTE. Senator Klobuchar?

**STATEMENT OF HON. AMY KLOBUCHAR,
U.S. SENATOR FROM MINNESOTA**

Senator KLOBUCHAR. Very good. Thank you so much, sorry I have been a little late here. We had some things going on.

I wanted to start out with a pretty serious topic. In our state, we have had now, since November, several people attempting to travel to the Mideast to join ISIS and others have joined in the past Al-Shabaab. In fact, we have had 20 indictments out of Minnesota, including nine convictions out of the U.S. Attorney's Office for people that have tried to help or have helped Al-Shabaab.

How is information such as the No Fly List or biometric data being disseminated amongst allies to prevent someone believed to have been trained by terrorists from boarding a plane without additional scrutiny?

Mr. CARRAWAY. We work very closely with our international partners in regard to travel of individuals, selectees particularly. Every morning, I have an intel briefing about the Watch List and those on the No Travel List to prevent that from happening. We monitor with the FBI, and other entities as well.

We are very robust in reviewing travel patterns. May I say to you we are very cognizant of what is happening in your area. I have a visit coming up fairly soon, hoping to address the community there. We have been robust in our communication outreach to hopefully address the issue of radicalization, and we will continue to do that. I will be able to report back to you on how successful—

Senator KLOBUCHAR. Thank you. That is the other part of the concern, obviously. I know our U.S. Attorney has been working with you on that. Thank you.

In 2012, the No Hassle Flying Act, which I introduced with Senator Blunt, was signed into law. This legislation allows the TSA to waive domestic baggage rescreening for luggage that has already been screened by U.S. Customs and Border Protection at a foreign airport, such as one of the eight airports in Canada that actually have pre-clearance facilities. It was very important they have those kinds of facilities.

How is implementation of this law proceeding?

Mr. CARRAWAY. It is going fairly well. In fact, I had a meeting yesterday with a couple of airlines about that issue. Our Canadian partners are very, very engaged. Their use of standards that we require has been continually met, which obviously is a requirement. It is important they maintain to the U.S. standards, and that has been done. We are engaged very actively with them. Thank you for that.

Senator KLOBUCHAR. Thank you. Can you comment on the effectiveness of this law as an example of risk-based security?

Mr. CARRAWAY. Definitely. Again, these individuals are vetted before they come through into U.S. ports, and that is the beauty of this initiative. It allows them to move directly to any other travel they have once they enter the U.S. with their bags. It has been very, very effective.

Senator KLOBUCHAR. We are really proud of our hub airport in Minnesota, as you know. Have you been there?

Mr. CARRAWAY. Yes, I have, love it.

Senator KLOBUCHAR. Were you able to say that to Newark and—

[Laughter.]

Mr. CARRAWAY. I love Newark Airport.

Senator KLOBUCHAR. Yes, but we have like really cool restaurants. All right. We have, as you saw, invested in a lot of new infrastructure and modernized our facilities to improve the traveler experience, and these efforts can also help make your job easier by streamlining passenger flows by how we have made some of these restructures.

However, this is the problem from our airport's perspective, I just met with them last week. We find these new structural ways to help with efficiency and then you guys reduce your staffing, which is good, but then it neutralized the benefits, then we are kind of back to the same staff lines. Do you see what I mean?

Mr. CARRAWAY. Yes.

Senator KLOBUCHAR. We gained some efficiencies. Have you heard this concern before, and how do you get at it? You want to find that middle ground where you reduce some staffing, of course, to save money, but then we still have some benefits from expending the money on the infrastructure changes.

Mr. CARRAWAY. The way I answer that is to remember that RBS and Pre✓[®] within itself is a security initiative. That when applied appropriately can provide increase of passenger experience.

When it comes to smaller airports, it is a difficult balance in doing that. From our perspective, I always have to put that security initiative first, which sometimes makes a difficulty in smaller airports.

Senator KLOBUCHAR. OK. Thank you very much.

Mr. CARRAWAY. You are welcome.

Senator AYOTTE. Thank you. Mr. Carraway, I wanted to ask you, it is my understanding when we talk about the TSA Pre✓® program that airport operators are eager to partner with TSA to expand enrollment in Pre✓® where appropriate.

What is your assessment of a direct role for airports in enrolling perspective participants into the program using airport capabilities and systems already in place at their facilities? We obviously can look at how much it is going to cost and if they are using existing facilities, that helps. Can you update us on how we are engaging airports to increase participation where appropriate?

Mr. CARRAWAY. We are really looking forward to increasing Pre✓® enrollment. One of the things that we are looking to do now is to engage a third party enrollment partner with us for Pre✓® as well. The airlines bringing international carriers into the mix would increase enrollments as well.

As relates to the design and construction of airports, we try to minimize taking up space in the airport because we know that in a lot of places it is minimum. The airports today were not constructed for some of the efforts that we are doing.

As they begin to roll out such as Indianapolis, Orlando has done a significant change, Albuquerque, New Mexico has done a significant change, we are able to put in those Pre✓® lines and they do not impact the airport in a negative sense.

What we look for to include enrollment, international carriers, more frequent flyers if possible from the airlines, to include more individuals or Government employees that have been vetted with clearances already. Those are the efforts we are trying to do right now in addition to the private sector enrollment option.

Senator AYOTTE. Just to follow up, you said you were looking at engaging a third party contractor to help with this. I know you had an RFP up previously in December, and then it was removed. Can you explain to us why that was done, and do you plan on republishing relatively soon?

Mr. CARRAWAY. Yes. I had to pull back the RFP to do some technical changes, wanted to make certain that the language we were putting out would allow for all vendors, all those interested, to participate.

I anticipate having that RFP back out to the public probably within the next week.

Senator AYOTTE. Very good. Thank you.

Mr. CARRAWAY. You are welcome.

Senator AYOTTE. I also wanted to ask about the coordination between airports and airlines, and what TSA is doing to ensure effective coordination as you respond to questions from travelers on new security initiatives or modified security initiatives.

The other question I wanted to just get some insight on is that we know that the checked baggage screening technology is reaching the end of its useful life and needs to be replaced. Many airports are unaware of the time-frame for replacement of the systems. So how are you also communicating in terms of the technology deployment plan with airport operators to ensure they have enough time to modify their facilities to incorporate new screening technology?

Mr. CARRAWAY. Let me answer your last question first. We realize that a lot of the equipment is coming to its years. However, we believe that if we add new algorithms, we spiral use this type of equipment, we can extend the life out of it. We had those discussions with the airports.

We do not want to come to this committee or to others and talk about purchasing new technology or new equipment without testing it completely. We want to make certain that it also meets our goals moving forward, that they are networked, that it can provide us information about the systems, and our success in detection capability efforts.

That is what is happening at this particular point. We are engaged with the airports in just that discussion. As you well know, there is not a great deal of money sitting to move those forward, so we have to prioritize them, and we do that with each of the airports.

Senator AYOTTE. Great.

Mr. CARRAWAY. In regards to your other question, I travel extensively to meet with the CEOs of both the airlines and those managers of airports constantly. What I do is talk about the threat to them. I also talk to them about the operations. I also talk to them about how Pre✓[®] and our security efforts can be increased.

More importantly, we are a regulatory agency as well, so I want to make certain that issues such as perimeter security and employee access issues are being addressed, and certainly how they are operating within the environment.

Those are the things that I do constantly, and I have my workforce, other managers, that do that as well.

Senator AYOTTE. I certainly do not want to be outdone by New Jersey or Minnesota. We would love to have you come visit Manchester, New Hampshire, and let me just tell you that the TSA agents that I interact with in New Hampshire are terrific, and they are very professional. We would love to have you.

Mr. CARRAWAY. May I tell you I have been to Manchester, and what a wonderful airport. I think it is at the top of the list, actually.

[Laughter.]

Senator AYOTTE. We think it is at the top, too, so I am glad you agree. Thank you. I would like to call on Senator Booker.

Senator BOOKER. Thank you so much, Chairwoman. I would like to second that Mr. Manchin's pen knives are very important. I might go out and buy him some now for his birthday.

In all seriousness, I have a lot of grave concern again about surface transportation and surface protection. New York City, or what I like to call the "Greater Newark Metropolitan Area," has a lot of dense rail traffic. We have seen what has happened to subways, rail transit railways and the like globally.

In the area between Elizabeth, Newark, New Jersey, and New Jersey Turnpike, Amtrak's northeast corridor, Newark International Airport, and the busiest sea port on the East Coast, all overlap in what the FBI and Government officials from New Jersey have called the most dangerous two miles in America for terrorist targets.

It is incredibly busy, densely packed, and filled with commerce and commuters. New Jersey is a great example of how vulnerable our surface transportation systems are to a potential devastating attack.

The TSA is critical and must do everything in their power, in your power, to not just improve security at our airports, but also along our highways, rail, transit lines, and ports.

I am concerned about a lower level of funding, especially when it seems like a lot of work that was required to be done six plus years ago has not been done, and because of my grave concern for the surface transportation in this dense region, I just want to ask if you would commit to working with me and my staff to address these transportation security issues.

I am telling you right now again that if you look globally, there have been hundreds and hundreds and hundreds of deaths due to terrorist attacks on rail, on rail, on rail.

I am just hoping that you can commit today, and my staff is prepared to work with you, just to try to push some of these projects that have been languishing forward, as well as to figure out what we can do to beef it up and invest more resources more wisely in accordance with risk assessments that you all are doing.

Mr. CARRAWAY. Senator, I give you my commitment, I will work with you and your staff to do just that.

Senator BOOKER. Thank you very much. The last really quick question I have is I understand a TSA report from one year ago considered but ultimately decided against requiring law enforcement to be stationed at all times within 300 feet of TSA security check points. The decision was instead to recommend officers be stationed there only during peak travel times.

Obviously, we all want to stop bad guys or gals before they get on a plane, and I have had law enforcement officers tell me that having a police presence at all times available to immediately respond at the TSA security check points is the best way to be prepared. They are unarmed, these TSA officials. If we have a situation like Los Angeles, at a non-peak time, it puts TSA officers in jeopardy as well as passengers themselves.

Can you explain the thought process underpinning the decision to only station law enforcement officers within 300 feet of the TSA's screening check points during peak travel times? Really, why not all times?

Mr. CARRAWAY. The short answer is resources. Many of the airport authorities do not have the resources to address every checkpoint. Every airport is not designed the same. Some airports, Long Beach has extensive access points, so the resources for them is just not possible for them to have a law enforcement officer every time at the checkpoint.

What we do, what we have allowed to happen is for a minimum time of response to emergencies, we put that in an agreement with the law enforcement officers, the police departments there at the airport, so they have an amount of time in which to respond to issues that are happening there.

In addition, we have completed about 79 percent of the 450 airports in the U.S. and provided duress alarms at the TDC, which is the travel document checker stations, at the X-ray stations, and

other critical component parts in the checkpoint environment that are available.

We also have trained our officers about the active shooter issue. We have done a video. We have done drills about emergency access routes, things of that nature.

I believe we have done a yeoman's task in providing knowledge, information, and availability from the law enforcement perspective as well as security perspective.

Senator BOOKER. Mr. Carraway, I would just conclude by saying that clearly you are putting in a lot of work and effort, given the resources that you have, but I almost think in requesting for the budget, this might be an area in which we know we have a vulnerability.

I, for myself, who travels a lot, can travel all the way up to the security check point with nobody checking my identification, nobody assessing my risk, and literally be in a position where I could do a tremendous amount of damage. Again, like we saw in Los Angeles.

To me, when you have a lot of studies and even your own thought about the importance of having an armed officer within 300 feet at all times, not to have it seems unacceptable.

I just came from a hearing earlier today about all of this stuff we want to put down at the border costing billions and billions of dollars, and we cannot come up with the resources to put one armed officer within 300 feet to respond to a situation that we have already seen happen in Los Angeles. That seems a little weak to me, and again, not putting our priorities to where the security risks exist.

Mr. CARRAWAY. It is because realizing we will never have all of the dollars and all the resources available to us. It is the philosophy with in the RBS structure that we use those resources at the place where we recognize the highest risks to be.

Certainly, I will consider that, Senator, and look into it, and discuss with other experts to see how that plays out.

Senator BOOKER. Thank you very much, sir. Thank you very much, Chairman.

Senator AYOTTE. Mr. Carraway, I am going to ask you a couple more questions and then the Chairman of the Commerce Committee, Senator Thune, is on his way. We will not hold you too much longer unless Senator Klobuchar has anything else.

Senator KLOBUCHAR. No.

Senator AYOTTE. Great. I wanted to ask you a couple of follow-up questions about the Acquisition Act that we had talked about at the beginning. One of the issues I wanted to follow up on was how the TSA is planning to interface with the DHS Science and Technology Directorate to provide TSA requirements for research and development investment.

Mr. CARRAWAY. Just this past month, extensive meetings between the DHS S&T and our Office of Science Technology as well as Acquisitions about new technologies that are there, to ensure they are a part of the network system, the long planning initiative that we have for acquisitions of equipment and technology.

They are the ones that actually will sometimes bring that new technology to us. It is our responsibility to ensure it meets the se-

curity perspective and meets the goals within our existing technology and planning moving forward. It has been in my estimation a very good partnership.

Senator AYOTTE. Great. Thank you. I see that the Chairman of the Commerce Committee, Senator Thune, is here, and I would like to call on him.

**STATEMENT OF HON. JOHN THUNE,
U.S. SENATOR FROM SOUTH DAKOTA**

The CHAIRMAN. Thank you, Madam Chair. Thanks for holding this hearing, and thank you, Mr. Carraway, for appearing before us today.

Mr. CARRAWAY. Nice seeing you again.

The CHAIRMAN. Yes, likewise, it is nice to see you again. I do want to say, and I appreciate your service as Deputy Administrator and now as Acting Administrator at TSA, that I think it is critical to take steps to formally nominate an individual to fill the Senate-confirmed position of Administrator, and perhaps you will be that nominee.

But Administrator Pistole gave us plenty of notice as to his intention to retire, over 5 months ago, and no action has been taken by the White House.

As you may know, I along with many of my fellow committee colleagues, wrote to the President in January urging him to nominate such an individual. I am disappointed to report that we have not yet received a response to that letter, much less a formal nomination.

TSA has, of course, the important task of protecting the nation's 660 million annual air travelers from terrorist threats and attacks, and there certainly can be ramifications as we witnessed last year when there was an one-year vacancy with the Administrator at the National Highway Traffic Safety Administration as the agency experienced an all-time record number of automobile safety recalls.

We have seen terrorist groups like ISIS and al-Qaeda that continue to threaten western targets. We saw with the December issue of al-Qaeda's Inspire magazine and its "How-to Guide" on crafting a non-metallic IED for use against aircraft.

For these reasons, it becomes all the more important to have a Senate-confirmed leader. In addition to giving proper weight to the counterterrorism activities of the TSA, I believe a Senate-confirmed Administrator would also be in a better position to address workforce and system access issues raised by several recent reports of misconduct and potential vulnerabilities.

Just last month, an investigative report documented alleged misconduct among Federal Air Marshals who were inappropriately reassigned from their allotted flights to facilitate trysts with other agency personnel or to get better routes and preferred destinations.

With respect to access to secure areas of airports, a number of recent incidents have involved the secure identification display area, or SIDA, badges that airline and airport employees use on a daily basis.

This past December, it was revealed that a Delta ramp agent in Atlanta allegedly used his SIDA badge to bypass TSA security to

further an interstate gun smuggling operation via commercial aircraft.

In January, an Atlanta-based FAA Aviation Safety Inspector used his SIDA badge to bypass TSA's security at the airport and transport a firearm in his carry-on bag.

In addition, SIDA badges have reportedly been lost or stolen in large numbers at Atlanta's airport, and it is unclear whether this problem and other breaches in Atlanta are an anomaly or the norm at our airports.

Today, Mr. Carraway, I am going to be sending you a letter asking for additional details about these reported SIDA badge abuses and breaches and any others that TSA knows about, and I hope I can expect a quick response as well as information about TSA's action plan in the meantime.

Finally, I want to say as part of the budget process, I would note the Administration has proposed yet another fee hike on the traveling public, and has even signaled more costs and fees down the road. With airfares already high, I do not know why the Obama Administration sees the wisdom in treating airline passengers like a piggyback and jacking up fees, but I would welcome any insights that you might be able to share on that.

Thank you for appearing in front of the Committee today. My comments about the need for the President to act are not intended to be a reflection on you personally, and I hope you understand that.

Mr. CARRAWAY. Yes, sir.

The CHAIRMAN. I just believe that having a Senate-confirmed leader at the TSA matters, and I hope the President agrees. If you expect to be nominated in a formal capacity, we would certainly welcome that information.

Having said that—I am going to send this letter, can we expect a quick reply to our letter on the SIDA issues?

Mr. CARRAWAY. Most certainly.

The CHAIRMAN. Thank you. I also just want to ask about TSA's efforts to expand and develop the Pre✓[®] program for trusted travelers. This is a program which is very popular with enrollees and the general public, but the DHS Inspector General recently reported concerns and recommendations regarding Pre✓[®]'s vetting and screening processes, as well as the program's communication and coordination.

I understand TSA did not concur with all of the IG recommendations. Without getting into classified information, can you respond generally to the IG's concerns, and explain why the agency does not agree with all of the IG's recommendations?

Mr. CARRAWAY. I always appreciate the involvement of the IG's Office in reviewing for us, but specifically the issue within TSA Pre✓[®] really is a security issue. Sometimes I think that is lost on many that have an opportunity to see that, because there is extensive vetting that really goes on, whether in the checkpoint line, even before an individual actually purchases his or her ticket, and in the vetting that goes on once they sign up for and pay their \$85, there is extensive vetting going on.

Our simple issue with the report is about vetting that really happens and an understanding of that operation.

The CHAIRMAN. Part of that IG report discussed reliance of the Pre✓[®] program on various airline frequent flyer programs. Could you explain generally how frequent flyer enrollees are currently incorporated into Pre✓[®], to what extent previous frequent flyer participants are subject to additional vetting, and how they will be considered in this program in the future?

Mr. CARRAWAY. Every participant into the system goes through an adjudication process that we actually run in addition to the normal biometric checks, identification checks, that actually happen. In some cases, it is quite extensive adjudication, making certain it is done properly. Even the fact that they may be a frequent flyer does not give them the guarantee they will get into the system.

The CHAIRMAN. Madam Chair, thank you for the hearing, and Mr. Carraway, thank you.

Mr. CARRAWAY. My pleasure. Good seeing you again. Thank you, sir.

The CHAIRMAN. My time has expired.

Senator AYOTTE. I want to thank the Chairman of the Committee, and I want to thank Mr. Carraway for being here, and certainly as Acting Administrator. We look forward to working with you on these issues. Thank you for being here.

Mr. CARRAWAY. Thank you very much.

Senator AYOTTE. The hearing is adjourned.

[Whereupon, at 3:41 p.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. KELLY AYOTTE TO MELVIN CARRAWAY

Question 1. The Screening Partnership Program allows airports to apply to “opt-out” of TSA-administered screening and utilize private vendors to perform the screening of passengers and baggage. Participants must meet TSA standards and protocol, however. What is the relationship between the airports, the TSA, and the private vendors within the Screening Partnership Program? Which parties enter into the contract?

Answer. Per the Aviation and Transportation Security Act (ATSA) of 2001 (P.L. 107-71), the Transportation Security Administration (TSA) performs the Federal Government oversight role at each airport where security screening services are provided. TSA’s Screening Partnership Program (SPP) manages the use of qualified private screening companies to perform the screening of passengers and baggage at airports participating in the Program. The airport is not a participant in the Federal acquisition process.

The TSA Federal Security Directors (FSDs) are the final authority over security in the screening operations at airports, independent of whether a Federal workforce or qualified private screening company performs the work. FSDs maintain oversight of SPP airports as Federal employees and are responsible for all screening operations at the airport. FSDs also ensure qualified private screening companies provide effective and efficient security operations.

SPP contracts are signed by a warranted TSA Contracting Officer and an authorized representative from the qualified private screening company.

Question 2. Understanding that TSA standards and protocols govern, is there room for flexibility when it comes to staffing hours to maximize the potential benefits from working with private contractors?

Answer. The Transportation Security Administration (TSA) annually estimates the number of productive hours needed for each airport. This estimate is based on a wait time objective of ten minutes and a combination of factors such as airport layout, equipment and passenger demand. Productive hours take into account operational screening, airport-specific screening related tasks, as well as recurrent training.

Airport-specific information is presented in the TSA Request for Proposals (RFP) that serves as the basis for soliciting proposals from qualified private screening companies. These companies (called “Offerors” in the Federal procurement process) use the data from the RFP to develop their proposed staffing plan to meet the airport-specific passenger and baggage screening requirements.

The actual number of contract screeners (or headcount) may differ from how the Federal Government would staff the airport. Each Offeror has the flexibility to staff according to their specific airport (proposed) solution. TSA routinely seeks efficiencies in federalized screening operations and engages with SPP contractors to affect contracting adjustments to improve SPP airport operations.

Question 3. What is the intended benefit for airports to apply for the Screening Partnership Program? Is that benefit being achieved?

Answer. The Aviation & Transportation Security Act (ATSA) which created the Transportation Security Administration (TSA) mandated a pilot program in which airports could “opt out” of having a Federal screening workforce. Instead, TSA would contract services to screen passengers and baggage (including some cargo) for explosives, weapons, and other prohibited items from a qualified vendor working under Federal oversight. Five airports of different size and risk categories participated in the pilot program and after its successful completion these airports became the initial participants of the Screener Partnership Program (SPP) which was then opened to all airports to join.

The Federal Aviation Administration Modernization Act of 2012 states that TSA “shall approve an application submitted by an airport operator under subsection

(a) if the Under Secretary determines that the approval would not compromise security or detrimentally affect the cost-efficiency or the effectiveness of the screening of passengers or property at the airport.” Contracts for security screening services are awarded after an extensive evaluation of competitive proposals to the best qualified vendor. The evaluation process validates that the selected vendor meets the qualifications set forth by ATSA, the FAA Modernization and Reform Act, and that a vendor has the appropriate past performance, operational and program management approaches to successfully meet the requirements of the contract.

Because participation in the SPP is voluntary, TSA remains neutral with respect to whether airport operators decide to submit an application to participate. It is TSA’s understanding that each airport applies to the SPP program with its own expectations of the benefits it will achieve as a result. TSA is unable to state whether each airport considers those benefits to have been achieved through participation in SPP.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TED CRUZ TO
MELVIN CARRAWAY

Question 1. A yes-or-no answer to the following question: Are Transportation Security Officers (TSOs) Federal law enforcement officers?

Answer. No.

Question 2. A yes-or-no answer to the following question: Do Transportation Security Officers receive Federal law enforcement training?

Answer. No, Transportation Security Officers do not receive the same training that would be delivered to an armed Federal law enforcement officer.

Question 3. A yes-or-no answer to the following question: Do Transportation Security Officers receive any additional training that was not provided to screeners?

Answer. No. A Transportation Security Officer (TSO) and a screener are synonymous; therefore, their training is the same. The term “Screener” was used in the Aviation and Transportation Security Act (Public Law 107–71). In 2006, the Transportation Security Administration changed the position title to “Transportation Security Officer” to better reflect the level of training and responsibility associated with the position.

Question 4. A yes-or-no answer to the following question: Are Transportation Security Officers eligible for Federal law enforcement pay or retirement benefits that were not provided to screeners?

Answer. No.

Question 5. Please explain the difference between a screener and a Transportation Security Officer.

Answer. A screener and Transportation Security Officer (TSO) are synonymous. The term “Screener” was used in the Aviation and Transportation Security Act (Public Law 107–71). In 2006, the Transportation Security Administration changed the position title to “Transportation Security Officer” to better reflect the level of training and responsibility associated with the position.

Question 6. A yes-or-no answer to the following question: Does TSA need any additional authority from Congress to allow Transportation Security Officers to carry a firearm or arrest and apprehend an individual?

Answer. No. Existing statutory authority under 49 USC 114(n) and (p)) allows the Administrator of the Transportation Security Administration (TSA) to classify and designate an employee of TSA to serve as a law enforcement officer; and such individuals are permitted to carry a firearm, make arrests for violations of Federal law, and seek and execute warrants. TSA has not exercised this authority for its TSOs.

Question 7. How much money has TSA spent on metal TSO badges since 2007? Please provide the yearly amounts.

Answer. From calendar year 2008 through 2012, the Transportation Security Administration ordered 66,036 badges for \$1.2 million for issuance to the Transportation Security Officers, and as replacement badges for those that were damaged or lost. The below chart outlines overall costs, as well as the yearly costs.

Calendar Year	Number of Badges	Total Cost
2008	57,655	\$1,030,789
2009	250	\$4,605
2010	3,429	\$65,700
2011	2,582	\$52,125
2012	2,120	\$43,926
<i>Grand Total</i>	<i>66,036</i>	<i>\$1,197,145</i>

Note: TSA transitioned to metal badges in 2008

Question 8. Since 2008, how many Transportation Security Officer metal officer badges have been reported lost or stolen?

Answer. As of April 24, 2015, since 2008, 1012 Transportation Security Officer metal badges have been reported lost or stolen; 201 were recovered, leaving a total of 811 as lost or stolen. The Transportation Security Administration's Transportation Security Operations Center, upon report of a lost or stolen badge, inputs the badge information into the National Crime Information Center database.

	REPORTED LOST	REPORTED RECOVERED	TOTAL LOST
2008	56	7	49
2009	169	26	143
2010	115	21	94
2011	152	38	114
2012	157	31	126
2013	160	38	122
2014	160	34	126
2015	43	6	37
TOTALS	1,012	201	811

Question 9. Since 2001, how many screeners or Transportation Security Officers have been arrested?

Answer. The Transportation Security Administration's (TSA) Office of Inspection has documented reports of 1,297 arrests of Transportation Security Officers (TSO) between December 2002 and March 2015. To better ensure that all employee arrests are reported, TSA recently implemented a perpetual vetting program to conduct a check of various law enforcement reporting programs for the purpose of capturing prior and current arrests of current employees.

Question 10. How many screeners and Transportation Security Officers have participated in Visible Intermodal Prevention and Response (VIPR) teams outside the aviation environment? Please provide the yearly totals. Please also explain if Transportation Security Officers receive any additional training before participating in a VIPR team.

Answer. The current appropriation for the Visible Intermodal Prevention and Response Program (VIPR) supports 30 dedicated Transportation Security Officers (TSO) located in the cities of Boston, New York, and Washington, D.C.

In addition, airport Federal Security Directors in other locations have provided TSO support for a limited number of VIPR operations in their areas of responsibility during the past year (April 1, 2014–March 31, 2015). These VIPR operations have included approximately 30–40 additional TSOs nationwide, often for only one VIPR operation in instances of surge requirements in the field.

No additional specialized training beyond their existing training requirement is needed to deliver the screening capability for VIPR operations outside of the aviation environment. Local transportation security and law enforcement stakeholder partners can provide safety and orientation training for all TSA personnel involved in these VIPR operations.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BILL NELSON TO
MELVIN CARRAWAY

Question 1. In recent years, TSA has undertaken efforts to implement risk-based security (RBS) initiatives, focusing resources on the highest-risk areas. One of the tools that TSA uses to conduct RBS is the Secure Flight program, which is meant to identify a passenger's security risk level before boarding a flight. A recent DHS OIG investigation reported that a former domestic terrorist, who had served time for homicide and explosives-related crimes, qualified as "low risk" through Secure Flight. What factors contributed to this assessment?

The Secure Flight programs draws its watchlist information from Federal law enforcement and intelligence agencies. How is TSA working to strengthen the cybersecurity protocols for the sensitive databases that the Secure Flight program uses to assess passenger risk?

Answer. Secure Flight relies heavily on information from the national law enforcement and national intelligence communities. Before an individual is allowed into a TSA Pre✓[®] expedited screening lane, Secure Flight matches the passenger against terrorism databases and watchlists to determine if the passenger is inhibited from flying (a “No Fly”), designated for enhanced screening (a “Selectee”), or prohibited from expedited screening through TSA Pre✓[®] because of other disqualifying activities (e.g., a record of bringing a prohibited item to a checkpoint). If a passenger is not excluded from TSA Pre✓[®] under these three circumstances, then Secure Flight uses information provided in the passenger/flight data to establish whether the individual is suitable for expedited screening.

In this specific instance, this individual was not in the U.S. Government’s Terrorist Screening Database and therefore was not identified as an individual who was inhibited from flying or who was designated for enhanced screening, or who was prohibited from being eligible for expedited screening through TSA Pre✓[®] for other disqualifying activities. TSA continues to review intelligence and threat data to determine a traveler’s risk category and the risk assessment rules used by Secure Flight to determine whether an individual will be granted TSA Pre✓[®] eligibility for expedited screening.

TSA continually works to strengthen the cybersecurity protocols of the Secure Flight program through the implementation of an enterprise security monitoring suite and a continuous monitoring program designed to identify threats early, keep up with evolving threats, and reduce overall risk. In 2013, the Secure Flight program participated in an extensive Red Team assessment conducted by the National Security Agency (NSA) with positive results and minimal findings. TSA implemented system improvements to enhance our security posture based on recommendations from NSA. The program continues to focus its efforts toward identifying possible security vulnerabilities and implementing enhancements to improve cybersecurity protocols.

Question 2. In 2010, there were allegations of misconduct and discrimination at the Federal Air Marshal Service’s (FAMS) Orlando field office. In response, I wrote to the Department of Homeland Security’s Office of Inspector General (OIG) to review those allegations. While the report did not find widespread misconduct, it did raise some red flags about the FAMS.

According to a recent news report, a TSA employee with responsibility for dispatching Federal air marshals manipulated schedules to facilitate an inappropriate relationship with a Federal Air Marshal. Though I may withhold final judgement until this matter is thoroughly investigated, I am deeply concerned about repeated acts of alleged misconduct with the FAMS. What is TSA doing to ensure that the traveling public remains priority number one for the FAMS and to eliminate this vulnerability?

Answer. The Transportation Security Administration (TSA) has a zero tolerance for employee misconduct, and has strong processes in place to address such problems when they come to light. The Office of Inspections is responsible, along with the Department of Homeland Security (DHS) Inspector General, for investigating and establishing the factual record. The Office of Professional Responsibility determines the appropriate administrative action and ensures that due process is provided in order to protect an employee’s rights. In the event that criminal misconduct is discovered, the case will be referred for review to the U.S. Department of Justice.

In June 2014, the Office of Law Enforcement/Federal Air Marshals (OLE/FAMS) Assistant Administrator directed a review of the OLE/FAMS Systems Operations Control Section to identify and resolve potential vulnerabilities related to Federal Air Marshal (FAM) mission flight scheduling processes. Due to the complex nature of the scheduling process, a dedicated group of employees with significant experience in FAM mission scheduling was charged with performing an overarching evaluation of current practices and procedures. This review resulted in a number of mitigation efforts which have been implemented and include:

- Increased supervisory oversight of daily operations;
- Implementation of additional checks and balances through separation of critical functions;
- Enhanced system access controls; and,
- Standup of an internal unit to conduct continuous business process and operational assessments.

Protecting the traveling public remains the priority of TSA and its OLE/FAMS office. The vast majority of OLE/FAMS employees are comprised of dedicated, honorable professionals whose mission is focused on the safety and security of individuals traveling domestically and internationally. OLE/FAMS has implemented several important programs to recognize these individuals and further instill and promote integrity, professionalism and accountability. A few of these initiatives include increased recognition of employee performance and accomplishments from TSA and DHS leadership, field office visits from OLE/FAMS senior leaders, and increased mentoring and training opportunities.

Question 3. Last year, it was discovered that airport personnel were engaged in a gun running operation at Atlanta's Hartsfield-Jackson Airport, where firearms were smuggled around TSA screening checkpoints and loaded on planes bound for New York's John F. Kennedy Airport.

More recently, it was reported that hundreds of airport personnel security credentials, known as SIDA badges, have been lost or stolen from employees at Atlanta and other airports nationwide.

As part of TSA's response, you have asked that the Aviation Security Advisory Committee develop recommendations for airport personnel security procedures; that review is ongoing. Certain aviation stakeholders have expressed concerns that the logistics of 100 percent physical screening of employees is not practical, do you believe more can be done to improve these employee security processes without creating unachievable security mandates?

Answer. The Transportation Security Administration (TSA) is taking additional steps to address the potential insider threat vulnerability at U.S. airports. These steps follow a 90-day Aviation Security Advisory Committee (ASAC) comprehensive review. Immediate actions include: (1) Recurrent background checks for all aviation workers; (2) Requiring airport and airline employees traveling as passengers to be screened by TSA prior to travel; (3) Reducing the number of access points to secured areas; (4) Increasing aviation employee screening, to include additional randomization screening throughout the workday; and (5) Re-emphasizing situational awareness programs and encouraging detection and reporting of threat activity. TSA is also continuing to analyze the recommendations of the ASAC report to identify additional mitigating measures for future implementation. The ASAC report did conclude that 100 percent physical employee screening would not completely eliminate potential risks, but would divert critical resources from other critical security functions to mitigate other risks.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICHARD BLUMENTHAL TO
MELVIN CARRAWAY

Question 1. The administration's budget request for Fiscal Year 2016 seeks \$5.6 billion for aviation security—but just \$124 million for surface transportation security. The budget request also seeks to reduce the number of TSA employees working on transportation security by almost five percent. What this means is that efforts like TSA's Visible Intermodal Prevention and Response (VIPR) (pronounced "vipr") program will be reduced. As you know, VIPR teams consist of TSA officials and local law enforcement officials who conduct periodic patrols of transit and passenger rail systems and create a visual deterrent to would-be terrorists. But the budget reduces the number of teams from 33 to 31. Is TSA putting enough resources toward our surface transportation security network? Does TSA have enough manpower to carry out its mission to protect railroads, transit and ports?

Answer. The Transportation Security Administration (TSA) has sufficient resources to successfully carry out the mission of protecting the surface modes of transportation, which includes mass transit, passenger rail, freight rail, highways, pipeline, and maritime modes. With the available resources, TSA secures the surface modes through sector and modal planning efforts, operational deterrence support through inspections and Visible Intermodal Prevention and Response (VIPR) teams, training, screening and detection programs, regulations, and vulnerability and risk assessments.

Much of TSA's success is based on collaboration with security partners at the Federal, State, and local levels, where much of the resources and efforts exist.

An example of TSA's collaborative approach to voluntary security efforts with stakeholders is through use of its VIPR program resources to respond to areas with the highest terrorist risk in both surface and aviation modes. The VIPR program is currently updating its Concept of Operations (CONOPS) to further increase its risk-based focus and personnel utilization. The CONOPS framework is based on aligning risk mitigation capabilities by evaluating potential deployment locations

against the appropriate Transportation Sector Security Risk Assessment (TSSRA) scenarios. As resource levels vary, the program will apply the CONOPS to add or reduce deployment levels consistent with the TSSRA risk profile, maximizing mitigation at locations of highest risk.

Question 2. In 2007, Congress passed the Implementing Recommendations of the 9/11 Commission Act (P.L. 110–53). That legislation requires the Department of Homeland Security—through the TSA—to create a regulatory framework that addresses the threats facing our passenger and freight rail systems and transit agencies. Among other things, the legislation directs DHS and TSA to do the following:

- Approve security plans for all railroads that are considered vulnerable, high-risk targets for a terrorist attack (Section 1512);
- Issue regulations that establish training standards on potential security threats and conditions for frontline employees at public transportation agencies, railroads and bus providers (Sections 1408, 1517 and 1534); and
- Provide a framework for conducting name-based security background checks and immigration status checks on all frontline employees at public transportation agencies and railroads (Sections 1411, 1520 and 1522).

The legislation was enacted in August 2007 and these items were all due within one year of that date. Yet it is now more than six years since the latest deadline, and we still do not have final action on many of the legislation’s requirements.

Failure to complete all the mandates of the legislation raises questions about attention to urgent priorities and whether we are prepared for any and all emerging threats on the horizon. Mr. Carraway, why is it taking so long to carry out these mandates? When will these actions be complete?

Answer. The Transportation Security Administration (TSA) continues to move forward on the implementation of mandates required by the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110–53 (9/11 Act). TSA is developing the proposed rule required under Section 1512, as well as a proposed rule to integrate the training requirements for three surface modes into a single rule to meet the requirements of Sections 1408 (public transportation), 1517 (railroads), and 1534 (over-the-road buses). TSA has obtained input on current programs and costs in light of efforts by both stakeholders and the government since September 11, 2001, to raise the baseline of security for public transportation, railroads, and buses, and incorporate a more risk-based approach to fulfilling the requirements of the 9/11 Act.

The details included in the 9/11 Act’s regulatory requirements have served as guidance to both the industry and government as they have worked together to develop programs and prioritize resources to raise the security baseline for public transportation, railroads, and buses. The current baseline across the industry resulting from voluntary efforts is very close to what TSA would expect to see once the 9/11 Act’s regulatory requirements are implemented. TSA has prioritized the development and distribution of security training resources for surface transportation frontline employees through modally-specific training products, which improves assessment results across all modes of surface transportation. With this targeted effort on security training, TSA has seen assessment results related to security training improve across all modes of surface transportation. As a result, TSA anticipates the majority of highest-risk systems would need, at most, minor enhancements to their current security programs to satisfy the proposed requirements and ensure the permanency of this important level of security.

TSA and the Department of Homeland Security (DHS) consider the training rule among their highest priorities. The DHS goal, consistent with the Unified Agenda, is to submit a proposed rule to the Office of Management and Budget by the end of the calendar year. TSA has requested information from stakeholders on current training levels and is analyzing the results to evaluate costs and benefits of the regulatory requirements.

In addition, TSA is developing a Notice of Proposed Rulemaking to satisfy the requirements of Sections 1411, 1520, and 1522. TSA will determine through the surface training rule who will require vetting based on risk. Once that is complete, TSA can define the vetting standard that will apply.

Finally, TSA is developing a comprehensive vetting capability which will allow the addition of new populations to the vetting system. The Technology Infrastructure Modernization (TIM) creates a person-centric system that will eliminate redundant background checks and streamline credentialing services. Once completed, TIM, coupled with a common universal fee structure also under development, will enable TSA to add new vetted populations, including those required by the 9/11 Act.

Question 3. The TSA is charged with the tremendous task of keeping the country's aviation and surface transportation networks safe. The agency has faced countless threats and has been critical in thwarting them. There have been changes in technology, developments in assessing risks, and evolutions in the types of threats the Nation faces, and the TSA has the hard job of keeping pace with it all.

At the forefront of these efforts are the TSA agents that interface daily with the traveling public. They are the face of the agency and the ones that have the closest interactions with civilians. They also face the greatest risk as they put their lives on the line to protect against attacks to transportation networks.

The role these agents play is undoubtedly crucial to the safety of the traveling public, but as I looked through the letters I've received about the TSA from constituents in my preparation for TSA's presence before the committee, the message was overwhelming that many people feel that they are mistreated and at times intimidated by TSA agents.

Mr. Carraway: In many ways TSA is the face of the Federal government—TSA employees encounter hundreds of thousands of passengers day-to-day. How much training time is devoted to the treatment of passengers? Are there currently plans in place to improve the treatment of the traveling public?

Answer. The Transportation Security Administration (TSA) continually provides training to its officer workforce to help them understand the importance of effective communications and the courteous treatment of individuals processed through security checkpoints. TSA's officer workforce is required to take basic new hire training comprised of classroom and on-the-job training (OJT), and must successfully complete annual requirements of TSA's National Training Plan (NTP), comprised of web-based and instructor-led training courses. A common theme throughout training is the importance of professionalism, respect, courtesy and integrity.

New hire officer candidate training is infused with the key principles necessary for a professional Transportation Security Officer (TSO) workforce, and includes specific lessons focused on the TSA's Code of Conduct; Customer Focused Security; and Communications and Active Listening. The new hire officer candidate training also includes 64 hours of classroom training and an OJT training program, which takes nearly 150 hours to complete, depending upon the new hire's ability to demonstrate proficiency for each of the screening procedures.

TSA's ongoing training for the officer workforce is mandated through the NTP, developed annually, which includes general and technical training. This mandatory training (approximately 65 hours) focuses the officers' attention on effectively using critical thinking skills to help facilitate the screening process through communication and courteous treatment of passengers.

In 2013, TSA initiated an "Image Awareness" training series to review core expectations with the officer workforce using current events and references. The training is a facilitated discussion between leadership and the officers, and has thus far focused on TSA's core value of integrity, the agency's Code of Conduct, and overall performance expectations. The third installment is focused on customer/passenger engagement and will be released this summer.

TSA has also introduced a series of training courses for its front line TSO leadership team, to include Leads, Supervisors and Managers. These courses are the "Essentials of Leading, Supervising, or Managing Screening Operations," which are delivered at TSA's Training Academy at the Federal Law Enforcement Training Centers (FLETC) facility at Glynco, GA (for uniformed Leads and Supervisors—2 week courses), and TSA's Training Center at Atlantic City, NJ (for Managers—1 week course). These courses focus on helping the leadership team understand how to use communications tools and practices to build a strong professional screening team at the checkpoint and baggage screening areas. The use of TSA's Training Academy, located at the FLETC at Glynco, GA, has yielded positive feedback from the attendees, and has demonstrated TSA's commitment to the development of a professional workforce.

TSA plans to continue its efforts to provide training to its officer workforce, strengthen passenger engagement, and improve communication skills. The Image Awareness Series will be used to deliver 1-2 new sessions each year for the entire workforce. The planned migration of new hire officer candidate training to the TSA Academy at the FLETC facility over the next four to five years will increase the ability of TSA to fully explain and emphasize its expectations regarding professionalism and passenger engagement to its new hires at the start of their TSA careers into the professional culture of TSA.

Question 4. Mr. Carraway: The GAO has reported that the TSA Behavior Detection and Analysis program methodology has not been completely validated. Are you concerned that some of the BDA practices lead to the mistreatment of innocent pas-

sengers? What is being done to correct and improve agent interactions with the public?

Answer. Behavior detection and analysis is a critical layer in the Transportation Security Administration's (TSA) risk-based security system, as passengers are observed for behaviors which may indicate that an individual poses a threat to transportation security. These techniques, including observation and verbal engagement, have been an accepted practice for many years within the law enforcement, customs and border enforcement, defense, and security communities. In April 2011, the Department of Homeland Security Science and Technology Directorate (DHS S&T) completed a comprehensive study that examined the validity of using behavior indicators in order to identify high-risk passengers. The study found that TSA's program provided a number of screening benefits and is more effective than random selection at identifying high-risk passengers. While S&T and GAO both noted some deficiencies in the methodology used as a part of the study, it was an important step in assessing the technique in an operational environment.

In addition, the program continues to improve and evolve. Since the 2011 Validation Study, TSA revised indicators based on the research literature; provided improved standardized information for each indicator (*e.g.*, operational definitions, assessment criteria, further information); improved processes such as revising thresholds, terminology changes, and providing greater emphasis on critical aspects (*e.g.*, passenger interaction); and enhanced training.

In 2012, TSA began a third party, independent review by the American Institutes for Research, to test, refine and strengthen the unique indicators used by the officers to detect ill intent. This review was completed in 2014. TSA continues to work with the Government Accountability Office, meeting with them as recently as last month, in addressing all of their recommendations.

Additionally, TSA has taken, and continues to take, great strides to ensure the screening workforce receives clear guidance and training to prevent any form of unlawful profiling. TSA has reiterated the agency's zero tolerance policy for unlawful profiling through shift briefs, job aids, yearly pledge, and management communications to TSA's workforce. TSA training documents have been reviewed and revised to emphasize that unlawful profiling violates agency policy and anti-discrimination laws.

Question 5. Connecticut has five general aviation (GA) airports. These airports have a tremendous impact on the local communities and economies that they serve by improving the operational efficiency of the businesses in the surrounding areas.

Although these airports are important, they are not large enough nor do they generate enough revenue to adequately address security needs without the help of the TSA. Oftentimes, the GA community cites the increase in cost and logistical restraints in any attempts to shift a greater share of the security burden from the TSA to GA stakeholders.

Mr. Carraway: The Implementing Recommendations of the 9/11 Commission Act directs the TSA to create a standardized risk assessment program for GA airports as well as establish a grant program to strengthen GA airport security. What is the status of each directive?

What can be done to increase the efficiency of the coordination efforts between the TSA and GA airports to improve GA security without making it more costly?

Do you believe the TSA can play a larger role in GA airport security?

Answer. In response to the requirements of the Implementing Recommendations of the 9/11 Commission Act, the Transportation Security Administration (TSA) formed the General Aviation (GA) Stakeholder Strategic Engagement planning committee to develop and design GA stakeholder engagement initiatives. This engagement led to a table top exercise in 2012 that included 98 GA participants from 28 GA organizations. The goal was to improve GA capabilities in the areas of prevention, protection, and threat mitigation. As a result of lessons learned during the exercise, TSA published and shared with stakeholders the GA Strategic Engagement Report.

TSA continues to work with GA airports and stakeholders on a regular basis to evaluate risk-based security best practices without increasing costs to the GA community. For example, TSA conducted a Threat and Vulnerability Assessment of General Aviation and shared these results with the GA community. TSA worked with aviation partners to develop an Airport Characteristics Measurement Tool to provide standardized risk assessment information and GA Airport Security Guidelines. TSA also partnered with GA airports to implement the GA Secure Hotline program for airport and aircraft operators to facilitate reporting of suspicious activity. TSA, in accordance with the Implementing Recommendations of the 9/11 Commission Act, drafted a GA airport security grants program. However, in the budget

process at that time, due to resource allocation and comparative risk assessment, funding was not allocated for this effort.

TSA develops its annual budget request based on reducing risk and maximizing security effectiveness in a cost efficient manner. TSA remains committed to working with Congress and GA airports to develop innovative methods to improve security without additional cost to the GA community.

Question 6. Our railroads and transit systems are a vital, integral parts of American life—especially in dense, urban places like the Northeast Corridor, the region of the state I represent. The 9/11 Commission urged us to vigilantly protect the “neglected parts of our transportation security system” like and rail and transit—just as much as we protect aviation. “Surface transportation systems such as railroads and mass transit remain hard to protect because they are so accessible and extensive,” the commission warned. Late last year, Iraq’s prime minister, Haider al-Abadi, claimed he had information that the Islamic State planned to attack targets throughout Europe and the United States, including “the metros of Paris and the U.S.” U.S. officials claimed his assertions were unfounded, but still they raise vital reminders about transit and rail security, especially in light of high-profile attacks in recent years on rail systems in Madrid, Mumbai, Moscow and London.

Our country’s public transportation and passenger rail systems are used by tens of millions every day and serve as the backbone of economic activity throughout the country. They carry nearly five times as many people per day as our airlines do. Penn Station in New York City handles half a million passengers a day—making it busier than all three New York City regional airports combined, and the busiest transportation hub in our country.

It’s critical we ensure that rail and transit systems are safe and secure for all who rely on them. Our freight rail network is also critical to our economy, and a recent surge in shipments of crude by rail has raised questions about terrorist threats to crude oil trains. An attack on these systems could harm tens of thousands and disrupt an economy depended upon by millions. TSA is the agency responsible for surface transportation security—in addition to its aviation responsibilities.

Mr. Carraway: What efforts are you taking to ensure our Nation’s vast and expansive surface transportation network is secure and not “neglected,” as the 9/11 Commission warned?

Answer. An integral part of the surface transportation security effort is engaging stakeholders in developing effective operational security. The Transportation Security Administration (TSA) engages with Federal, State, local, and private sector partners to identify ways to assess risk, develop voluntary security standards, reduce vulnerabilities, and improve security through collaborative efforts. These efforts cover mass transit, passenger rail, freight rail, highways, pipeline, and, with the United States Coast Guard, maritime modes.

As an example, TSA and the National Railroad Passenger Corporation (Amtrak) have a long-standing security partnership through programs designed to deter terrorist activity through expanded random, unpredictable security activities. Amtrak has also expanded coordination with other rail and public transportation agencies and local law enforcement through the Regional Alliance Including Local, State and Federal Efforts (RAILSAFE) program. Operation RAILSAFE is a coordinated effort involving counterterrorism activities such as heightened station and right-of-way patrols, increased security presence on board trains, explosives detection canine sweeps, and random passenger bag inspections. On average, more than 40 states and over 200 agencies participate, including TSA’s Visible Intermodal Prevention and Response (VIPR) teams.

TSA also conducts system-level reviews of mass transit agencies, passenger railroads (including Amtrak), and over-the-road bus operators through the Baseline Assessment for Security Enhancement (BASE) program. BASE assessments are conducted by TSA’s Transportation Security Inspectors-Surface with emphasis on the 100 largest mass transit and passenger railroad systems and over-the-road bus operations as measured by passenger volume. This group accounts for over 80 percent of all users of public transportation.

TSA also requires freight rail and passenger rail entities to designate a security coordinator and report significant security concerns and, for rail cars containing rail security-sensitive materials, certain freight rail entities must comply with chain of custody and control requirements and provide location and shipping information. TSA continues to work with freight railroads, at the corporate and field levels, to identify risks and incorporate risk-mitigating activities into the railroads’ operational plans and practices and regulatory compliance.

Additionally, TSA facilitates Intermodal Security Training and Exercise Program (I-STEP) exercises to help surface transportation entities test and evaluate their prevention and preparedness capabilities and their ability to respond to threats. As

new threats emerge, I-STEP scenarios are updated to ensure industry partners are prepared to exercise the most appropriate countermeasures.

TSA has also developed and distributed security training resources for surface transportation frontline employees such as TSA-produced training modules and grant program funding. TSA's First Observer™ program trains highway professionals to observe, assess, and report potential security and terrorism incidents. Finally, TSA partners with the Federal Emergency Management Agency to allocate transit security grants under the Transit Security Grant Program (TSGP), which allows state and local entities to mitigate terrorism risk through operational deterrence activities such as counterterrorism teams, mobile screening teams, explosives detection canine teams, training, drills/exercises, and public awareness campaigns; site hardening; equipment purchases; and other capital security improvements. Between FY 2006 and FY 2014, approximately \$2.1 billion in TSGP funding was awarded to public mass transit owners and operators, including Amtrak and their dedicated law enforcement providers.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. CORY BOOKER TO
MELVIN CARRAWAY

Question 1. Northeastern New Jersey is a densely packed area filled with commerce and commuters, and an example of how vulnerable our surface transportation systems are to a potentially devastating attack. The TSA must do everything in your power to not just improve security at our airports but also along our highways, rail, transit lines, and ports.

Acting Administrator Carraway, Newark is part of a major seaport. In the coming years the volume of cargo at the port is expected to dramatically increase. What steps is the TSA taking to help local, state, and Federal agencies inspect cargo and ensure security at our country's major ports?

Answer. The Transportation Security Administration (TSA) works very closely with the United States Coast Guard (USCG) and Customs and Border Protection (CBP) to ensure security at our country's major ports. Per the Maritime Transportation Security Act of 2002, USCG is the lead for maritime-related security initiatives. Since 2010, the Newark port area has received over \$1.3 million in direct awards and \$64 million in combined awards under the Port Security Grant Program (PSGP) administered by the Federal Emergency Management Agency for where projects that encompass the Ports of New York, New Jersey, and Newark.

TSA also supports maritime security efforts in several important ways, including the following:

- Transportation Worker Identification Credential (TWIC) Program: The TWIC Program is a strategic security partnership among the USCG, TSA, and the private sector that verifies the identity and conducts security threat assessments of individuals seeking unescorted access to secure port areas. The TWIC Program further enables maritime vessel and facility operators to make informed access-control decisions. TSA is responsible for enrollment, conduct of security threat assessments, systems operations and maintenance related to TWIC card issuance. The USCG is responsible for enforcement of regulations governing the use of TWIC cards at regulated facilities and vessels.
- Visible Intermodal Prevention and Response (VIPR) Program: TSA's VIPR teams partner with state and local law enforcement officers to operate throughout the transportation system, including port areas and terminals, as an additional layer of security. TSA has conducted more than 5,500 VIPR operations at maritime locations since the program's inception in 2005.
- National Canine Program: Ten TSA canine teams are currently dedicated to maritime sector and 76 multi-modal teams can deploy to maritime assets based on ongoing threat information.

Question 2. I am proud of the TSA workers making sacrifices and putting themselves at risk to protect Americans as they carry out their duties, and I am concerned about the low morale reported in the agency. For years critical government employees have seen their pay remain stagnant. This problem is especially troubling for TSA workers, because they do not benefit from most of the Title 5 rights that are commonplace for workers in other agencies, such as the G.S. pay scale. In addition, I have heard concerns from my constituents that work for TSA about ongoing efforts to reduce wait times for travelers, which is making it more challenging for workers to properly screen bags and people.

Acting Administrator Carraway, can you explain what steps TSA is taking to improve morale among the workforce?

Answer. The Transportation Security Administration (TSA) is taking many steps to improve morale among the workforce. TSA analyzes results from workforce opinion surveys, such as the Federal Employee Viewpoint Survey (FEVS), on an annual basis and targets high priority areas for improvement through local (*e.g.*, airport, office) and TSA-wide action plans. TSA focuses improvement action planning in leadership development, improving communication to the workforce, and engaging employees in problem solving. Some of the methods by which TSA is targeting employee morale concerns include:

- Soliciting input on agency improvements from the workforce through its IdeaFactory, an online forum for TSA employees to share ideas and suggestions.
- Launching a blog targeted towards mid and senior leaders to stress the importance and provide examples of good engagement practices.
- Expanding opportunities for leadership courses and leadership development programs.
- Creating a learning, engagement and development portal called Success U that equips employees with the information and resources they need to improve themselves and the organization, including free career coaching resources and mentoring program opportunities.
- Conducting action planning at the supervisor/team level emphasizing ownership in team improvement. Recently launched at 10 large airports, these teams have seen improvements in key areas such as communication and career development.

Question 3. Have you considered expanding Title 5 rights to TSA workers?

Answer. In 2001, Congress passed the Aviation and Transportation Security Act (ATSA), Public Law 107-71, which established the Transportation Security Administration (TSA) as an excepted service agency. Under ATSA, as stated in 49 USC § 114(n), TSA employees are covered under the personnel management system of the Federal Aviation Administration (FAA), as set forth in 49 USC § 40122(g) and subject to the requirements of Section 40122, the TSA Administrator may make modifications to the FAA personnel management system. Specifically, Section 40122(g) explains that Title 5 shall not apply to this personnel management system, with the exception of specific enumerated sections. Therefore, the General Schedule (GS) pay system established under Title 5 is not applicable to either TSA or FAA without statutory changes.

While TSA is not covered by the GS pay system, TSA's Core Compensation System is composed of pay bands and applies to all employees who are not in the Transportation Security Executive Service. This system is used to determine employee pay and covers employees in a fair and equitable manner. TSA also has goal and competency-based performance management systems for all employees that allow supervisors and managers to recognize and reward high performers through salary increases and performance awards.

Question 4. What steps are you taking to address concerns in your workforce that speeding up lines is making it harder for TSA workers to do their jobs properly and keep our country safe?

Answer. The Transportation Security Administration (TSA) has taken multiple steps to engage and educate the workforce on the principles of risk-based security (RBS), and in the process, giving them a more complete understanding of how providing expedited screening to passengers deemed low-risk enables TSA to focus resources on higher risk passengers. Leadership provided several tools to the field to further this understanding, including Standard Operating Procedures (SOP), a Frequently Asked Questions website, and an Implementation Guide.

TSA Headquarters also hosts a monthly teleconference call with the field personnel to provide information on various topics such as TSA Pre✓®, technical guidance, and policy/program changes. In December 2014, TSA created and began dissemination of a monthly newsletter compiled of technology, field briefings, program updates, and operational data.

Further, TSA has implemented the Operations Network for Employees initiative to foster collaborative and productive working relationships between headquarters and the frontline workforce. This is a multi-phase initiative, which includes bringing field employees to TSA Headquarters to act as a voice for their peers and to gain a better understanding of how decisions are made and how programs are deployed to the field. The initial working groups from the field helped headquarters personnel identify that a better understanding of RBS principles is needed. As a result, TSA is committed to developing additional training overviews on key RBS components to share with field personnel.

Question 5. I applaud the TSA for working diligently to implement a risk-based security (RBS) initiative that improves efficiency and strengthens security. However, I am concerned about proposed changes to the cornerstone of the TSA's RBS program, TSA Precheck. In December 2014, TSA issued a request for proposals (RFP) to update the TSA Precheck database system without the requirement to include FBI database screening in the process. While the RFP was quickly withdrawn, this proposal indicates that TSA is considering a major shift in policy. As you know, the TSA utilizes FBI-certified contractors to fingerprint pre-check applicants and transmit those fingerprints to the FBI for cross-matching with their criminal database. I would like more information from the TSA on the change in policy indicated in the December 2014 RFP, because I am concerned that relying entirely on commercial databases to screen TSA Precheck applicants could threaten safety.

Acting Administrator Carraway, why did the December 2014 RFP not include an FBI channeling requirement?

Does eliminating the FBI database requirement weaken the vetting process?

Answer. While the existing TSA Pre✓[®] Application Program does require a criminal history background check based on fingerprint submission to the Federal Bureau of Investigation (FBI), the Transportation Security Administration (TSA) recognizes that there may be other avenues for completing a criminal history check available to vendors using capabilities currently utilized as best practices in industry.

The Request for Proposal (RFP) released in December 2014 had asked prospective vendors to propose their approaches to completing the criminal background check prior to submitting the applicant to TSA. While the current TSA process would serve as a baseline, vendors could also propose an alternate process to achieve the same outcomes using different capabilities. The RFP had required that, before any alternate processes for conducting criminal history checks could be implemented, the Department of Homeland Security (DHS) Science and Technology (S&T) Directorate would need to test and evaluate the proposal. DHS and TSA would analyze the testing results to determine if the solutions meet TSA threat assessment standards, as well as remain consistent with privacy and civil rights and civil liberty policies. Any vendor solution that did not pass testing would not have been implemented.

TSA removed the RFP in order to make clarifying technical changes and expects to repost it in the near future.



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