



TESTIMONY OF

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BEFORE

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ON

**"20 Years After 9/11:
The State of the Transportation Security Administration"**

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Good morning Chairman Thompson, Ranking Member Katko and distinguished members of the Committee. I am honored to appear before you today to recognize the 20th anniversary of the Transportation Security Administration (TSA) and share our progress and substantial accomplishments over the last 20 years.

September 11, 2001 is one of the darkest days in our Nation's history. Even still, the American people emerged from these horrific events more united than ever. In the aftermath of that dreadful day, TSA was created to safeguard the United States against another 9/11-type attack by strengthening the security of our Nation's transportation systems while also ensuring freedom of movement for people and commerce.

Founding and Congressional Support

TSA was established by the *Aviation and Transportation Security Act* (ATSA), which was signed into law on November 19, 2001. With the enactment of ATSA, TSA assumed the significant challenge of protecting our Nation's transportation systems from terrorist threats. There was no blueprint for this urgent and immense task. The early leaders of TSA built the organization one day at a time, initiating valuable relationships with international, industry, governmental, and private sector partners.

The agency was created to oversee security in all modes of transportation, but aviation security was at the forefront of the Nation's mind after the 9/11 attack. ATSA required TSA to deploy federal security screeners to inspect airline passengers, their baggage, and air cargo; expanded the Federal Air Marshal Service; and required reinforced cockpit doors among many things designed to enhance transportation security. Additionally, the *Implementing Recommendations of the 9/11 Commission Act* (9/11 Act) required TSA to implement the recommendations of the National Commission on Terrorist Attacks Upon the United States, such as requiring 100% air cargo screening on passenger aircraft departing the country. Finally, through the *TSA Modernization Act of 2018* (TSA Mod Act), the agency's first comprehensive reauthorization since its inception, TSA was further authorized to expand field operational testing of advanced screening technologies, increase the usage of canine resources, enhance public area security, and improve the security of passengers, cargo, cockpits, cabins, surface transportation, and foreign airports.

This November, TSA will mark 20 years since its formation. TSA's mission and focus began with the urgent task of preventing another 9/11-style attack on the Homeland, but its operations have expanded and evolved across the entire transportation landscape, from aviation to surface and the physical and cyber domains. As we approach this milestone, Congress' continued support remains essential to ensure TSA can respond to this dynamic threat landscape, and I am committed to working with you to ensure TSA has the authorities and resources needed to both respond to emerging threats and support its workforce.

Changing Threat Landscape

TSA's mandate is not only to mitigate the threats of today but to preempt evolving threats as our adversaries continue to adapt and evolve their tactics and methods. In the 2000s, we

witnessed hijackers using planes as weapons, and we saw unique methods in attempts to conceal explosives in items like shoes, underwear, and soft drinks. In the 2010s, we witnessed explosives hidden in electronics and attacks on the public side of the airport. Now, in the 2020s, we face new and extremely sophisticated threats from state and non-state actors, ranging from cyberattacks to concerns about hostile and non-hostile unmanned aircraft systems (UAS), in addition to traditional threats. From January 2018 through August 2021, there were 2,476 UAS events reported to TSA affecting all modes of transportation. From the beginning of 2021 through the end of August, there has been a 169 percent increase in UAS sightings in the domestic aviation environment, requiring 31 aircraft evasive actions. We are not only focused on elaborate plots and large-scale attacks but also on current threats, which could come from domestic violent extremists as well as insiders. While the threat landscape has grown more complicated over the years, one thing has not changed – we still face ambitious adversaries who are intensely focused on finding a point of attack and waiting for opportunity.

We have also faced another unprecedented and unexpected adversary – a global pandemic. If COVID-19 has taught us anything, it is that we must remain vigilant and adapt quickly, because not all threats look the same. And just like 9/11, the COVID-19 pandemic will have a lasting impact on the future of transportation.

Fortunately, agility is part of our DNA. When TSA was created, it was done with the express purpose of forming an entrepreneurial agency that could remain nimble in its approach to protecting our nation’s transportation systems. From the beginning, our workforce has been taught to anticipate and prepare for the unexpected. When our officers report to the checkpoint each day, the only thing they know for sure is that the upcoming day will be different than the one before. That mentality extends to the top of the organization, where our leaders know that our adversaries are still committed to doing us harm, and we must remain vigilant, innovative, and agile.

Today, TSA relies on intelligence to develop and implement its approach to security and works closely with transportation, law enforcement, and intelligence partners to set the international standard for excellence in transportation security. Since the agency’s formation, TSA has implemented a robust series of security procedures, developed a workforce well-trained in threat mitigation, and sought and implemented state-of-the-art technologies to screen passengers, baggage, and air cargo. The agency’s security measures are continually evaluated and enhanced by experts to address evolving threats, including those potentially emanating from air cargo, while preserving individual rights and freedoms. TSA is developing an Air Cargo Security Roadmap, which is a strategic plan drafted in collaboration with key industry and other Federal partners with equity in air cargo. The Roadmap will outline TSA's strategic direction toward modernizing, streamlining, and further securing the air cargo ecosystem over the next five years.

While TSA is best known for aviation security, it also plays a key role in protecting the Nation’s surface transportation networks – mass transit and passenger rail, freight rail, highway and motor carrier, pipeline, and maritime. Following the Colonial Pipeline ransomware incident, TSA helped lead the Department’s efforts to improve baseline cybersecurity requirements for the pipeline sector through the issuance of two Security Directives. These directives are

complementary to the TSA and CISA efforts in the Pipeline Cybersecurity Initiative. TSA, along with CISA, Coast Guard, and interagency stakeholders, continues to identify opportunities to use existing authorities and private sector relationships to improve cybersecurity and information sharing across all modes of transportation. We actively work across all surface modes to enhance intelligence information sharing with our partners so we can collaboratively address security issues unique to the mode of transportation, such as the Surface Transportation Security Advisory Committee (STSAC) recommendation to stand up a Surface Information Sharing Cell. The tremendous challenge of protecting our Nation's surface transportation systems and pipeline security infrastructure from physical and cyber-based threats is not new; and it will continue to be one of the most persistent threats in the future. To that end, in September 2020, the TSA Security Training Rule, a 9/11 Act requirement, became effective. This regulation, which had been in the rulemaking process for many years, requires owners /operators of higher-risk freight railroad carriers, public transportation agencies (including rail mass transit and bus systems), passenger railroad carriers and over-the-road bus companies to provide TSA-approved security training to employees who perform security-sensitive functions. Additionally, TSA is currently drafting a Notice of Proposed Rulemaking for the vetting of frontline public transportation and railroad surface transportation employees.

Our Workforce

Over the last 20 years, TSA's workforce has become an extremely professional, highly skilled, and proactive workforce of approximately 60,000 people. I am appreciative of and remain committed to the TSA workforce, and am proud of everything the agency has accomplished because of their efforts. I consider it a great privilege to serve alongside such a dedicated group of individuals. We continue to see tremendous efforts by our frontline screening officers, Federal Air Marshals, inspectors, canine handlers, vetting personnel, and all of those who support TSA's mission.

While the COVID-19 pandemic has tested our resiliency, TSA has adapted and maintained its security posture while also working to ensure the health and safety of both our employees and the traveling public. This has been accomplished through distributing critical personal protective equipment, adjusting procedures to accommodate social distancing, and integrating of technologies that decrease the need for touch points between officers, passengers, and their property. TSA also issued and subsequently extended mask requirements in U.S. transportation systems until January 18, 2022. Effective Friday, September 10, 2021, TSA increased the range of civil penalties that may be charged against individuals who violate this federal mask mandate in U.S. transportation systems. The new range of penalties will be \$500-\$1,000 for first offenders and \$1,000-\$3,000 for second offenders.

TSA is also investing in its workforce by working to address longstanding workforce challenges, which were highlighted in the Blue-Ribbon Panel of public and private sector human capital experts I commissioned in 2018. Pursuant to its ATSA authorities, TSA has developed three initiatives to enhance TSA officer compensation and make career progression more transparent: Service Pay, Career Progression, and Model Officer Recognition. Service Pay provides a predictable annual salary increase that acknowledges enhanced experience and skill mastery. The next phase of Career Progression, being implemented this year, will provide a one-

time pay increase for eligible E-Band officers who successfully complete certain advanced skills training and take on additional responsibilities. Finally, the Model Officer Recognition program identifies and rewards TSA's top officers in all pay bands with monetary and non-monetary awards or pay increases for their ongoing contributions to the mission. We are also leveraging funding to launch efforts to recruit new employees in support of screening operations at many of TSA's approximately 430 federalized airports nationwide. We will continue to pursue focused veteran and military recruitment and outreach to help fill these and other important positions. Finally, TSA is committed to workforce protections, expanding collective bargaining at the national level, and ensuring that TSA's standards and processes adhere to the principles applied by the Merit Systems Protection Board. TSA continues to review options within existing authorities to achieve these goals and expand items covered by the collective bargaining agreement.

Historically, TSA employees have received limited pay progression due to budget constraints. Recent initiatives such as Transportation Security Officer (TSO) Service Pay and TSO Career Progression have, however, increased compensation to compensate TSA employees at a level more commensurate with the tremendous responsibility they bear for the security of our transportation system.

TSA is committed to fostering a fair and equitable workplace and fostering diversity and inclusion at *all* levels of the organization, including within many of our highest-ranking positions. To achieve this, TSA formed an Inclusion Action Committee (IAC) devoted to strengthening our diversity and sustaining an inclusive culture to further empower and engage our employees. Consistent with President Biden's Executive Order on Preventing and Combatting Discrimination on the Basis of Gender Identity or Sexual Orientation, and based on an IAC recommendation, TSA issued a Management Directive and accompanying Handbook in April 2021. This guidance provides policy and procedures for addressing the needs and issues that arise for transitioning and transgender TSA officers, as well as TSA's equal opportunity and nondiscrimination policy as it relates to these employees and applicants for employment. TSA is at its best when all employees feel valued and are fully engaged to outmatch dynamic threats, committed adversaries, and evolving circumstances.

Evolution of Airport Security & Screening

TSA's airport screening process is intelligence-driven and applies a risk-based strategy that establishes security practices to expedite screening for known and trusted travelers at security checkpoints while focusing resources on high-risk and unknown passengers. TSA screens more than one million passengers daily, on average, and more than two million daily before the COVID-19 pandemic through TSA's Secure Flight passenger vetting system, introduced in 2009.

TSA's security strategy also includes other vetting activities. To address risks associated with Insider Threats, TSA vets more than 25 million transportation workers daily against the Terrorist Watchlist, including airport workers, airline flight crewmembers, mariners, commercial drivers who haul hazardous materials, and cargo screeners and handlers. In December 2020, TSA established the TSA Insider Threat Mitigation Hub to mature and expand the capabilities of the Insider Threat Program to enhance the ability to deter, detect, and mitigate insider threats to transportation. TSA also vets students who enroll in training through FAA-certified flight

training providers and the entire Airman Registry against changes or updates to the Terrorist Watchlist. To improve the vetting process, TSA has implemented the Federal Bureau of Investigation (FBI) recurrent criminal history vetting service known as “Rap Back” to provide near real-time updates to an aviation worker’s criminal history, representing a significant improvement to threat mitigation. With all of our screening and vetting programs, we work to ensure that there are appropriate redress mechanisms in place to ensure the protection of travelers’ civil rights and civil liberties.

TSA also works closely with its international partners to share best practices, techniques, and technologies, and to collaborate and facilitate measures to harmonize mutual aviation security goals for the safety of travelers. Air cargo is more secure than it has ever been with 100 percent of cargo on flights departing U.S. airports to international locations screened or secured, consistent with the International Civil Aviation Organization’s (ICAO’s) updated standards. TSA also established the Third-Party Canine-Cargo (3PK9-C) program to enhance the screening of air cargo by leveraging the capabilities of third-party explosives detection canine teams.

Technology Advancements

Since TSA’s inception, we have continuously refined our security approach by examining the procedures and technologies we use to secure our Nation’s transportation systems. The introduction of new technologies has played a significant role in how airport security has evolved and been enhanced over the past 20 years as industry develops new methods to help TSA detect threats to the aviation sector. As we look to the future, TSA strives to remain the recognized global leader of transportation security by focusing on capability innovation and threat-informed, information-driven operations. A number of improved technologies and enhancements that TSA has recently introduced provide significant advancements over existing equipment used for identity verification and the screening of individuals and their accessible property while also reducing contact during screening to improve the passenger experience. These key technologies include:

- *Computed Tomography, or CT*, which produces high-quality 3-D images that can be rotated up to 360 degrees on three axes for a more thorough visual analysis of a carry-on bag’s contents. It also reduces the need to touch or manually check bags.
- *Credential Authentication Technology, or CAT*, machines automatically verify identification documents presented by passengers during the security screening process and confirm a passenger’s flight information and vetting status without the need for our officers to see a boarding pass. TSA has worked to modify CAT machines to allow self-service operation, so passengers can scan their own photo ID without our Officers touching the document. Additionally, the Self-Service CAT with camera (CAT-2) upgrade units promote social distancing, reduce the need for a physical ID handoff at the Travel Document Checker (TDC), and make passenger screening more automated.
- *Advanced Imaging Technology, or AIT*, safely screens passengers for both metallic and non-metallic threats such as weapons and explosives without physical contact. Enhancements have reduced the number of false alarms at the checkpoint by using even more sophisticated millimeter wave technology.

Biometrics and Identity Management

In addition to new and improved screening technologies, we are also investing in biometric technology, which adds an important layer to our security procedures. Biometrics are a powerful tool, such as to improve identity verification performance, but must be used carefully and with the utmost respect and safeguarding of passenger privacy. In our pilots, testing protocols always use a voluntary process for passengers choosing to go through using the biometric technology in addition to conducting passenger surveys about our technologies and their use. TSA's CAT-2 uses facial matching technology that compares the live image of a passenger with the image on the passenger's photo ID, never stores biometric information, and any information captured for one passenger is deleted by the time the next passenger approaches. TSA remains mindful that biometric systems may have error rates and tests such systems to ensure accurate performance across diverse demographic groups. A recently concluded DHS Science and Technology Directorate (DHS S&T) test of the CAT-2 devices for match performance across demographic groups concluded that "no consistent statistically significant differences in performance across gender, race, and skin tone were observed across test conditions for the CAT-2 system." Maintaining passenger equitability and dignity is an agency priority and new technologies, like CAT-2, should enhance both transportation security and the passenger experience.

Along with biometrics development, digital credentials, such as mobile driver's licenses and digital passports, are becoming increasingly common. Mobile driver's license technology can enable a more seamless airport security screening experience for travelers and TSA is working with industry and the public to find innovative ways mobile driver's licenses can facilitate easier and faster transit through TSA checkpoints while complying with *REAL ID Act of 2005* requirements, enforcement of which was extended until May 3, 2023, due to the COVID-19 pandemic. Mobile driver's license technology marks a major milestone for TSA to provide an additional level of convenience for the traveler by enabling more opportunities for touchless TSA airport security screening. Moving forward, TSA will continue to pursue innovative solutions that allow us to improve identity management while ensuring privacy and mitigating any potential risks that these new technologies may introduce. Technology advancements are just one part of TSA's multi-layered approach to ensuring transportation security.

Partnerships

Protecting our Nation's transportation systems requires robust partnerships and effective security operations across all modes of transportation. Similar to other security efforts, TSA considers engaging public and private partners vital to ensuring the safety and security of our transportation network. Due to our expansive scope of operation and influence, TSA works with: owners and operators of transportation systems, industry associations, manufacturers, advisory bodies (e.g., Aviation Security Advisory Committee and STSAC), Critical Infrastructure Government and Sector Coordinating Councils under the National Infrastructure Protection Plan, and other government and quasi-governmental agencies (e.g., ICAO).

We are also extremely cognizant of the needs of passengers that use the transportation

systems. TSA's Disability and Multicultural Coalition alone coordinates with over 450 advocacy and community-based organizations representing diverse communities. Additionally, we continue to expand our cadre of Passenger Support Specialists to provide real-time support in successfully engaging with and screening our diverse traveler populations. The TSA Mod Act also advanced our partnerships in this area. We appreciate Congress' direction as TSA continues to foster a culture that treats all passengers with dignity and respect.

TSA has always welcomed and actively pursued engagement and alignment with our partners, and we have always worked together toward our mutual objectives of keeping passengers, cargo, and goods secure while also ensuring a positive travel experience. We rely on our partnerships to help secure the national transportation system and will continue to develop them in the years ahead to enhance security across the whole of the surface transportation enterprise.

Closing

Chairman Thompson, Ranking Member Katko, and members of the Committee, I appreciate this opportunity, on the occasion of TSA's 20th anniversary, to share the significant steps the agency has taken to meet the challenges of the ever-evolving security threat landscape. Our Homeland is stronger today than it was 20 years ago, and I am extremely proud of the hard work and achievements we have made since our founding. Today, I reaffirm our commitment to transportation security and assure you that we remain steadfast in our mission to protect the Nation's transportation systems and ensure the freedom of movement for people and commerce. Thank you for your continued support of TSA's mission and the chance to appear before you today. I look forward to answering any questions you may have.