



A bold voice for transportation workers

**WRITTEN STATEMENT OF
GREG REGAN, PRESIDENT
TRANSPORTATION TRADES DEPARTMENT, AFL-CIO**

**BEFORE THE COMMITTEE ON HOMELAND SECURITY
“Concealed Carry-Ons: Confronting The Surge in Firearms at TSA
Checkpoints”**

February 15, 2022

On behalf of the Transportation Trades Department, AFL-CIO (TTD) and our 36 affiliated unions, I first want to thank Chairman Thompson and Ranking Member Katko for inviting me to testify before the Committee on this increasing threat to airport security. TTD member unions represent passenger-facing workers throughout the aviation environment, including pilots, flight attendants, passenger service agents, and Transportation Security Officers (TSOs). Our members rely on, and are responsible for enforcing, the protocol that passengers cannot access their firearms while in secure areas of the airport.

Guns at Work: Increased Firearm Confiscations

As the Committee is well aware, the TSA reported the confiscation of 5,972 guns at checkpoints in 2021, of which approximately 86% were loaded, and “many of those had ammunition in the chamber.”¹ This broke the previous confiscation record set in 2019 by approximately 1,500 weapons, and came at a time in which domestic enplanements are still below pre-pandemic levels. Given today’s airport environment, in which assaults and interference against airport and airline staff are also at an all-time high, it is of the utmost importance that passengers are prevented from illicitly bringing firearms past TSA security checkpoints.

¹ <https://www.wftv.com/news/local/orange-county/tsa-seizes-record-number-guns-2021-oia-ranks-top-10/OHYXJNCOZVCIJG22JD2TDZJK24/>



This spike in confiscated firearms underscores the essential role of Transportation Security Officers in maintaining aviation safety. While we certainly encourage efforts by local law enforcement, airport authorities, and the federal government to remind passengers of their legal obligations concerning their firearms, it ultimately falls on the shoulders of TSOs to identify and confiscate weapons at security checkpoints.

To be clear: there is no action, response, or antidote to the current surge in illegal passenger-carried firearms more effective than a well-trained and well-treated TSO workforce. Troublingly, in 2020 TSOs reported the second-lowest job satisfaction of any DHS subagency, and a meager 32% of TSOs reported satisfaction with their pay rate, compared to 67% of employees government-wide.² In combination with chronic understaffing, rampant misconduct and retaliation from TSA managers, and a wave of unruly and violent passengers, TSOs today are asked to make critical safety decisions in difficult circumstances. TTD concurs with Administrator Pekoske's view that the increase in confiscated firearms is likely correlated to increases in firearm ownership and purchases over the course of the pandemic, a phenomenon that the TSA has no control over.³ However, there are clear steps that the TSA and Congress can take to ensure that the TSO workforce is best prepared to respond to security threats at checkpoints, including the increased presence of firearms in carry-on baggage.

The Need For Congressional Action

First, we call on Congress to expeditiously pass the Rights for the TSA Workforce Act of 2021 (H.R. 903/S. 1856). Since the creation of the TSA, TSOs have been unfairly denied the same bargaining rights, pay, and benefits enjoyed by other federal workers, including their colleagues at DHS. The legislation would put an end to this unjust two-tier system by requiring the TSA to provide these workplace rights and protections under Title 5, granting TSOs access to the Merit Systems Protection Board, and would place TSOs on the general pay scale with regular step increases. These reforms would drastically improve working conditions, morale, and quality of life for TSOs, and are long overdue measures that would support the long-term health and success of the TSO workforce.

We also call on Congress to pass the FASTER Act (H.R. 1813/S.2717). Since 2013, Congress has diverted billions of dollars in collected aviation security fees and spent these funds on items unrelated to aviation security. This Committee has previously estimated that more than \$19 billion will be diverted by 2027 if no preventive action is taken. The FASTER Act would end this raiding of security fee dollars and guarantee that collected revenue goes towards its intended purposes — to the TSA personnel, training, and equipment that the agency requires to carry out its safety mission. We thank Chairman Thompson and Ranking Member Katko for your leadership on this legislation, as well as additional members of the Committee who have cosponsored the bill. TTD looks forward to working with you to identify a path to passage of the legislation.

² https://www.dhs.gov/sites/default/files/publications/dhs-2020-fevs-agency-management-report_3.pdf

³ <https://fortune.com/2022/01/13/airport-security-confiscated-5700-firearms-2021-recordr/>

Steps Backward Threaten Safety

It is equally important that neither Congress nor the TSA pursue measures which hamper the TSO workforce and/or degrade airport security. To that end, we strongly oppose efforts to privatize the TSA and its security responsibilities. Following 9/11, the TSA was created and mandated the unified federal agency to oversee security operations at our airports. Now, as we confront the clear danger presented by the wave of firearms showing up at airport security lines, the TSA remains the best-suited entity to carry out this mission. Efforts to privatize the TSA whole cloth, or piecemeal through the creeping expansion of the Screening Partnership Program, or by turning over certain security duties to unqualified private contractors with minimal oversight are unequivocally steps backward that place the traveling public and aviation employees at greater risk.

We thank Administrator Pekoske for his leadership in opposing one such scheme, the Registered Traveler Act of 2020, which he correctly noted “would place the critical transportation and national security function of ensuring passengers are appropriately screened in the hands of private firms that are not directly accountable to the U.S. Government”.⁴ This legislation is not the first, nor will it be the last, effort to devolve critical federal security roles to private for-profit contractors, and we hope for the Committee’s support in rejecting similar efforts going forward.

TTD similarly urges caution with regards to any efforts that would replace screenings performed by the TSA with screenings performed under the auspices of different international standards or authorities. A passenger’s ability to travel within the country while carrying **dangerous goods, including weapons** that the United States and the TSA have chosen to restrict or prohibit must not be contingent on differing requirements of other screening providers at international destinations.

Unfortunately, the agency has also pursued initiatives that would degrade the quality of its own workforce and its ability to identify and act on security threats like the presence of a firearm. For example, the TSA recently announced that it is hiring Security Support Assistants (SSA), a newly minted position, at 18 pilot airports across the country.⁵ Unlike TSOs, this position will not require certifications on equipment and security procedures, and, according to the posted job description, will perform tasks like providing assistance to superiors in the monitoring and flow of individuals through security check lanes, providing information and assistance to passengers, and moving checked baggage to and from X-ray conveyor systems. Despite a lack of certifications, SSAs will somehow also be responsible for “taking appropriate steps to ensure all safety requirements are adhered to and suggest[ing] safety improvements as appropriate”.⁶

⁴ Pekoske Letter to Chairman Wicker, 5/18/2020.

⁵ ATL, AUS, BOI, BOS, CVG, DEN, DTW, JFK, LIT, MSP, OAK, ORD, PDX, PHL, PHX, RSW, SEA, and SLC.

⁶ USAJobs Posting Req #: ORD-22-000007-SSA-F, accessed 2/11/22

It should be noted that the TSA has deliberately crafted these positions as an end-around to existing union representation, determining that although SSAs are tasked with duties currently performed by TSOs, they will not be part of the bargaining unit. Furthermore, while the SSA position is advertised as supplementary to existing TSOs, the net result of the presence of an SSA may be one less authorized full-time equivalent (FTE) position for primary screening functions carried out by a TSO, given existing limitations on the totality of FTE positions to carry out screening functions. It is difficult to imagine how a decrease in the ranks of certified and qualified TSOs is likely to increase safety.

Additionally, a TSO's ability to rotate to other points on the security line is a key element in maintaining situational awareness at checkpoints. Being aware and alert is essential for optimal performance, such as ensuring that a firearm is identified and proper security protocols are implemented. However, because an SSA is non-certified and they are not able to rotate into other positions, a TSO who would have rotated into those duties will not be able to do so. Decreased ability for rotation along the line may ultimately lead to less alert TSOs at the most crucial points of the screening process. In light of these concerns, we call on the TSA to reconsider the SSA program.

We must ensure that the TSA workforce has the tools it needs to succeed, both in the long-term and in the immediate future. In 2021, the FAA reported a record 5,981 incidents of unruly passenger behavior.⁷ This behavior has been directed at TSOs themselves, as well as passenger service agents, flight crew, and other airline and airport workers. In many cases, these employees have been physically assaulted, resulting in broken bones, knocked out teeth, and long-term injuries that have prevented a return to work. This behavior is unacceptable, and TTD and our affiliates have called for more effective actions from Congress and the federal government. We continue to demand that all available avenues are pursued to protect the employees that we represent from workplace violence and unruly behavior.

With that in mind, the incursion of firearms into the powder keg that is the current airport ecosystem could have deadly consequences for both employees and passengers. The TSA and its workforce should be commended for its efforts to date, and the 5,972 firearms it confiscated last year. However, if the ability and readiness of the TSA workforce is threatened or degraded, there is increased possibility of a firearm slipping through a checkpoint and ending up in the hands of an unruly passenger wishing to do harm to employees or other passengers. We are grateful that such an event has not yet occurred, but it is incumbent on Congress and the TSA to take actions as described here to further mitigate the likelihood of an incident involving a firearm.

In order to ensure that personnel are best-prepared to prevent future security incidents, including those involving firearms, it is necessary for TSA, or for Congress by statute, to ensure equity with regard to so-called regulated parties. The TSA has opaquely allowed these regulated parties access to security proposals for the purpose of inclusion and comment, including security directives,

⁷ https://www.faa.gov/data_research/passengers_cargo/unruly_passengers/2021_archive/

alterations to standard security programs, and changes to policy and rules. This division hamstringing our ability to participate in the process, understand the potential for upcoming changes to aviation security which directly affect our members, and to help provide critical security input to help best shape policy and advocate for creative security solutions. The TSA's exclusion of labor parties has created an inequity in information and participation. Currently, regulated party status has only been provided to carriers, airports, and other entities with an, at times, narrow focus on economic matters. The rationale is that these parties are "regulated" by the agency. However, this argument is undermined by TSA's decision to permit certain industry trade associations to have access and participate. We call on TSA to reverse course, and permit labor representatives of these employees, who have a great stake in airport and airline safety, to receive regulated party status.

We thank the Committee for the opportunity to testify today about the serious aviation security concerns raised by a spike in firearm confiscations, and we look forward to working with you to ensuring the continued security of our nation's airports.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Regan". The signature is stylized with a large, sweeping initial "G" and a circular flourish at the end.

Greg Regan
President