



Testimony of Jason Wallis

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The Committee on Homeland Security

Subcommittee on Transportation & Maritime Security

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Chairwoman Watson Coleman, Ranking Member Gimenez, and members of the Subcommittee, thank you for the opportunity to speak with you today about the issue of firearms at TSA checkpoints and the impacts on airport law enforcement.

I am the Chief of Police of the Port of Portland (Port) and the current President of the Airport Law Enforcement Agencies Network (ALEAN). I have been in law enforcement for 26 years, 24 of those serving at the Port of Portland police department. I was named Chief of Police for the Port in 2015. My job – and the job of our police officers at the Port – is that of your typical police department: we are the law enforcement agency responsible for public safety at our properties. Most of our work is centered at PDX. My number one priority is to ensure the safety of everyone who utilizes our facilities.

Located in Portland, Oregon, the Port owns three airports – Portland International (PDX), along with two general aviation airports, Hillsboro and Troutdale - four marine terminals on the Columbia and Willamette Rivers, and we are the largest owner of industrial land in Oregon. Our mission is to build shared prosperity for the region through travel, trade and economic development. Our core values are leadership, inclusion, and service.

PDX is the largest commercial airport in Oregon and Southwest Washington, serving nearly 20 million passengers annually in 2019, prior to the pandemic. On average, 55,000 passengers would travel through PDX on a daily basis. Today, travel volume at PDX is approximately 75% of pre-pandemic levels. We believe 2022 will continue to see steady increases in travel, and that we will ultimately return to our pre-pandemic growth in the years ahead. We are also in the midst of a significant expansion at PDX, a \$2 billion capital construction investment. Our goal is a PDX that can manage 34 million passengers annually by 2045.

ALEAN has over 100-member airport police departments located at our nation's largest airports. As the ALEAN President I support airport police by bringing together agencies to work

on similar issues, support annual training conferences and actively provide input in the formulation of public policy concerning matters of civil aviation security, through partnerships with government agencies and industry stakeholders.

The national growth in passengers over the past decade also came with an increase in the number of firearms identified at the security checkpoints. In 2011, the TSA detected 1,320 firearms at checkpoints. A decade later, in 2021, there were nearly 6,000 firearms interdicted at the nation's airport checkpoints. Between 2011 and 2019, the average annual rate of firearms detected at the checkpoint was 5 firearms per million passengers screened. In 2020 and 2021, that rate jumped to an average of 10.2 firearms per million passengers. In other words, in the midst of the global pandemic and its crushing impact on air travel, the TSA saw a doubling in the per capita rate of passengers with firearms screened at the security checkpoints. This steady growth is alarming to me as a Chief of Police and as ALEAN President.

When the TSA identifies a firearm through the screening process, TSA and police staff immediately conduct an investigation. These investigations shut down the checkpoint lane during the encounter, causing delays, as well as creating a stressful situation for TSA staff and travelers alike. The firearm investigations are staff intensive, thorough and involve multiple steps to secure the firearm and conduct an owner interview. Even though the TSA and airport police conduct an investigation on every firearm detected, police must resolve the incident in accordance with each state's laws. There may or may not be criminal charges. The varied state enforcement statutes limit the options available to address the increase in firearms in airport terminals. Civil penalties may be imposed by TSA for travelers who bring firearms to the checkpoint.

PDX's growth in firearms at the checkpoint mirrors the national trend. In 2011, there were 19 firearms detected at our checkpoints and 66 were found in 2019, over 90% of these firearms were loaded. I would like to share my journey in establishing a prohibition of firearms at TSA screening checkpoints in Oregon.

Both TSA and the Port were troubled by this increase in firearms, and as a result, the Port engaged Oregon state policymakers over the course of several years about the issue. In 2021, the Oregon legislature passed Senate Bill 554 which added the passenger terminal at PDX to the definition of "*public building*" in Oregon.¹ This meant that existing state law, which makes intentional possession of a firearm in public buildings a felony, would be applicable at PDX. Individuals with a concealed handgun license are also subject to prosecution for bringing a firearm to the checkpoint but those cases are a misdemeanor, not felony.

¹ Specifically, the statute states, "*Any person who intentionally possesses a loaded or unloaded firearm or any other instrument used as a dangerous weapon, while in or on a **public building**, shall upon conviction be guilty of a Class C felony.*" ORS 166.370.

What didn't change under the new Oregon law: passengers may continue to travel with firearms in checked baggage if they are unloaded, packed in a locked hard-sided container, and with ammunition packed separately, consistent with federal and airline policy. Law enforcement officers, as well as a limited group of persons defined in state statute, may also have firearms in the terminal.

Ultimately, this change was about the safety of our passengers at PDX. I believe it has enhanced our ability to protect the traveling public and provided us with the authority to arrest or cite passengers and allow appropriate enforcement action to take place.

The increase of firearms at checkpoints reduces the ability of the TSA and airport police to focus on their primary duties of protecting and securing our airports against other threats. I would ask this Subcommittee to consider actions to help bring increased awareness to the traveling public about the prohibition of firearms at checkpoints.

I offer the following recommendations:

Consistent and clear signage at the start of checkpoint queues in airports. Every airport and TSA checkpoints have signs, and lots of them. And local airport operators – including the Port – retain significant authority over signage. I believe this is an issue of such critical importance that there should be standard signs at every single airport checkpoint prohibiting firearms through passenger screening and include the relevant penalties if found with a firearm. This signage should not be optional for local Federal Security Directors.

Clear consistent communication from airlines to passengers regarding firearms protocol. When checking in for a flight, passengers must acknowledge prohibited hazardous material and prohibited items before finalizing check-in. But there is currently nothing specific highlighted about the prohibition of firearms at security checkpoints. I believe this notice should be revised to ensure passengers are provided clear information about checkpoint policy as well as the procedure for checking firearms.

Violations should come with **increased fines**. Federal fines imposed by TSA must act as an actual deterrent to passengers who carry firearms. The current fines which can range from \$1,500 to \$13,910 are clearly not serving as that deterrent, and to my knowledge the maximum penalty is rarely if ever imposed. I believe TSA and Congress should consider significantly raising the civil penalties to make an actual impact.

TSA PreCheck/Trusted Traveler. Enrollment in the Department of Homeland Security Trusted Traveler programs is a privilege. Currently those who violate rules regarding firearms will have Trusted Traveler benefits revoked for a period of time. I believe the program should be revised to allow and encourage DHS to permanently withdraw the status of any traveler who violates the firearms policy at the checkpoint.

In closing, more needs to be done to ensure that the traveling public is aware of the regulatory prohibition on carrying firearms into the checkpoint and increased penalties imposed for those who continue to do so.

Thank you for this opportunity to address you today about the increase of firearms at airport checkpoints. I look forward to working with the Subcommittee on solutions that will assist us in protecting our airports.