Statement of Ranking Member Sheila Jackson Lee (D-TX)

Subcommittee on Transportation Security
Committee on Homeland Security

For Hearing "Screening Partnership Program: Why is a Job-Creating, Public-Private Partnership Meeting Resistance at TSA?"

February 7, 2012

I would like thank the witnesses for joining us today to discuss TSA's Screening Partnership Program—commonly referred to as SPP. Under this program, airports may apply to "opt-out" of using the federal screening workforce.

In January 2011, based on his review of the program, Administrator Pistole decided not to expand SPP beyond the 16 currently participating airports unless there was a clear and substantial benefit to doing so.

According to TSA, operating SPP costs taxpayers more than using the federal screener workforce. In light of that fact and these tight budgetary times, that would be reason enough to support the Administrator's decision not to expand the program.

But the list goes on. Further expansion of privatized screening hampers TSA's ability to push out intelligence information to frontline workers and makes changing procedures based on threat more complex.

There has been much discussion of whether privatized screeners perform better than their federal counterparts. TSA informs us that the performance of privatized screeners is comparable to the federalized workforce.

The reality is this, security incidents have occurred at both airports with privatized and federalized screeners. Under the watch of privatized screeners at San Francisco International Airport, a woman pushed through a closed checkpoint lane, boarded a plane, and flew to Baltimore without being screened.

The statute establishing SPP did not endeavor to micromanage TSA's decision to include or exclude an airport from SPP participation. Rather, it gave proper deference to the Administrator's judgment by stating that he "may" approve an application.

Unfortunately, despite having never been debated by this Committee, the Committee of jurisdiction, and no Members being appointed conferees on behalf of the Committee, the controlling statute was amended in the FAA Reauthorization Act.

The new standard:

- Limits TSA's flexibility to approve or deny an application from an airport to "opt-out".
- Places a time limitation of 120 days on TSA to determine whether to approve an application.
- Requires a tedious paperwork exercise each time an application is denied.
- Provides a waiver for the law that requires a private contracted screening company be owned and controlled by a United States citizen.

I look forward to hearing from the Administrator on his views of the changes to the SPP statute and how he intends to continue to develop TSA into the federal counterterrorism network he envisions.

As we look forward to what I hope will be a productive year, Mr. Chairman, let us not forget the lessons of our past. One of which, is that a system of privatized screeners failed us on 9/11.