

**FOR IMMEDIATE RELEASE****Statement of Ranking Member Bennie G. Thompson*****TSA Integrity Challenges: Examining Misconduct by Airport Security Personnel***

July 31, 2013 (Washington) – Today, Committee on Homeland Security Ranking Member Bennie G. Thompson (D-MS) delivered the following prepared remarks for the Transportation Security subcommittee hearing entitled “TSA Integrity Challenges: Examining Misconduct by Airport Security Personnel”:

“In the aftermath of the terrorist attacks of September 11, 2001, multiple layers of security were put in place to protect our aviation system from terrorists and those who seek to do us harm.

One of those many layers included passenger and baggage screening conducted by Transportation Security Officers (TSOs). Every day, at over 400 airports across the country, 47,000 TSOs utilize their training and available technologies to screen passengers and their baggage for weapons and explosives.

The vast majority of TSOs are hard-working, dedicated, diligent federal employees who take their role within the homeland security enterprise seriously and carry out the mission of the Transportation Security Administration (TSA) in exemplary fashion.

However, as with any organization, there are some bad apples in the bunch. Yesterday, the Government Accountability Office (GAO) released a report entitled: “Transportation Security: TSA Could Strengthen Monitoring of Allegations of Employee Misconduct.” According to the report, although TSA has improved training and taken steps to improve the investigations of misconduct, it still does not have a system in place to ensure that allegations of employee misconduct are adjudicated consistently and uniformly.

The bulk of employee misconduct cases are handled at the airport level meaning that what happens at one airport may differ from what happens at another. Fortunately, TSA concurred with the four recommendations made by GAO that seek to improve TSA’s procedures and bring consistency to its actions.

Some steps such as the establishment of the Office of Professional Responsibility and the creation of a Table of Offense and Penalties have already been put into action. I look forward to hearing from TSA on how it plans to implement the recommendations made by GAO.

It must be noted, however, that the misconduct that served as the basis for the GAO report covered a wide range of offenses. Fortunately, the largest percentage of cases examined by GAO – 32% – covered TSO attendance and leave issues, as opposed to matters directly related to security. Those matters which did involve screening and security, accounting for 20% of the examined cases, ranged from sleeping on duty to subjective enforcement of violations of standard operating procedures.

While not making light of these matters, it is important to view them in the proper context and also bear in mind that these incidents were committed by less than 1% of the TSO workforce. This is important to highlight because there are some who advocate for doing away with the vital TSO workforce and replacing them with contract screeners.

However, there is no indication that displacing 47,000 federal employees would result in less misconduct or result in lower costs. In fact, contractor screeners are fully funded by taxpayer dollars that would simply be transferred from public to private sector jobs. Moreover, cost analysis indicates that contractor screeners cost taxpayers 3 to 9 percent more than the cost of federal screeners at the same airports.

And there is no indication that instances of misconduct would decrease. To the contrary, in a December 2012 report released by GAO, it was noted that misconduct occurs among contract screeners as well. In particular, GAO found that, among other things, contract screeners have mishandled sensitive security information.

Furthermore, we have a clear picture of TSO misconduct, insight into how to rectify current situations, and a direct avenue for exercising oversight of the process. The same is not true when it comes to contractors.

In attempting to conduct oversight of the employment practices and discipline policies of contract vendors who provide screening services, I have made repeated requests for the company policies that govern screener activities and the number of instances of misconduct that has occurred among contract screeners.

Instead of being provided with this information, the Committee has been informed that corporate rules prevented the release of this information because it was considered to be proprietary in nature.

If every airport was populated by these contract screeners, that would be the answer nationwide and hearings like the one we are conducted this morning would be an exercise in futility.

Moreover, while we are conducting a hearing to publicize the missteps of a very small number of the more than 47,000 TSOs, misconduct continues to flourish at other TSA offices outside of the airport environment.

For example, at my request, the Department of Homeland Security Office of Inspector General, whom we will also hear from this morning, found TSA's Transportation Threat Assessment and Credentialing Office (TTAC) exhibited "a pattern of poor management practices and inappropriate use of informal administrative processes to assess and address misconduct." They also found that when TTAC personnel attempted to report managerial misconduct, such as workplace bullying, a hostile work environment, and discrimination based on gender, race, religion, age, and disability, they were prevented from filing their actions in some instances, and in other instances, remained silent due to fear of retaliation or damage to their careers.

As a result of the OIG report, I have asked the Equal Employment Opportunity Commission to dig deeper into these allegations and conduct their own review to determine if these problems exist across the entire TSA.

I look forward to hearing from the OIG on whether TSA has followed up on its recommendations.

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