

UNITED STATES DEPARTMENT OF HOMELAND SECURITY
TRANSPORTATION SECURITY ADMINISTRATION

Statement of

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Before the

SUBCOMMITTEE ON TRANSPORTATION SECURITY AND
INFRASTRUCTURE PROTECTION
COMMITTEE ON HOMELAND SECURITY
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Good afternoon Chairwoman Jackson-Lee, Ranking Member Dent, and distinguished Members of the Subcommittee. Thank you for the opportunity to appear today to provide an update on the President's fiscal year (FY) 2010 budget request for the Transportation Security Administration (TSA).

I would like to begin by thanking the Subcommittee for its support of TSA's ongoing efforts to improve transportation security. Your support positioned us well for a successful Presidential transition. I also want to thank the Subcommittee for supporting the resources provided to TSA in the American Recovery and Reinvestment Act of 2009 (ARRA). These resources are enhancing our nation's explosives detection capabilities in airports throughout the country by significantly accelerating the deployment of more effective and efficient technologies.

Ensuring an Effective Transition

The Department of Homeland Security (DHS) has worked hard to ensure that TSA, as well as other DHS components, was poised to maintain our high level of security during the critical Presidential transition period. Continuity is essential for an agency that conducts security operations 24 hours a day, seven days a week, and 365 days a year. TSA personnel participated in important transition efforts, including joint exercises with our DHS colleagues and other Federal agencies to ensure we could effectively prevent and respond to a potential terrorist attack during this period. Designating the Deputy Administrator at TSA as a career position also helps ensure continuity, and I am honored to serve in this position and as the agency's Acting Administrator.

Building On Our Joint Success

I have experienced first-hand the growth and maturation of TSA from its creation following the tragic events of September 11, 2001 (9/11) to the current high-performing global organization protecting Americans and our transportation systems.

Under the oversight of this Committee, TSA has grown from a small cadre of employees to a dedicated workforce of over 50,000 protecting every domestic commercial airport, strengthening our nation's surface transportation modes, and working with our transportation security partners both domestically and around the world. We began with the challenge of hiring, training, and placing the first Federal screeners, known as Transportation Security Officers (TSOs), in airports where they intercepted prohibited items such as guns, knives, and razor blades. Now, TSA employs a highly-trained, professional, multi-skilled TSO workforce that conducts physical and behavioral screening to counter constantly changing threats and operates state-of-the-art screening equipment throughout airports and across multiple modes of transportation.

Constant Vigilance

Continuing TSA's success is as important today as it has ever been. For example, the threat level for commercial aviation remains high and terrorists continue to pose a threat to aviation. But the threats we face are broader than just aviation and terrorism. TSA is focused on the wide variety of threats, including natural disasters and health pandemics, that face all of our transportation hubs and infrastructure. We must remain vigilant and never lose focus of our mission.

Implementing ARRA Funding

Before I address the FY 2010 Budget, I want to update you on our plans for deploying the \$1 billion in funding provided by Congress to TSA in ARRA. Using a risk-based approach, TSA is purchasing and installing explosives detection systems (EDS) and equipment that will greatly accelerate the deployment of new technologies in airports across the country. These ARRA funds will not only improve security, but also will create jobs and strengthen our economy.

Approximately \$700 million of ARRA funding will be allocated to the Electronic Baggage Screening Program, which includes the procurement and installation of airport baggage handling systems. TSA approved funding for 15 airports in ten states, including several small and medium sized airports, for optimal baggage screening solution projects. Additionally, we recently announced the award of \$47 million for the purchase of 123 reduced-size EDS to be deployed at airports throughout the Nation.

Approximately \$300 million of ARRA funding is going to the Passenger Screening Program (PSP) to improve explosives detection capabilities in passenger screening. For the PSP, TSA plans to use ARRA funding for the purchase of Advanced Technology X-rays (AT X-ray), of which we announced an award of nearly \$3 million for 44 AT X-

rays, and additional Whole Body Imagers (WBI), Universal Conveyor systems, Bottled Liquid Scanners (BLS), and Next Gen Explosives Trace Detectors. The ARRA funding enables us to accelerate our projected schedules toward full system operating capacity, greatly enhancing checkpoint security for the traveling public.

Finally, TSA is providing subject matter expertise and assistance to the Federal Emergency Management Agency (FEMA) for the award of the \$150 million appropriated in ARRA for public transportation and railroad security assistance grants.

FY 2010 Budget Request Highlights

The FY 2010 Budget will strengthen current efforts to secure all modes of transportation and allow critical investments in key programs. Specifically, the FY 2010 Budget provides TSA \$7.8 billion, which reflects a total gross increase of \$800 million for transportation security initiatives.

The FY 2010 Budget includes funding to support various activities and requirements, including;

- \$856.6 million for the procurement and installation of EDS at airports;
- \$128.7 million for checkpoint and checked baggage screening systems at airports;
- \$108.1 million for air cargo security;
- \$80 million for Visible Intermodal Prevention and Response (VIPR) teams, which includes an additional \$50 million for new VIPR teams dedicated solely to surface transportation security.

The FY 2010 Budget also includes the annualization of \$30 million received in FY 2008 and \$20 million received in FY 2009 for such activities as Security Regulations, Strategies, Reports and Studies, Vulnerability and Threat Assessments; Name Based Checks Infrastructure, Inter-modal Security Training and Exercise Program; Information Sharing and Analysis Center for transportation security; General Aviation; and additional Surface Transportation Security Inspectors (STSI).

I would like to highlight a few programs from the FY 2010 Budget.

Visible Intermodal Prevention and Response Teams. The \$50 million for 15 additional VIPR teams increases our random and surge force protection capability at transit hubs and other surface transportation venues. VIPR teams are capable of protecting any mode of transportation through risk-based targeted or unpredictable deployment of TSA assets in coordination with state, local, and Federal officials. VIPR teams consist of any combination of TSOs, Transportation Security Inspectors (TSIs), Federal Air Marshals (FAMs), Behavior Detection Officers (BDOs), Explosives Security Specialists, Bomb Appraisal Officers (BAOs), as well as local, state, and Federal security and law enforcement partners.

Bomb Appraisal Officers. The FY 2010 Budget also adds 109 BAO positions by the end of FY 2010 to strengthen security at domestic airports. BAOs are highly skilled individuals who have undergone specialized training in the identification and disposal of explosives. BAOs provide continual interaction and formal training to TSOs to increase their ability to recognize potential improvised explosive devices (IEDs) and IED components. BAOs also assist in clearing suspicious articles presented at checkpoints, often avoiding the need to call bomb squads, which can result in lengthy airport delays.

Infrastructure for Identity Vetting and Credentialing. The FY 2010 Budget provides an additional \$64 million to modernize the information technology infrastructure used to vet the identity of travelers and transportation workers. The funding will enable TSA to strengthen and enhance the existing infrastructure used to conduct vetting operations in several of our key security programs, such as Secure Flight, background checks for airport workers, the Transportation Worker Identification Credential (TWIC), Hazardous Materials Commercial Driver's License Endorsement, and alien flight students. The infrastructure funding will also allow TSA to vet new populations as directed by Congress in the Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act).

EDS Procurement and Installation. In addition to the funding levels enacted for FY 2009 and through ARRA, the FY 2010 Budget requests \$565.4 million to further accelerate facility modifications, recapitalization efforts, and the deployment of new electronic baggage screening technology systems.

Whisper Communications. The FY 2010 Budget includes \$5 million for additional Land Mobile Radios (LMRs) at TSA screening checkpoints. The LMRs enhance communications between TSOs with significantly less disruption to the passenger screening process.

Passenger Security Fee. To better align the costs of aviation security with the beneficiaries, the President has proposed an increase to the Aviation Passenger Security Fee beginning in 2012. Since its establishment in 2001 as part of the Aviation and Transportation Security Act (ATSA), the Passenger Security Fee has been limited to \$2.50 per passenger enplanement with a maximum fee of \$5.00 per one-way trip. Congress anticipated that the aviation industry would pay for airline security costs through a combination of the Passenger Security Fee and an air carrier fee. However, the cost of providing security has increased substantially since 2001, leaving Federal taxpayers, rather than passengers and air carriers, to shoulder 60 percent of the expense of civil aviation security in FY 2008. In the same year, Passenger Security Fee collections covered only about 31 percent of the discretionary costs for civil aviation security and air carriers covered the remaining 9 percent. Beginning in FY 2012, the Fee would increase by \$1.00 per year through FY 2014. Under the proposal, the maximum fee in FY 2014 and thereafter would be \$5.50 per enplanement and \$11.00 per one-way trip. The adjustment in 2012 will fulfill the original intent of ATSA by more closely allocating the cost of aviation security services to the individuals who directly benefit while simultaneously reducing the burden on the general taxpayer. The Administration and

TSA ask for your support of this proposal and we commit to work closely with Congress to obtain the necessary authorization to begin the fee adjustments in FY 2012.

Implementing Our Ongoing Security Strategy

An effective security system must constantly adapt to ever-changing threats in the variety of transportation security environments in which TSA operates. Our transportation security strategy begins with intelligence, a key driver in our risk-based approach to security. Our daily operational decisions are influenced by the latest intelligence and the risks that emanate from the constantly evolving threats we face. As an example of our constant adaptation, we are in the process of upgrading security effectiveness at all of our aviation checkpoints, including the most significant overhaul in passenger screening since 9/11.

People. The effectiveness of our security screening relies on our people—they are TSA's biggest investment and most valuable asset. We work hard to take care of our employees and we are making significant progress. Our workforce attrition rates continue to decrease. The latest FY 2009 voluntary attrition rate of full-time TSOs is 5.2 percent—an improvement of more than 58 percent since FY 2006. The number of workplace injuries has fallen over 75 percent from FY 2004 to FY 2008 and continues to decrease. For the first seven months of FY 2009 there has been a 16 percent decrease in workplace injury claims filed compared to the first seven months of FY 2008.

Every TSO working at a checkpoint has completed an extensive 16-hour retraining called ENGAGE!, which provides the latest information on intelligence, explosives detection, and human factors affecting security. This training is designed to develop a cadre of analytical security professionals. Additionally, all supervisory personnel have completed a second 16-hour training course called COACH! to help reinforce the ENGAGE! training and provide additional guidance to TSOs. We have revised our checkpoint Standard Operating Procedures to enable officers to use their judgment appropriately in achieving sensible security results.

As part of TSA's improved security measures, we are deploying our workforce where we can achieve the best security results, most efficiently, and with minimal hassle for travelers. These improvements include the Travel Document Checker (TDC) and Screening Passengers by Observation Technique (SPOT) programs.

The TDC program is now operating at all Federalized airports and enhances security by disrupting and detecting individuals who attempt to board an aircraft with fraudulent documents.

We have deployed hundreds of BDOs at the nation's busiest airports as part of the SPOT program. The SPOT program uses non-intrusive behavior observation and analysis techniques to identify potentially high-risk passengers based on their behavior. The program originated from other successful behavioral analysis programs that have been employed by law enforcement and security personnel both in the U.S. and around the

world. Some of our law enforcement partners at the local and Federal level have asked TSA to provide training on this successful program.

TSA believes a highly motivated workforce enhances our nation's security. We implemented a pay for performance system to recognize and reward individual and organizational performance, and created a career progression program for TSOs with new job classifications and opportunities to acquire new security skills. Our flexible personnel system authorities enable TSA to offer creative pay incentives, such as full-time health benefits for part-time TSOs. And most importantly, we listen to our employees. Through the National Advisory Council (NAC) – a formal group of TSOs nationwide elected by their peers who meet in person with TSA's senior leadership on a quarterly basis – and the Model Workplace program, TSA strives for continuous improvement by addressing employee concerns. At TSA, these programs reflect a genuine commitment by senior leadership. I have participated in every quarterly meeting of the NAC.

Process. TSA is continuing to implement innovations in the checkpoint process. The current checkpoint during a peak travel period can be noisy and congested, which has the potential to conceal the actions of someone with hostile intent. The checkpoint pilot strives to provide a more convenient layout for passengers with more information explaining the screening process to create a better security environment with improved technology and enhanced training for our TSOs.

Another simple yet effective program that improves the checkpoint process is the Diamond Self-Select program. Our self-select screening lanes are designated by signage (modeled after the familiar ski icons) that directs passengers to the appropriate lane based on their travel needs and knowledge. Green is the queue line for travelers who need extra time or special assistance, such as families traveling with children, people with disabilities or those who need prescription liquid medications or other liquids for medical conditions. The blue lane is for casual travelers who are somewhat familiar with the security procedures. The black diamond lane is for expert travelers who know the TSA security requirements and arrive at the checkpoint ready to go through efficiently.

These dedicated lanes give passengers some measure of control over their own experience and also provide a better, less stressful environment for us to do our job. The result has been more effective and robust security. In cities with self-select lanes, we are seeing considerably lower alarm rates in the green lane because there is more time to prepare and remove prohibited items.

Technology. With the support of this Subcommittee, we are expediting the upgrading of technology at passenger checkpoints and for checked baggage screening. AT X-Ray and WBI technologies greatly enhance our ability to detect small IED components made of common items, which remain the greatest threat, resulting in fewer bag checks and faster throughput, as well as the ability to upgrade the system with enhanced algorithms. WBI technologies enable TSA to detect prohibited items such as weapons, explosives, and other metallic and non-metallic objects concealed under layers of clothing without

physical contact. TSA will continue to deploy in 2009 Bottled Liquid Scanners that are used to ensure sealed containers do not contain threat liquids. Additionally, TSA is purchasing and installing reduced-size explosive detection systems (EDS) to increase security effectiveness and improve operational efficiencies through improved throughput.

Deploying new technology is important, and certainly a step this Subcommittee has encouraged, but we are also taking critical steps to reassess both the technology and the search methods used by our TSOs. TSA is working with the Science & Technology Directorate and the National Laboratories to stay ahead of terrorist tradecraft.

Update on Significant Ongoing Programs

Before I conclude, I also want to update the Subcommittee on some of our most significant programs.

9/11 Act Implementation. I want to thank the Subcommittee for its ongoing support of \$20 million in FY 2009 to implement new regulations and activities authorized by the 9/11 Act. TSA plans to use \$3.6 million to upgrade the Automatic Detection and Processing Terminal (ADAPT) system that determines threats in the airspace and reduces the time and energy spent tracking an unknown anomaly that presents no threat. The remainder of the FY 2009 funding for 9/11 Act implementation will be used for surface security measures, including the hiring of an additional 50 TSIs for surface transportation, completing vulnerability and threat assessments for surface modes, developing the Inter-Modal Security Training and Exercise Program, and developing a transportation security Information Sharing and Analysis Center.

Air Cargo. The 9/11 Act included two air cargo security requirements that mandate the screening of 50 percent of cargo transported on passenger aircraft by February 2009 and 100 percent by August 2010. I am happy to report that the industry is meeting the 50 percent screening requirement. We predict that the 100 percent screening requirement will be met by August 2010 for domestic cargo through our Certified Cargo Screening Program (CCSP). Under this program, the responsibility for screening is distributed voluntarily throughout the supply chain to improve security while minimizing the potential negative impact on the integrity and movement of commerce.

A key component of achieving these milestones is the requirement, developed in coordination with air carriers and other stakeholders, that 100 percent of cargo transported on narrow-body (single-aisle) aircraft be screened. This requirement went into effect in October 2008. The passenger security impact of this screening is significant: although these aircraft carry only 25 percent of domestic air cargo on passenger aircraft, they account for the majority—approximately 95 percent—of domestic passenger flights. More importantly, these flights carry more than 80 percent of all passengers on flights originating in the United States. Thus, even at the statutory deadline for screening 50 percent of air cargo aboard passenger aircraft, we are effectively protecting the vast majority of the flying public.

The requirement in the 9/11 Act to also screen 100 percent of inbound air cargo from international departure points continues to present significant challenges. Although it is unlikely that industry can meet the ambitious timetable set by Congress, we continue to work with our international partners and the private sector to address these challenges and expect to continue to see significant improvements in the level of security for inbound air cargo on passenger aircraft as we move forward. We have developed an international air cargo inspection program that expands our ongoing foreign airport assessment regime to include a risk-based prioritization of sites and assets. This international regulatory activity work plan for air cargo will enable us to better determine areas of focus for inspection and assistance with our foreign partners. We look forward to working with this Subcommittee on this issue as the August 2010 deadline approaches.

Secure Flight. Beginning with the FY 2005 DHS Appropriations Act, Congress provided TSA with very specific guidance in the form of ten conditions to meet to address concerns with the implementation of the Secure Flight program and gave the Government Accountability Office (GAO) a proactive role in reporting on our progress in meeting those conditions. As verified in GAO's report on the Secure Flight program published last month, TSA generally achieved nine of the ten conditions and conditionally achieved the one remaining condition. Your oversight and our partnership with GAO in meeting these conditions made Secure Flight a better program and it is now poised to effectively fulfill the mandate of comparing passenger information against watchlists.

Specifically, Secure Flight provides a consistent watch list matching process across all aircraft operators; provides for earlier law enforcement notification and coordination; and better protects watch list data thanks to its limited distribution. The Secure Flight program utilizes the Cleared List, a product of the DHS Transportation Redress Inquiry Program (DHS TRIP), to ensure that individuals who have been previously misidentified and have applied for redress are promptly cleared and do not experience similar problems in the future.

The Secure Flight program began implementation with certain aircraft operators on selected flights on January 27, 2009. To date, four aircraft operators have successfully begun cutover and numerous others have begun testing. TSA truly appreciates the cooperation and assistance these volunteer aircraft operators provided to the program during its initial rollout.

Secure Flight has also embarked upon an aggressive public outreach campaign in partnership with the aircraft operators and the Ad Council to educate passengers about how the Secure Flight program makes air travel safer and easier for millions of Americans.

TSA believes that the Secure Flight program will be able to assume responsibility for watch list matching of passengers for all domestic commercial flights by the end of the first quarter of calendar year 2010, and all international commercial flights by the end of calendar year 2010.

Transportation Worker Identification Credential (TWIC). I am also pleased to update you on the progress of the TWIC program that we jointly administer with the United States Coast Guard (USCG). TSA continues to operate over 149 enrollment centers located throughout the United States and territories to serve the maritime workers who will require a TWIC. As of May 25, 2009, TSA completed enrollment of 1,208,412 workers and over 84 percent of workers who had enrolled have been issued their cards. The USCG completed the phased compliance of enforcement of TWIC in Captain of the Port (COTP) Zones nationwide by April 15, 2009. TSA and USCG closely monitored progress during the transition period to ensure smooth compliance at the COTP Zones. To further improve security and enhance enforcement efforts in COTP Zones, TSA completed initial capability evaluations of TWIC readers and approved 17 readers for use in the TWIC pilot program; additional readers are expected to undergo testing and be approved for use in the pilot. Early Operational Assessment of readers began in Brownsville, Texas, in April 2009 when the port completed final installation of readers and began operations of TWIC readers at their MTSA-regulated facilities. Other pilot participants are expected to follow Brownsville later this year.

Global Outreach. As TSA continues to adapt to changing threats, we recognize the need to expand our zone of security and interdict threats before they arrive on our shores. Through collaboration and partnerships, TSA promotes the implementation of effective global transportation security processes worldwide while ensuring compliance with international and TSA standards. Focusing on closing gaps and providing enhanced capabilities, TSA seeks to manage risks and work with our international partners to harmonize security measures.

We accomplish this daily on many international fronts, multilaterally and bilaterally, through Transportation Security Administration Representatives in 23 countries overseas; a cadre of inspectors working with stakeholders and officials at airports, air carriers and Foreign Repair Stations; technical assistance programs; and standard-setting organizations such as the European Commission and the International Civil Aviation Organization (ICAO.) We promote best practices, capacity building and information-sharing through other international organizations such as the Group of Eight, the International Working Group on Land Transport Security, the European Community, the Asia-Pacific Economic Conference; and numerous ICAO regional groupings in Europe, Asia, Latin America, Africa and the Middle East.

Another example of our global efforts is our Office of Law Enforcement/Federal Air Marshal Service (OLE/FAMS) relationship with foreign air security partners. OLE/FAMS conducts training for foreign air marshals to combat international terrorism. As demonstrated during the United Kingdom August 2006 plot to use liquid explosives to take down passenger aircraft bound for the United States, TSA worked with our international partners to respond immediately.

The Aviation Security Sustainable International Standards Team (ASSIST) initiative is already showing positive results. This program works to effectively build sustainable institutions through information sharing and best practices. Key focus areas include

training needs, equipment, current aviation programs, and aviation security legislation. St. Lucia is the first nation to partner with TSA in this new program, which launched in January. In April, the Republic of Liberia became the second ASSIST partner country and just last month TSA completed an intensive two week training program on aviation passenger screening there. In the coming months we look forward to continuing this effort in other locations.

Conclusion

Madam Chairwoman, thank you and this Subcommittee for the resources you have provided in the past to achieve significant enhancements in our people, processes and technology. Thank you also for the opportunity to discuss the President's FY 2010 budget request for TSA and our plans for continuing to improve transportation security. I look forward to working together. I would be pleased to respond to your questions.