

**FOR IMMEDIATE RELEASE****Statement of Chairman Bennie G. Thompson*****Markup: H.Res. 980***

January 20, 2010 (WASHINGTON) – Today, Committee on Homeland Security Chairman Bennie G. Thompson (D-MS) delivered the following prepared remarks for the full Committee markup of H.Res. 980:

“House Resolution 980 is a resolution of inquiry directing the Secretary of Homeland Security to transmit to the House of Representatives a copy of the Transportation Security Administration’s Aviation Security Screening Management Standard Operating Procedures manual in effect on December 5, 2009, and any subsequent revisions of such manual in effect prior to the adoption of this resolution.

This resolution, introduced by Mr. Dent and 6 other members of the Minority, seeks to acquire materials related to the improper disclosure of TSA’s Aviation Security Screening Management Standard Operating Procedures, which was uncovered last month.

Prior to asserting my position on this Resolution, I wish to chronicle the events that led us to today. At the conclusion of this discussion, I believe my colleagues will agree with my position and support it.

In March of 2009, TSA posted an ‘S-O-P’ on the Government Services Administration’s contracting website for a contract solicitation for TSA’s Screening Partnership Program.

According to TSA, such documents—when properly redacted—are used in contract solicitations to guarantee fairness in the procurement process.

On December 6, 2009, a link to the ‘S-O-P’ was posted to a non-government website, thus disclosing ‘Sensitive Security Information,’ or ‘S-S-I,’ which is TSA’s version of sensitive information.

Later that day, TSA’s learned that the improperly redacted ‘S-O-P’ was posted on the General Services Administration’s Federal Business Opportunities website contained information that had not been properly protected.

Soon after this discovery—and on the same day— TSA quickly removed the ‘S-O-P’ from the Federal Business Opportunities website.

TSA Office of Public Affairs released a statement acknowledging that an out-of-date ‘S-O-P’ manual was released without properly protecting sensitive information and announced that an internal review would be conducted.

On December 8, 2009, Chairwoman Jackson-Lee and I sent a letter to TSA Acting Administrator Gale Rossides seeking information on the events leading up to TSA’s discovery of the inadequately redacted ‘S-O-P’ and requested an investigation by a third-party.

On December 9, 2009, Secretary Napolitano quickly responded to this request and instructed the ‘O-I-G’ to investigate the episode. That important review continues to be underway.

On that same day, December 9th, the Subcommittee on Transportation Security and Infrastructure Protection, led by Chairwoman Jackson-Lee, announced that it would hold a hearing on December 16th.

On December 11, 2009, Mr. Dent and Mr. Bilirakis sent a letter to Acting Administrator Rossides requesting the most current version of the 'S-O-P.'

Acting Administrator Rossides then reached out to Mr. Dent on December 13th to express TSA's concerns about immediately sharing the document as requested in the December 11th letter.

On December 14th, TSA came to the Committee and briefed staff on the current 'S-O-P' as well as the differences between the current 'S-O-P' and the one that was improperly redacted. They agreed to have the briefing last as long as necessary to inform the hearing on December 16th.

The next day, December 14th, TSA briefed the bipartisan Subcommittee staff for over two hours. It lasted until all inquiry was exhausted. The briefing included a side-by-side comparison of the 'S-O-P's' and provided staff with an opportunity to extensively examine the documents for comparative purposes.

Two days later, at the hearing on December 16th, Acting Administrator Rossides recounted the episode involving the improper disclosure and the steps TSA was taking to ensure that this did not happen again.

She also offered to make herself available to brief any Member who wanted to review the current 'S-O-P' and to provide the same comparative analysis TSA afforded to staff.

Importantly, Acting Administrator Rossides also testified that, consistent with TSA's interpretation of existing law, 'S-S-I' material, such as that included in the 'S-O-P,' would be provided to Congress at the request of the leadership of a committee authorized to have the information. While our Committee is authorized to request and receive such information, I was never asked to be a part of the request on December 11th.

After listening to Acting Administrator Rossides' testimony, Mr. Dent, without consulting me, introduced this resolution, which directs the Secretary to transmit a copy of the 'S-O-P' in effect on December 5, 2009.

On January 15, 2010, and at my request, TSA provided a copy of the current 'S-O-P' to the Committee for it to retain in its Sensitive Compartmented Information Facility.

Due to the privilege afforded to a 'resolution of inquiry' in the House, it is necessary for the Committee to consider the resolution within 14 legislative days of receipt of the referral, regardless of the fact that TSA was responsive to the Committee's request for information.

In light of this information, I think that you will agree that we should report the resolution to the House with an adverse recommendation.

To be clear, TSA substantially complied with all of the Committee's requests by;

- Providing a lengthy staff briefing on the incident on December 14, 2009;
- Providing testimony in a timely manner on this incident on December 16, 2009;
- Offering to brief any Member on the current 'S-O-P;' and
- Providing a copy of the current 'S-O-P' to the Committee on January 15, 2010.

I, therefore, ask my colleagues to join me in reporting the resolution to the House with an adverse recommendation."

#

FOR MORE INFORMATION: Please contact Dena Graziano or Adam Comis at (202) 225-9978