UNITED STATES DEPARTMENT OF HOMELAND SECURITY
TRANSPORTATION SECURITY ADMINISTRATION

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Before the

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COMMITTEE ON HOMELAND SECURITY -
SUBCOMMITTEE ON TRANSPORTATION SECURITY
AND INFRASTRUCTURE PROTECTION

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Good afternoon Chairwoman Jackson-Lee, Ranking Member Lungren, and distinguished members of the Subcommittee. Thank you for this opportunity to share with you the ongoing efforts of the Transportation Security Administration (TSA) to improve security in the aviation system by providing a better experience for travelers.

Ongoing Threat

The effort to ensure the security of the aviation system remains as important now as it ever has been in the past six years. Since August 10, 2006, the nation's threat level for all commercial aviation operating in or destined for the United States has been High, or Orange. The National Intelligence Estimate on threats to the U.S. Homeland issued in July confirmed publicly that the terrorist threat is real. This threat is persistent and evolving. Terrorists maintain an undiminished intent to attack the Homeland and show a continued effort to adapt and improve their capabilities. They are innovative in overcoming security obstacles. They are training to use improvised explosive devices (IEDs). Terror groups continue to focus on prominent infrastructure targets with the goal of producing mass casualties. The aviation threat level Orange remains operationally required based on the very real threats posed by those who wish to do harm to our aviation system.

Keeping Ahead of Terrorists

TSA's security strategy is based on flexible, mobile, and unpredictable methods. To counter the evolving threat and adaptive capabilities of terrorists, we are staying ahead by rethinking the entire screening process and changing the legacy systems that originated in the 1970s. We are going on the offense to address current threats. We will be more proactive and we must anticipate the threats.

We recognize that we cannot protect every person or all property against every possible threat to the system. Given the nature of the threats to aviation, we must manage risk

consistent with what we understand of the threats, vulnerabilities, and consequences. We will prioritize our resources to protect against the high-threat, high-consequence events.

I previously shared with this Subcommittee an overview of the many layers of security protecting aviation. We continue to change what we do, how we do it, and where we do it. We have significantly increased the layers of security throughout the airport environment. Risk-based security means that we share resources across all risks, both high and low, in strategic proportions.

The discussion of aviation security almost always starts at the familiar TSA security checkpoint. For the two million travelers a day who fly, that is TSA to them. However, TSA looks at the checkpoint as but a piece – an important piece – of a much larger picture. Therefore, before discussing checkpoint issues, I would like to point out that TSA looks at the entire transportation network in evaluating risk, including threat information. A large part of TSA's work involves working closely on a daily basis with the intelligence and law enforcement communities and our global partners to try to stay ahead of the current threat.

We have to be strong at the checkpoint, but also many other places – including the back, front, and sides of the airport. Risk-based security means that we take the whole picture into account and implement selective and unpredictable security measures. We must first deny the terrorist a stationary target where a planner can take the time to map an attack with high odds of success. Nothing can be uncovered, but likewise, we cannot fool ourselves into thinking that fixed, robust security is impenetrable. Our security needs to play offense, not just defense.

TSA is focusing beyond the physical checkpoint—to push our borders out, so to speak— to look more at people and to identify those with hostile intent or those conducting surveillance even if they are not carrying a prohibited item. By spreading our layers of security throughout the airport environment and elsewhere, we have multiple opportunities to detect terrorists and leverage the capabilities of our workforce, our partners, and our technology.

Travel Document Checking
We are placing specially trained Transportation Security Officers (TSOs) at the front of the checkpoint to review travel documents to find fraudulent identification (IDs) and also to look at behavior. The 9/11 Commission recognized that travel documents are akin to weapons for terrorists. We will make it harder for dangerous people to use fraudulent documents and IDs by raising the standard of inspection and providing additional equipment for our TSOs to perform this function. We ask this Subcommittee to fully support the President's budget for this program so that TSA can make a seamless transition from the airlines and continue the program with as little disruption as possible to the flow of passenger screening.

Behavior Observation
We continue to expand the Screening Passengers by Observation Techniques (SPOT) program, which utilizes non-intrusive behavior observation and analysis techniques to identify potentially high-risk passengers. Individuals exhibiting specific observable behaviors may be referred for additional screening at the checkpoint that may include handwanding, pat down, or physical inspection of their carry-on baggage. SPOT adds an element of unpredictability to the security screening process that is easy for passengers to navigate but difficult for terrorists to manipulate. It serves as an important additional layer of security in the airport environment, requires no additional specialized screening equipment, can easily be deployed to other modes of transportation, and presents yet one more challenge for terrorists attempting to defeat our security system. The SPOT program has already added great value to our overall security system. For example, a Behavior Detection Officer recently identified an individual at a ticket counter carrying a loaded gun and more than 30 rounds of ammunition.

Aviation Direct Access Screening Program
We continue to expand the Aviation Direct Access Screening Program --deploying TSOs and Transportation Security Inspectors (TSIs) to locations throughout airports to screen airport employees, their accessible property, and vehicles entering a direct access point to secured areas of airports. The random screening at unexpected locations is a valuable measure to increase the protection on the "back side" of airports.

This random and unpredictable screening allows airport workers to perform their duties with minimal interruptions and keeps the aviation industry operating. TSA's approach is both practical and effective. Requiring 100% screening of all airport workers, even in a pilot program, is contrary to this philosophy; it unnecessarily diverts resources from higher risk operations without providing the improvements in security that we need. We would like to continue to work with the Subcommittee to craft a pilot program that will test varying methods of improving an airport worker screening program that will offer better security.

Bomb Appraisal Officers
We are continuing to hire and deploy Bomb Appraisal Officers (BAO) who provide advanced training for the workforce on explosives and IEDs and resolve alarms beyond the TSO capability. BAOs have extensive backgrounds and experience in IEDs as well as in Chemical, Biological, Radiological, and Nuclear threats. They work closely with local law enforcement, bomb squads, and military Explosive Ordnance Disposal personnel to satisfy TSA's explosives detection needs.

Visible Intermodal Prevention and Response Teams
Over this past summer we began to more broadly deploy Visible Intermodal Prevention and Response (VIPR) teams. Comprised of TSOs, TSIs, and Federal Air Marshals (FAMs), VIPR teams collaborate with local law enforcement agencies to intensify the visible presence of security personnel at various points throughout the transportation system. At airports, we use VIPR teams in locations away from the screening

checkpoint. VIPR teams have proven that TSA and our stakeholders can greatly improve security by altering and enhancing security measures at airports.

This strategy of active, nimble, flexible security depends on the quality of the people involved. TSA has had a major focus on improving security by improving the capabilities of its people. Better recruiting and hiring, better training, better incentive systems, career progression opportunity, more involvement in decisions effecting the workforce, and more recognition of the critical role played by our people – these efforts all have a positive effect on the security result TSA delivers. The success of all these programs in increasing the layers of security would not be possible without the incredible effort, professionalism, and dedication shown by TSA's workforce. Our highly trained and highly motivated workforce—TSOs, TSIs, FAMs, and other professionals--have proven to be a nimble, adaptable workforce that can quickly adjust to counter an emerging terrorist threat. In August of 2006, TSOs employed new standard operating procedures within hours to deal with the threat identified as part of the United Kingdom plot to blow up commercial aircraft with liquid explosives. TSA has rapidly deployed FAMs to international destinations to support its mission coverage based on new threats. We are constantly reviewing and adjusting our procedures and strategies to ensure our personnel are ahead of the next threat. TSA's workforce has met every challenge in the past five years and I am confident they will continue to do so.

Maintaining a healthy, able-bodied workforce is also critical to TSA's mission. We improved workplace safety through a series of aggressive initiatives, including nurse case managers, Optimization and Safety Teams, automated injury claims filing process, involvement of the National Advisory Council in planning and implementing the Safety Week Campaign and other aspects of the Safety Program, deployment of contract safety specialists to support TSA field operations, and speedy investigations to correct safety problems. Through these programs, TSA has reduced the rate for employees losing time from duty due to injury by almost half from 11.56 per 100 employees in FY2005 to 6.75 for the 3rd Quarter of FY2007.

We are also adding significant new technology. A lesson from 9/11 is that we must be proactive—we must anticipate threats that continue to grow in sophistication and complexity. This effort includes leveraging the skills of our TSOs with new technology. This next generation of technology will assist our TSOs in separating friend from foe, increasing efficiency, and helping minimize the impact to travelers and businesses:

- Advanced Technology (AT) X-ray. We will begin deploying AT X-ray equipment for carry-on baggage. It provides TSOs with a better capability to identify and detect threats through improved imagery and analysis tools.
- Checkpoint Automated Carry-On Explosives Detection Systems (Auto-EDS). We are exploring Auto-EDS for inspecting carry-on items. Auto-EDS may provide additional detection and automation opportunities.
- Whole Body Imagers. We are pilot testing whole body imagers, such as the backscatter and millimeter wave technologies, to quickly and safely screen passengers for prohibited items without the need for physical contact.

- Cast & Prosthesis Scanner. We are testing new cast and prosthesis scanners to provide a safe, dignified, and non-invasive way to identify potential threats and clear passengers wearing casts, braces, and prosthetic devices.
- Bottled Liquids Scanners. We have begun deploying liquids scanning devices at checkpoints, and are now using a hand-held liquids scanner for non-checkpoint screening locations.
- New Explosives Detection Systems. We are evaluating several new products that will greatly increase the speed of handling and screening checked baggage, particularly when integrated into an airport's baggage handling system, while reducing the size of the footprint of the baggage screening location.

Improving Security By Improving the Security Experience

Despite the critical need for enhanced security measures, such as the requirement to remove all shoes and the restrictions on liquids, gels, and aerosols, we know we need to improve the checkpoint screening process so it is less stressful for the traveling public.

Working with our stakeholders, we are pursuing programs and processes that improve the security screening process. We are moving from the legacy approach of simply looking for weapons to a more fluid process focused on the goals of: 1) improving detection of explosives; and 2) developing the capability to evaluate travel documents as well as detect hostile intent or possible surveillance.

Looking Ahead

Implementation of Public Law 110-53, Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act)
TSA appreciates the leadership of this Subcommittee for the exceptionally difficult work in melding together the transportation security provisions in the Implementing Recommendations of the 9/11 Commission Act of 2007 (P. L. 110-53). I also would like to thank the Subcommittee staff for its professionalism and the hard work and cooperative spirit they displayed in working with the Department of Homeland Security and TSA to finalize these provisions.

A large proportion of the requirements in the 9/11 Act directly affect all aspects of transportation security, including strategic planning, aviation security, rail security, security of public transit facilities, pipelines, over-the-road buses, and trucking security. TSA has a big task in continuing the implementation of the 9/11 Act and in working with the many stakeholders in the transportation sector to assure the level of security that Congress and the 9/11 Commission envisioned.

We will now need to integrate the many mandates in the 9/11 Act into our current priorities and resources to enable key initiatives to progress without delay while not losing focus on our threat-based operations. I also ask the Subcommittee to recognize that many of the mandates propose implementation schedules that will be especially challenging, given requirements in other laws for sufficient time to allow the Federal

regulatory process to fully play out. We are working with our partners in the Department and other federal agencies to begin this process and will report our progress at the request of the Subcommittee.

Screening of Air Cargo
As you know, the 9/11 Act requires the establishment of a system to screen 100 percent of cargo transported on passenger aircraft within 3 years. As we proceed towards meeting the cargo screening requirement, TSA will stress effective security management of the air cargo supply chain. This process will require substantial collaboration with stakeholders. This Subcommittee was a leader in including key language in the bill that authorizes TSA to develop and implement a process to certify the security methods used by shippers as a means of complying with the screening requirement. This is a critical element in enabling the improved security for air cargo on passenger aircraft that Congress requires. I am grateful to the Committee for its recognition that better screening occurs when shipments are screened and secured at various points along the supply chain. Waiting until the freight is dropped at the airport, often in large pallets, to begin screening would result in less effective screening as well as defeat the whole purpose of the air cargo system that strives to provide expeditious delivery of goods from origin to destination. We expect to work closely with all aspects of the air cargo supply chain to develop an effective and robust air cargo security program in accordance with the bill's requirements while continuing the free flow of commerce that our economy relies upon. TSA will build upon our established programs: air cargo security regulations; Security Directives; the Known Shipper Management System; and increased use of TSA-certified explosives detection canine teams and Transportation Security Inspectors for Cargo.

In addition, the $80 million dollars appropriated to TSA this year for air cargo security as part of the FY2007 Emergency Supplemental Appropriations Act (P.L. 110-28) will contribute to our increased efforts through the hiring of at least 150 additional cargo inspectors and expansion of the National Explosives Detection Canine Program by no fewer than 170 teams.

Secure Flight
TSA has taken a significant step toward implementing the recommendation of the 9/11 Commission and the requirement of the Intelligence Reform and Terrorism Prevention Act of 2004 to enhance the vetting of aviation passengers against terrorist watch lists. On August 23, 2007, TSA published a Notice of Proposed Rulemaking (NPRM) proposing implementation of the Secure Flight program. Secure Flight, if implemented as proposed, will bring the process of comparing passenger names against the watch list, now performed by aircraft operators, into the government, and will align domestic and international passenger pre-screening. By establishing a more consistent and effective watch list matching process, TSA will strengthen a key layer of security and enhance its ability to stop terrorists from being allowed through the passenger screening checkpoint. The program is designed to better focus enhanced passenger screening efforts on individuals likely to pose a threat to civil aviation, and to facilitate the secure and

efficient travel of the vast majority of the traveling public by distinguishing them from individuals on the watch list.

We have taken the time to build the Secure Flight program right, and we believe that the NPRM and associated Privacy Act System of Records Notice and Privacy Impact Assessment demonstrate that TSA has built a program with the operational requirements necessary to enhance aviation security while protecting the privacy and civil liberties of the traveling public.

Over the next few months, TSA intends to begin a testing period using data from aircraft operators that volunteer to participate. During testing, air carriers will continue conducting watch list checks for domestic flights, and TSA will compare the results of its watch list matching with air carrier results to ensure the validity of the Secure Flight system.

It is therefore extremely critical that Congress provide the necessary funding for Secure Flight requested by the President in the FY 2008 budget. Without the necessary funding, the program will have to scale back benchmark testing with airlines, Secure Flight system to airline system testing, parallel operations with airlines, and the stand up of the Secure Flight Service Center or Secure Flight Operations Center. In short, the program would have a system with no ability to connect, communicate, or test with airlines for the purposes of implementation. Important contract awards would be postponed. From a schedule perspective, rollout of the Secure Flight program would be severely delayed. An immediate concern is the significant budget constraint imposed on the Secure Flight program due to the enactment of H.J. Res 52, providing for continuing appropriations for fiscal year (FY)2008. The restrictions on funding under H.J. Res 52 will inhibit TSA's ability to implement this critical program to improve aviation security and fulfill a key recommendation of the 9/11 Commission. Now that we have demonstrated major progress on the Secure Flight program through the issuance of the NPRM and associated privacy documents, we need your support to fund this vital program.

General Aviation
TSA is working closely with the general aviation (GA) community to develop reasonable, feasible, and effective security for GA operations while ensuring that these measures support continued operations and increased growth of the industry.

TSA is also working with aircraft operators and Fixed Base Operators directly to develop voluntary programs of verifying the identification of passengers on board aircraft and maintaining facility security in and around GA aircraft.

TSA is working closely with our interagency partners to improve GA security. The U.S. Customs and Border Protection (CBP) recently issued a NPRM that will require GA operators to submit comprehensive manifest data about passengers, crew, and flight information electronically to CBP, as part of its Electronic Advance Passenger Information System (e-APIS), at least 60 minutes before the aircraft departs for the United States.

Currently, we only receive very basic information from GA aircraft coming into the United States, such as who is and is not a U.S. citizen. That is not enough. Having this information an hour before departure will give CBP inspectors more time to fully pre-screen travelers and crews and take necessary actions to resolve threats.

Conclusion

Although the threats and challenges to the security of the aviation system are numerous, so are the solutions and efforts of TSA to continue to successfully carry out our mission. We will continue to use our personnel, information, and technology in innovative ways to stay ahead of the evolving threats and facilitate passenger travel and the flow of commerce.

Finally, I want to take this opportunity to thank the traveling public and our stakeholders for their continued cooperation which helps TSA effectively manage high travel volumes through the screening process. I am hopeful that the same level of cooperation from the traveling public and our stakeholders will make the upcoming holiday travel season a success as well. TSA has shown that in partnership with our stakeholders we can implement enhanced flexible security measures while maintaining the flow of passenger and baggage screening.

Madam Chairwoman, thank you again for the opportunity to testify today. I am happy to respond to the Subcommittee's questions.