



### Why This Matters

The Transportation Security Administration (TSA) deploys Federal Air Marshals to detect, deter, and defeat hostile acts targeting U.S. air carriers, airports, passengers, and crews. In 2010, allegations of misconduct and illegal employment discrimination and retaliation surfaced in the Federal Air Marshal Service (FAMS) Orlando field office. The reports included descriptions of cronyism; age, gender, and racial discrimination; and unfair treatment in promotions, assignments, and discipline. Senator Bill Nelson and Congressmen Edolphus Towns and Darrell Issa asked us to review the allegations in Orlando and throughout the agency.

### DHS Response

TSA concurred with all 12 of our recommendations. TSA noted that it already implemented our recommendation to communicate specific application criteria to all J-band promotion applicants at the beginning of each promotion cycle.

We concurred with TSA's responses to our recommendations. We closed the aforementioned recommendation. The 11 remaining recommendations are resolved and open pending evidence of, and concurrence with, TSA's corrective actions.

### For Further Information:

Contact our Office of Public Affairs at (202)254-4100, or email us at [DHS-OIG.OfficePublicAffairs@dhs.gov](mailto:DHS-OIG.OfficePublicAffairs@dhs.gov)

## Allegations of Misconduct and Illegal Discrimination and Retaliation in the Federal Air Marshal Service

### What We Determined

Although individual employees may have experienced discrimination or retaliation, our review does not support a finding of widespread discrimination and retaliation within FAMS. However, employees' perceptions of discrimination and retaliation are extensive and we heard too many negative and conflicting accounts of events to dismiss them. Many Federal Air Marshals and some supervisors think they have been discriminated against, fear retaliation, and believe there is much favoritism. There is too much tension, mistrust, and dislike between non-supervisory and supervisory personnel in field offices around the country. We identified factors that contributed to strained relations and became the basis for the allegations. Limited transparency in management decisions is also at the center of fears of retaliation and perceptions that management is mistreating its workforce.

We also conducted a survey of the entire FAMS workforce. One-quarter of respondents feel they have been discriminated against, 47% of respondents fear retaliation, and 55% believe favoritism is tolerated. Most, but not all, supervisors disagree with non-supervisory Federal Air Marshals' perceptions of these issues.

While these issues pose a difficult challenge for the agency, they do not appear to have compromised the FAMS mission. TSA and FAMS senior leadership is committed to addressing these issues and has implemented several proactive initiatives to address them.

### What We Recommend

Our recommendations to the TSA Administrator are intended to assist TSA and FAMS in evaluating FAMS' performance; reporting incidents that might result in discipline; administering the discipline process; and enhancing guidance for ground-based assignments, awards and in-position increases, the J-band promotion process, and international assignments.

In response to the survey results, TSA should develop a strategy to address perceptions of discrimination, retaliation, and favoritism, as well as strengthening the current workplace environment, communication, diversity, reporting and addressing misconduct, and job satisfaction.