Congress of the United States

House of Representatives

Opening Statement
Chairman Elijah E. Cummings

**Hearing on "Identifying, Resolving, and Preventing
Vulnerabilities in TSA's Security Operations"**

June 25, 2019

Today, nearly 20 years since the terrible attacks of September 11, 2001, we are holding this hearing to examine why urgent warnings from independent auditors about security vulnerabilities at the Transportation Security Administration (TSA) have been languishing for years without being resolved.

In 2016, I led a bipartisan group of Members in asking the Government Accountability Office (GAO) to examine TSA's covert testing program. This past April, GAO issued the declassified results of its work. Unfortunately, GAO confirmed many of our worst fears.

According to GAO, nine security vulnerabilities were identified through covert tests since 2015, but "as of September 2018, none had been formally resolved." Not one over the past four years. GAO also found that TSA was "not using a risk-informed approach" to its covert tests. As a result, GAO warned that TSA has only "limited assurance" that it is "targeting the most likely threats."

Unfortunately, this is part of a larger trend. In addition to failing to implement GAO's recommendations, TSA has also failed to address warnings from the Inspector General. As of this month, 37 recommendations made by the Inspector General from 12 reports on aviation security remain open and unfulfilled. Several of those are also many years old.

I thank Administrator Pekoske for being here, and I support some of the positive steps he is taking, but we need to know why these longstanding vulnerabilities are not being adequately addressed. I thank the witnesses from GAO and the Inspector General's office for being here and for keeping the focus squarely on these dangers to the flying public.

Today, we will also examine why the Trump Administration—instead of focusing all of their resources on trying to resolve these vulnerabilities—is actually aggravating them and further weakening aviation security by taking TSA staff out of our nation's airports and diverting them to the southern border.

Earlier this year, the Trump Administration submitted its 2020 budget request for TSA. In that request, the Administration warned, "TSA continues to experience airline passenger volume growth at airport checkpoints nationwide." As a result, the Trump Administration says it needs 700 more screeners at TSA, and it is asking for more funding to hire these screeners.

Yet, at the same time, the Administration is diverting TSA employees away from their primary responsibilities and sending them to the southern border. We saw several press reports about this a few weeks ago, so the Committee sent a letter to TSA to request the exact numbers and locations of the TSA officials who are being diverted.

On Friday, TSA sent a response to the Committee with new information showing the extent of these diversions. According to TSA, they have already diverted nearly 200 employees from airports and headquarters to the southern border—including Transportation Security Officers, Supervisors, and Inspectors—as well as an additional 172 Federal Air Marshals. These employees are drawn from more than 50 airports across the country, ranging from small, regional airports to the largest, busiest airports in the nation.

But this is apparently just the beginning. According to the letter on Friday, TSA has already approved an additional 294 employees to divert to the southern border.

Let me put this more starkly. On one hand, TSA has dozens of security vulnerabilities that have languished for years, and the Trump Administration is asking Congress for 700 more TSA screeners to handle huge increases in air travel. Yet, on the other hand, the Trump Administration is taking more than 350 of these critical TSA employees, diverting them away from their primary responsibilities securing our nation's airways, and sending them to the southern border. And more may be sent.

The Administration's actions are not helping aviation security, they are harming it. In fact, in their letter to the Committee on Friday, TSA admitted that there is "a potential increased risk to in-flight security." I ask unanimous consent that this letter be part of the hearing record.

At this point, it seems clear that Congress needs to step in to ensure that TSA finally addresses these security vulnerabilities and to prevent any additional airport workers from being diverted from their primary roles.

Today, with Chairman Thompson of the Homeland Security Committee, I am introducing the Covert Testing and Risk Mitigation Improvement Act, which would establish standards for covert testing and require TSA to track and report its progress in resolving vulnerabilities as part of its annual budget submission to Congress.

I look forward to working closely with all of my colleagues to move this legislation as quickly as possible.