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House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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Opening Statement Ranking Member Elijah E. Cummings

Hearing on "Examining Management Practices and Misconduct at TSA: Part I" April 27, 2016

Today, we will hear the testimony of three employees from the Transportation Security Administration (TSA) who allege a series of abuses and improper practices within the agency.

Whistleblowers are essential to identifying waste, fraud, and abuse, and they are critical to this Committee's mission.

In fact, based on work conducted by this Committee, today, federal statutes protect employees who bring wrongdoing to light. I know the Chairman and I share a strong commitment to ensuring that federal employees who come before us are protected from retaliation and reprisal.

Equally important, we as Members of this Committee also have an obligation to run these allegations to ground and determine if we can substantiate them. Of course, just as we want to protect whistleblowers from retaliation, I'm sure we all agree that we also want to protect federal employees from claims that are not substantiated.

I thank all three men who have stepped forward today for their willingness to testify and for the information they have provided in their transcribed interviews with Committee staff.

These individuals have raised troubling allegations of improper personnel practices within TSA. All three have filed complaints with the Office of Special Counsel, through the Equal Employment Opportunity process, or in federal court.

Each allegation we have heard deserves a thorough and fair investigation. I think these three employees deserve that.

Unfortunately, as we hold this hearing today, the Committee has not yet had the opportunity to complete such an investigation. In some cases, we have not spoken with those who have first-hand knowledge of the allegations we have heard. We have also not yet heard from TSA regarding most of the allegations raised by these employees.

I hope the Committee will talk with all of the individuals involved and review all of the documents relevant to the issues we will discuss today.

Many of the allegations our witnesses today have raised were initiated under previous agency administrators. In some cases, the allegations were even resolved under previous administrators.

It also appears that the current TSA Administrator, Vice Admiral Peter Neffenger, has moved to address many of the practices that have been cited by the whistleblowers. One of today's witnesses, Jay Brainard, described this progress in his transcribed interview with Committee staff, stating, "I think we've made tremendous progress with Mr. Neffenger." He added that "since Mr. Neffenger has come in, I've heard nothing in terms of misconduct."

Under Administrator Neffenger, TSA has issued new policies that clarify the membership and role of the Executive Resources Council, curtail the abuse of awarding multiple achievement bonuses for the same activities, and ensure that directed reassignments are made only to support agency goals.

Administrator Neffenger has also moved to address the airport security lapses identified by the Inspector General and by the agency's own testing teams that we examined in the Committee's hearing on TSA last Fall. He has ended the Managed Inclusion 2 program that permitted individuals who had not received background risk assessments to receive expedited screening, and he has placed agency focus squarely on resolving all alarms at screening checkpoints.

As Administrator Neffenger testified before this Committee last Fall, he is "readjusting the measurements of success to focus on security rather than speed." And I am pleased to see that his actions are beginning to show real progress.

However, people may not want to hear this, but these actions are likely to slow lines at airports further. And things may get even worse if TSA's workforce continues to be reduced. Administrator Neffenger recently testified that TSA has nearly 6,000 fewer transportation security officers in its workforce than it had four years ago. It is being asked to do more with less, and that is a problem.

I hope our Committee will continue to focus on holding TSA accountable for completing essential reforms and that we will provide Administrator Neffenger the resources he needs to do his job.

Thank you, Mr. Chairman.

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