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House of Representatives

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Opening Statement Rep. Elijah E. Cummings, Ranking Member

Hearing on "Transportation Security: Are Our Airports Safe?" May 13, 2015

Mr. Chairman, thank you for calling this critically important hearing. The Transportation Security Administration (TSA) has an incredibly challenging mission: it has to strike just the right balance between passenger safety and passenger convenience.

Everyone who has been to an airport in the past fifteen years can relate to the frustration of waiting in long lines at security checkpoints. But after 9/11, we are all painfully aware of the dangers we face on a continuing basis. The challenge for TSA is to develop programs that maximize safety and convenience, programs that protect the traveling public without making their experience unbearable.

Last year, Congress directed TSA to increase the number of passengers enrolled in the Pre-Check program. Under this program, travelers submit background information, criminal histories, and fingerprints. This information is run against terrorist watch lists and criminal databases. If these searches turn up no problems, passengers are given Known Traveler Numbers that allow them to pass through expedited security lanes with fewer restrictions.

When Congress passed this law, it gave TSA specific targets. For example, Congress directed TSA to certify that 25% of all passengers are eligible for expedited screening without lowering security standards, and the agency has been working towards that goal.

However, the Inspector General and the Government Accountability Office have raised concerns about this process. For example, the current program relies on passengers to provide information about any new criminal convictions or similar information after they have enrolled in the program. In other words, the system relies on passengers to self-update.

According to the Inspector General, TSA should develop a system to conduct 24-hour recurrent vetting of Pre-Check members against law enforcement and intelligence databases. I know many people and many agencies have been working for years to do just that. I also understand how difficult it is to link various local, state, and federal data systems. However, this may be one area in which our Committee can offer unique assistance—especially with our wide jurisdiction that cuts across all levels of government.

GAO and the Inspector General have also raised concerns with the Managed Inclusion program. Under this program, TSA officers identify passengers that are not enrolled in the Pre-Check Program and direct them to pass through the Pre-Check security lanes if they appear to be low-risk. TSA uses behavioral detection officers to identify passengers with low-risk indicators, such as children and the elderly, and they also employ explosive trace detection and canine teams.

GAO reported that, although TSA has tested the individual pieces of the Managed Inclusion program, it has not tested them as a whole system. In addition, the Inspector General recommended that TSA halt the Managed Inclusion program until technology can be developed to connect terrorist watch lists to individual airport security checkpoints.

Another concern is perimeter security. One of our witnesses today, Mr. Rafi Ron of New Age Security Solutions, has flagged this as an issue that needs much more attention, particularly given the various entities that play a role in this process, including local airport police, airport operators, and TSA.

After a 15-year-old hopped a fence at San Jose International Airport, climbed into an aircraft wheel well, and traveled to Hawaii, the Associated Press initiated an investigation of perimeter breaches. AP reported that approximately 268 perimeter security breaches have occurred since 2004 in airports that handle three-quarters of the nation's commercial passenger traffic.

We are only as strong as the weakest link in our chain, so it is important to ensure that all of these issues are addressed. It is easy to simply criticize the agency, but it is much more difficult—and takes much more effort—to identify solutions to these problems and ensure that they are well-implemented.

I want to thank Chairman Chaffetz for calling today's hearing. I know he focused on these issues extensively when he was Chairman of the National Security Subcommittee, and I believe it is entirely appropriate for the full Committee to continue this work to ensure that our airports are operating as efficiently and effectively as possible.

I look forward to hearing the testimony from our witnesses. Thank you.

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