

Congress of the United States

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 II”

May 12, 2016

Last month, our Committee heard testimony from three Transportation Security Administration (TSA) employees who raised troubling allegations about personnel practices that stretched back several years in some cases.

The employees who came forward deserve to have their allegations thoroughly investigated. Unfortunately, the Committee has not yet had the opportunity to fully examine or substantiate their claims.

Nevertheless, during our previous hearing, I was struck by how highly those whistleblowers spoke about our witness today, Vice Admiral Peter Neffenger, the Administrator of TSA. Despite their understandable frustration about what they endured, these whistleblowers repeatedly told the Committee that Administrator Neffenger was taking positive steps at TSA. They made clear that he is setting a course for the agency that puts the top priority exactly where it should be—on security.

For example, Mark Livingston, a Program Manager in the Office of the Chief Risk Officer, testified that Administrator Neffenger is “a man of integrity.” He also said this:

TSA is not going to compromise our mission to expedite passengers through at the expense of our mission. What we’re going to do is we’re going to get better, we’re going to keep pushing pre-check, we’re going to keep pushing a better process, and we’re going to get more people, and we’re going to get better at this. Mr. Neffenger has made it a priority.

Similarly, Jay Brainard, a Federal Security Director in the Office of Security Operations in Kansas, testified, “certainly since Mr. Neffenger has been in, there has been a shift to security and trying to get that pendulum to go back so we strike a balance.” Mr. Brainard also said this:

[I]t’s important for us to make sure that we reassure our officers so that, regardless of the fact that somebody is going to have to wait a few extra minutes, we still have their back. And we have an administrator who fully supports that, and that is part of the culture that

he has established with TSA. That's a very difficult job. It's certainly not the most popular job, and we certainly appreciate it.

I have to say that during my many years here on the Oversight Committee, I have rarely seen employees simultaneously come forward to report what they believe are abuses, while at the same time commending the individual who is in charge of the agency for his efforts to address them so vigorously.

Administrator Neffenger testified last November that TSA faces "a critical turning point," and I agree. He cannot turn around this agency on a dime. But in the 10 months he has been on the job, he has taken bold action to address the challenges he inherited.

For example, in February, he halted all directed reassignments currently in process. In March, he issued a memo that requires new reviews and approvals whenever a directed reassignment is requested.

He strengthened TSA's controls over special achievement awards, brought transparency to the Executive Resources Council, and appointed a Chief Operating Officer to oversee the Assistant Administrators in charge of the agency's operating divisions.

Critically, he has worked diligently to address the security shortcomings identified by Inspector General Roth, who is also here with us today. He retrained all screening personnel, including managers, and created a new academy to train newly hired screeners.

As Inspector General Roth testified last November, Administrator Neffenger "has deactivated certain risk assessment rules that granted expedited screening through PreCheck lanes."

However, despite all of these positive changes, the number of screeners has dropped by nearly 6,000 over the past four years. Of course, TSA has to do its job, but Congress has to do its job as well. Congress must ensure that this agency has the resources it needs to accomplish its security mission, including rightsizing the number of screeners.

I look forward to hearing from Administrator Neffenger about what more he needs to continue the improvements he has put in motion. I also look forward to hearing from Mr. Roth about the work he is undertaking to assess these changes.

Thank you, Mr. Chairman.

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