THE TRANSPORTATION SECURITY ADMINISTRATION'S PROGRESS IN ENHANCING HOMELAND SECURITY

HEARING

BEFORE THE

SUBCOMMITTEE ON INFRASTRUCTURE AND BORDER SECURITY

OF THE

SELECT COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

MAY 12, 2004

Serial No. 108–49

Printed for the use of the Select Committee on Homeland Security

Available via the World Wide Web: http://www.gpoaccess.gov/congress/index.html

U.S. GOVERNMENT PRINTING OFFICE

23–890 PDF WASHINGTON : 2005

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2250 Mail: Stop SSOP, Washington, DC 20402–0001

SELECT COMMITTEE ON HOMELAND SECURITY

CHRISTOPHER COX, California, *Chairman*

JENNIFER DUNN, Washington
C.W. BILL YOUNG, Florida
DON YOUNG, Alaska
F. JAMES SENSENBRENNER, JR., Wisconsin
W.J. (BILLY) TAUZIN, Louisiana
DAVID DREIER, California
DUNCAN HUNTER, California
HAROLD ROGERS, Kentucky
SHERWOOD BOEHLERT, New York
LAMAR S. SMITH, Texas
CURT WELDON, Pennsylvania
CHRISTOPHER SHAYS, Connecticut
PORTER J. GOSS, Florida
DAVE CAMP, Michigan
LINCOLN DIAZ-BALART, Florida
BOB GOODLATTE, Virginia
ERNEST J. ISTOOK, JR., Oklahoma
PETER T. KING, New York
JOHN LINDER, Georgia
JOHN B. SHADEGG, Arizona
MARK E. SOUDER, Indiana
MAC THORNBERRY, Texas
JIM GIBBONS, Nevada
KAY GRANGER, Texas
PETE SESSIONS, Texas
JOHN E. SWEENEY, New York

JIM TURNER, Texas, *Ranking Member*
BENNIE G. THOMPSON, Mississippi
LORETTA SANCHEZ, California
EDWARD J. MARKEY, Massachusetts
NORMAN D. DICKS, Washington
BARNEY FRANK, Massachusetts
JANE HARMAN, California
BENJAMIN L. CARDIN, Maryland
LOUISE MCINTOSH SLAUGHTER, New York
PETER A. DEFAZIO, Oregon
NITA M. LOWEY, New York
ROBERT E. ANDREWS, New Jersey
ELEANOR HOLMES NORTON, District of Columbia
ZOE LOFGREN, California
KAREN MCCARTHY, Missouri
SHEILA JACKSON-LEE, Texas
BILL PASCRELL, JR., North Carolina
DONNA M. CHRISTENSEN, U.S. Virgin Islands
BOB ETHERIDGE, North Carolina
KEN LUCAS, Kentucky
JAMES R. LANGEVIN, Rhode Island
KENDRICK B. MEEK, Florida

JOHN GANNON, *Chief of Staff*
STEPHEN DEVINE, *Deputy Staff Director and General Counsel*
THOMAS DILENGE, *Chief Counsel and Policy Director*
DAVID H. SCHANZER, *Democrat Staff Director*
MARK T. MAGEE, *Democrat Deputy Staff Director*
MICHAEL S. TWINCHEK, *Chief Clerk*

SUBCOMMITTEE ON INFRASTRUCTURE AND BORDER SECURITY

DAVE CAMP, Michigan, *Chairman*

KAY GRANGER, Texas, *Vice Chairwoman*
JENNIFER DUNN, Washington
DON YOUNG, Alaska
DUNCAN HUNTER, California
LAMAR SMITH, Texas
LINCOLN DIAZ-BALART, Florida
ROBERT W. GOODLATTE, Virginia
ERNEST ISTOOK, Oklahoma
JOHN SHADEGG, Arizona
MARK SOUDER, Indiana
JOHN SWEENEY, New York
CHRISTOPHER COX, California, *Ex Officio*

LORETTA SANCHEZ, California, *Ranking Member*
EDWARD J. MARKEY, Massachusetts
NORMAN D. DICKS, Washington
BARNEY FRANK, Massachusetts
BENJAMIN L. CARDIN, Maryland
LOUISE MCINTOSH SLAUGHTER, New York
PETER A. DEFAZIO, Oregon
SHEILA JACKSON-LEE, Texas
BILL PASCRELL, JR., New Jersey
JIM TURNER, TEXAS, *Ex Officio*

CONTENTS

Page

STATEMENTS

The Honorable Dave Camp, a Representative in Congress From the State of Michigan, and Chairman, Subcommittee on Infrastructure and Border Security 1
The Honorable Christopher Cox, a Representative in Congress From the State of California, and Chairman, Select Committee on Homeland Security 31
The Honorable Jim Turner, a Representative in Congress From the State of Texas, and Ranking Member, Select Committee on Homeland Security 2
The Honorable Donna Christensen, a Representative in Congress From the U.S. Virgin Islands 39
The Honorable Peter A. DeFazio, a Representative in Congress From the State of Oregon 32
The Honorable Norman D. Dicks, a Representative in Congress From the State of Washington 9
The Honorable Jennifer Dunn, a Representative in Congress From the State of Washington 35
The Honorable Kay Granger, a Representative in Congress From the State of Texas 26
The Honorable Shiela Jackson-Lee, a Representative in Congress From the State of Texas, Prepared Statement 9
The Honorable Edward J. Markey, a Representative in Congress From the State of Massachusetts 1
The Honorable Bill Pascrell, Jr., a Representative in Congress From the State of North Carolina 22

WITNESS

Mr. Steven J. McHale, Deputy Administrator, Transportation Security Administration, Department of Homeland Security
Oral Statement 11
Prepared Statement 14

APPENDIX

Questions Submitted for the Record
Responses from Mr. Steven J. McHale:
Questions Submitted from the Honorable Dave Camp 43
Questions Submitted from the Honorable Christopher Cox 45
Questions Submitted from the Honorable Lamar Smith 50
Questions Submitted from the Honorable Jim Turner 51

THE TRANSPORTATION SECURITY ADMINISTRATION'S PROGRESS IN ENHANCING HOMELAND SECURITY

Wednesday, May 12, 2004

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INFRASTRUCTURE
AND BORDER SECURITY,
SELECT COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The subcommittee met, pursuant to call, at 10:38 a.m., in Room 1334, Longworth House Office Building, Hon. Dave Camp [chairman of the subcommittee] presiding.

Present: Representatives Camp, Granger, Cox, Dunn, DeFazio, Markey, Dicks, Turner, Pascrell and Christensen.

Mr. CAMP. [Presiding.] Good morning. The Subcommittee on Infrastructure and Border Security hearing will come to order. Today's hearing is on the Transportation Security Administration's progress in enhancing homeland security.

The subcommittee will hear from Mr. Stephen McHale, the deputy administrator for Transportation Security Administration. Mr. McHale, we appreciate you being here in place of the TSA Administrator Stone, who is waiting confirmation by the Senate and therefore, unable to testify.

The chair would ask members to either waive opening statements or to give short statements and to submit their full opening statements for the record. The record will remain open for 10 days after the close of the hearing.

Members are advised they will receive an additional three minutes during the question time if they waive their opening statement.

At this time, I will simply submit my statement for the record. And I would ask Mr. Markey, as Ms. Sanchez not is here today, if he has an opening statement that he would like to give.

Mr. MARKEY. Thank you, Mr. Chairman, very much. Today, we focus on TSA's role in enhancing homeland security. I am going to focus my statement on three major flaws in the transportation sector's security posture.

First, cargo security. While old ladies are still being forced to take their shoes off and infants have to be taken out of baby carriers for screening prior to boarding flights, the Bush Administration continues to oppose efforts to screen all cargo being placed on passenger aircraft, even though technology to do so exists.

This is an unacceptable loophole that gives Americans a completely false sense of security. I have introduced comprehensive aviation security legislation to remedy this problem.

Second, rail shipments of hazardous materials. Each day, hundreds of thousands of shipments of hazardous materials, including materials like chlorine that kill thousands of people in a few short minutes, travel through densely populated areas and near critical infrastructure. Take, for example, this tank car full of chlorine, passing within view of this building and the Capitol Building.

The U.S. Naval Research Lab had said that a successful attack on just one such tank car could cause 100,000 deaths in one half hour. An Ohio-based Al-Qa'ida operative was even arrested for plotting to collapse a bridge in New York City or derail a train in D.C.

And last month, just north of downtown Boston, a railroad tank car carrying 20,000 gallons of hydrochloric acid started to leak close to the Sullivan Station Rapid Transit and just yards away from Route I–93, causing major chaos to the morning commute; and thankfully, no casualties.

Yet, there has been no national planning to reroute and better secure this dangerous shipment that could be used as weapons of mass destruction against us. I plan to introduce legislation to address this problem next week.

And third, passenger rail security. Although we have seen an attack in Madrid, we still have deployed only a fraction of what we can in order to ensure that we protect against a successful attack.

I thank the chairman.

Mr. CAMP. Thank you. Does the ranking member of the full committee wish to make an opening statement?

Mr. TURNER. Thank you, Mr. Chairman. Deputy Administrator McHale, welcome to the Homeland Security Committee. I regret the acting administrator, Admiral Stone, was unable to be here with us. But we appreciate your presence.

We know that in the months after September 11 of 2001, we have taken many important steps to improve our aviation security and our transportation security. In fact, I believe it has been said that 80 percent of the new dollars that we have invested in homeland security has been spent in the aviation sector.

We know that in short order, you hired screeners and deployed them to our airports. And the American public has noticed the difference. I think they feel comfortable with the fact that these screeners are there doing the job that we all know needed to be done in light of the serious failures that occurred on September 11.

Last week, Mr. Markey and many others on the Democratic side of this committee introduced the Safe PLANES Act to better secure our aviation system. It is well documented that airport screening, while much improved, is still not as effective as anyone would like it.

The Sunday New Jersey Star Ledger had a headline on May 9 about Newark Airport, that I am sure you are familiar with, entitled, "Security Fears at Newark Airport." This article depicts serious security gaps that still remain in aviation security at the Newark Liberty Airport.

Apparently, according to this report, they do not screen 100 percent of the baggage, as is required. I was reading the comments of one of the screeners who said, "It is all smoke and mirrors."

Now there may be some answers to this. But I noticed even the chief TSA person at the airport acknowledged that they are understaffed at that airport. So any comments that you would have about that; it is certainly disturbing to know, at this late date, we still do not have 100 percent even of the carry-on luggage and the checked luggage screened.

As you know, Mr. Markey has been quite outspoken on pointing out that we still have yet to implement a full screening process for cargo.

We are also concerned about the cap of 45,000 employees and the problem this has created for TSA. This cap obviously was set by the Congress. But we believe it is important, if this cap is too low, that the department speak out and let us know of this inadequacy.

We also are concerned about the known shipper companies. Few of those companies apparently have ever been checked to see if they are who they say they are or if they are following security regulations. So that is certainly a concern that I think this committee has.

The legislation that we have introduced, the Safe PLANES Act, closes many of these security gaps. I hope you will take a look at that legislation and what we have put in it. I would appreciate your comments regarding the merits—or lack thereof—that you may see in those proposals.

I know you have a difficult task. We have security gaps not only in aviation security, but also in rail security, as Mr. Markey pointed out.

We will be introducing a bill in a few days to close some of the security gaps that we believe still exist in rail and other public transportation. Any input that you could give us with regard to those ideas, we would very much appreciate it.

Thank you, Mr. Chairman.

[Submitted for the Record.]

Security fears at Newark Airport

Screeners say too many bags elude adequate scrutiny on route to planes

Sunday, May 9, 2004

BY RON MARSICO

Star-Ledger Staff

Two and a half years after 9/11, thousands of checked bags are loaded onto planes at Newark Liberty International Airport each day without being scanned for explosives, and security checkpoints remain seriously understaffed, according to current and former screeners as well as internal e-mail.

The concerns come from six current U.S. Transportation Security Administration employees at the airport and eight former employees. Five former screeners spoke on the record, while the others—including supervisory level personnel—requested anonymity. The e-mail messages obtained by The Star-Ledger, discussing security problems, were sent by the airport's ranking TSA officials to supervisors and other agency employees.

The interviews and the e-mail portray an airport security system in which short staffing and the pressure to keep lines moving result in corners being cut as screeners handle up to 40,000 checked bags and at least 40,000 carry-on bags each day.

"It's all smoke and mirrors," said Dan Sabella, 40, a screener at Terminal C until he quit in February. "I didn't sleep very well when I had that job. It became so routine to just have that uneasy feeling. . . . Stuff was getting through every day."

Top-level TSA officials sharply disagree with screeners' assertions that security is being compromised at Newark Airport, one of the three airports used by terrorists

on Sept. 11, 2001. They do concede, however, that the airport is understaffed. They say they are in the process of hiring hundreds of new workers.

"We've gone through our growing pains, and we have what I consider a stable work force and a growing one," said Marcus Arroyo, the TSA's federal security director at Newark Airport.

"We all take this job seriously. We're not going to sleep at night if there's a problem," said Arroyo. "I'll come back if there's a problem. So will any member of my staff. So yes, I do feel Newark is safe."

MISSED DEADLINES

The TSA was created two months after the hijacking of four planes, including a United Airlines flight out of Newark that crashed in a Pennsylvania field after the passengers resisted.

The agency was given a daunting mission: Replace poorly trained, ineffective screeners who worked for private security firms with full-time, well-trained employees who worked for the federal government.

Some airports have made the transition faster than others. Newark Airport has not been one of the success stories.

Of the nation's 429 commercial airports, only five missed the extended congressional deadline for having all checked bags either pass through bomb-detection machines or be manually testing for explosive residue. Newark was one.

Newark missed the original deadline, at the end of 2002, while it was installing about 50 of the SUV-size machines required to the scan checked bags. A one-year extension of deadline expired this past Dec. 31 with the machines in place but not all checked luggage going through them. Arroyo says manpower shortages were a factor. To this day, the airport does not have the staff it needs to fully operate all of the bomb detection machines during peak hours.

Before the deadlines expired, Congress allowed airports to meet security requirements by alternate means: by having specially trained dogs sniff bags for explosives, by hand-searching luggage or, as a last resort, by using a system called Positive Passenger Bag Match.

Under the bag match option, airlines use computer records to ensure no checked bag remains on an about-to-depart plane if its owner has not boarded. This measure has been widely criticized because it would not deter a suicide bomber whose bag was in the luggage hold below him, set on a timer to explode.

Current and former TSA screeners and supervisors say that, while there is not enough staff to electronically scan every bag for explosives, they do not often see manual searches or dogs used as an alternative. They could not say whether the airlines are using the bag match technique.

John Brennan, 33, of Piermont, N.Y., who spent nearly a year as a screener of checked baggage in Terminal A before he resigned in October, says continuing staffing shortages make it impossible to scan every bag for explosives.

"If we physically did every bag, a lot of those planes would be delayed," said Brennan. "We didn't do every single bag. We did a percentage." He said he had no idea what that percentage was, but "it was ridiculous. Just too few bags were being done, in my opinion."

Since Brennan's departure, Terminal A has met the mandate, with all bags there either going through the bomb-detection machines or being swiped with a sterile cloth for signs of explosive residue, according to senior TSA officials.

For example, on Nov. 26, the hectic travel day before Thanksgiving, TSA records show Terminal A handled 9,897 checked bags and all were electronically scanned for explosives.

But Terminal B and Terminal C are still unable to electronically screen or swipe 100 percent of checked bags. Terminal C is the airport's busiest; Continental Airlines, which uses Newark as a hub, operates most of its flights there from that terminal.

Arroyo disputed the screeners' assertion that the lapses involve thousands of bags daily. He said alternate means of review, including the bag match technique, continue to be used for some bags.

"It's not by anybody's choice that we didn't get there on Dec. 31," Arroyo said, referring to the extended deadline. "I'm able to assure that every bag that gets on an airplane has been under some level of scrutiny."

He said all checked bags would be scanned for explosives in "the very foreseeable future."

A TSA spokesman said he believes Newark Airport will meet the requirement when the new employees are hired within a few months.

'MITIGATING' LUGGAGE

An internal e-mail message indicates that as recently as Jan. 22, one ranking airport official worried about the number of bags not being scanned.

On that day, three weeks after the airport missed the extended deadline, Lou Illiano, at the time Terminal C's screening manager, sent an e-mail to several other high-ranking TSA officials at the airport, warning that far too many bags were going onto planes unscanned.

Illiano wrote: "I have begun to analyze the bag data. So far I've only look (sic) at one day, Jan. 19. It looks like we did about 67 percent of domestic bags."

Given that some 18,000 or more bags are checked onto domestic Continental Airlines planes at Terminal C most days, some 6,000 bags would not have been screened as required.

Asked whether only two-thirds of Terminal C's domestic bags were being properly scanned for explosives, Arroyo said, "I'm not going to respond to that."

Illiano wrote that the goal of screening 100 percent of bags was hampered by "insufficient EWR screeners" and difficulty in keeping "a consistent watch on this operation." (EWR are Newark's international air-transportation code letters.)

Illiano added he was "not sure all the duty managers have grasped the importance of this operation."

Continental Airlines employees also bore blame, he said, because they would send bags directly onto the planes if they determined the TSA could not screen every bag for explosives without causing delays. In airport parlance, the practice is called "mitigating" luggage.

"I also think Continental is too quick to decide that we can't handle 100 percent, and begin mitigating. As it stands, we cannot keep track of the bags they are mitigating," Illiano wrote.

Illiano declined a request from comment.

Airline officials said in a statement: "Continental's highest priority is the safety and the security of our customers and employees, and the assertion that Continental is interested in anything else is baseless, ridiculous and without merit."

"The airline fully supports the TSA's multiple efforts, many of which are not visible to the traveler, to comply with all federal security standards while offering customer-friendly service," the statement concluded.

Arroyo denied that TSA loses track of any checked bags. He said the agency works in concert with the airlines.

"We know what we're doing in terms of bag match, in terms of processing, in terms of alternative measures," said Arroyo. "They don't call the shots. We call the shots."

Mark Hatfield, a TSA spokesman in Washington, D.C., stressed that even if other luggage is subjected to Positive Passenger Bag Match, the bags of anyone deemed a potential security threat are scanned for explosives.

"We have several alternative screening measures available that allow us to meet the 100 percent checked bag screening requirement. We utilize them in random fashion and always ensure that risk-associated bags are electronically cleared," Hatfield said late last week.

UNHAPPY CONGRESSMAN

Rep. Robert Menendez (D-13th Dist.), a member of the House aviation subcommittee that monitors TSA effectiveness, said relying on Positive Passenger Bag Match at this late date does not meet "the spirit or intent" of the congressional mandate that 100 percent of checked bags be screened for explosives.

Referring to the missed deadline, Menendez said: "It's just unacceptable, especially when one of the flights of Sept. 11 came out of here. Technically, I would say they are in violation of the law."

Last May, Menendez sent a letter to TSA seeking answers about various problems at Newark Airport.

"Almost a year later, little has been done to address those concerns that I outlined in the letter," said Menendez. "Clearly, they have not been responsive, and we're looking for a variety of ways to (get them to) be responsive."

U.S. Sen. Jon Corzine (D–N.J.) also has asked questions about airport security.

On Feb. 25, following a budget hearing with Department of Homeland Security Secretary Tom Ridge, Corzine submitted a written question to Ridge asking what Homeland Security—which oversees TSA—was "doing to expedite the 100 percent electronic screening of checked baggage" at Newark. More than two months later, Corzine said, he has yet to hear back from Ridge or his staff.

"I think it's outrageous, and the fact that Secretary Ridge is just ignoring a request is just wrong," said Corzine. "It (the airport) is vulnerable until we at least deal with the issue of screening luggage that goes onto airplanes."

But careful checking of baggage comes at a price for which the public has limited tolerance—delays.

One TSA supervisor cited the case last year of a threat directed toward an Air India 747, carrying 400 people, before departure. Officials responded by using the most stringent inspection procedures, and the flight was delayed four hours.

Similarly, threats made over the holidays to some Air France and Virgin Atlantic flights led to hours worth of delays, said the supervisor.

CHECKPOINT WOES

Newark Airport is one of the nation's busiest airports, handling 29.4 million arriving and departing passengers in 2003.

Some 20,000 fliers depart on average each day through Terminal C. Terminal A or B each has about 10,000 passengers departing on average daily. Checkpoint lanes—where passengers walk through metal detectors, take off their shoes and put carry-on bags and personal items on belts that carry them through X-ray machines—are the places most passengers encounter TSA screeners. The TSA's goal is to keep waits to 10 minutes or less and to treat fliers in a professional, courteous manner while not compromising security.

But that mission is an elusive one at Newark Airport's checkpoints, say TSA screeners and supervisors.

Screeners operating X-ray machines are faced with a dilemma: If they follow the TSA's standard operating procedure and stop the X-ray belt for every carry-on bag to better examine the contents over the machine's computer monitor, the line of waiting passengers quickly backs up dramatically.

Supervisors sometimes remind them of the requirement but too often demand they work quickly to keep the lines short, screeners say.

"The onus was put on us to increase the speed we were screening these people," said Mick O'Donnell, 36, who worked as a Terminal A checkpoint screener from August 2002 until October 2003. "And I'll tell you, it was a little too quick."

O'Donnell, who is now an airline mechanic supervisor in Georgia, said screeners often had no choice but to violate standard operating procedure. The X-ray operator would give cursory looks at each bag's contents on the monitor as the parade of luggage streamed through the machine.

"We wouldn't stop every bag. We would just let them go through—boom, boom, boom," said O'Donnell. "There just wasn't time to do that. . . You would get spoken to if you were running slow."

Several current TSA employees in supervisory positions also said X-ray operators still routinely flout the requirement because of pressure from top officials to move passengers quickly.

Arroyo said the problem of screeners not stopping carry-on bags on X-ray machines had not been brought to his attention.

"They're not supposed to do that," said Arroyo. "If that's somebody's edict, it's not coming from me. If we find out about it, we put a stop to it. But I've not had that reported to me."

But in an e-mail on Feb. 26, a copy of which was sent to Arroyo, a top TSA official called the speedy movement of carry-on bags on X-ray machines at Newark Airport a "serious matter" that must be "quickly" corrected.

"Apparently, it has become common practice for our X-ray operators to allow the belts to run continuously and not stop the belt on each image," Jeffrey Candino, the airport's deputy assistant federal security director, wrote to supervisors. "Anyone who is not doing that is in direct violation of the SCP SOP"—screening checkpoint standard operating procedure—"and can be disciplined."

TSA officials said Candino would not comment on his e-mail message.

"Our people can't talk about any screening standard operating procedures due to the sensitivity of the material," said Ann Davis, a TSA spokeswoman.

UNGLAMOROUS WORK

Ultimately, many of Newark Airport's security woes stem from the severe staffing shortages, say screeners and TSA managers.

Screeners say there is a constant scramble to man checkpoint lanes and bomb-detection machines. At times the airport will use only three screeners on a checkpoint lane and two on a bomb-detection machine, the screeners say.

Originally, the TSA wanted seven screeners on each checkpoint lane and five screeners manning the bomb-detection machines. It lowered the recommended minimums to four on checkpoint lanes and three on bomb-detection machines.

Screeners at Newark Airport generally earn slightly more than $30,000 a year.

"It's a brutal job, screening. It's deadly boring and it's deadly serious," said Robert Monetti, president of Victims of Pan Am Flight 103 Inc., who lost his son in the

1988 terrorist bombing over Scotland and has lobbied since for improved aviation security. "And that's a deadly combination."

Deliberate interruptions in routine, such as switching jobs on the checkpoint lane, are intended to keep screeners sharp-minded. But Sabella, the former screener who spent 1 1/2 years with the TSA, said shorthanded lanes can leave screeners unable to properly break the monotony of the assignments—such as staring at X-ray machine monitors to find contraband—during eight-hour shifts.

"You can't take a break. You can't be efficient," said Sabella. "You can't rotate every 30 minutes and be refreshed."

TSA officials say they are working hard to hire more screeners at Newark after an unsuccessful effort to attract enough part-time employees. The agency plans to hire as many as 400 more full-time screeners in the next two or three months, bringing the total security force to about 1,600. That number should be sufficient to meet the congressional requirement for electronic screening, Arroyo said.

Werner Ledwon of Staten Island, who works as a screener at a Terminal A checkpoint, said the TSA is trying hard to achieve its mission and grapple with the staffing shortages.

"Like any new company, you're going to have some rocky roads. . . . I think we're doing everything we can possibly do," said Ledwon, 55, an Air Force veteran. "I'm from the old school. You make it work, even if you were down to one guy. . . . I'm proud of what I'm doing."

Most of those interviewed, however, contend the problems are too severe to overcome without increased manpower.

Menendez called for the TSA to find ways to increase staffing during peak travel periods. "The bottom line is there's a very significant employee pool that is available in this area," said Menendez, whose congressional district skirts the airport. "They simply say they cannot find people—which is unacceptable."

Hatfield, the TSA spokesman, said the attrition rate at Newark Airport was 16 percent over the past year. Current and former TSA personnel counter that figure seems low.

THE TESTS

TSA officials acknowledged that security at the checkpoints is not foolproof, but they said that is why layered levels of security have been incorporated into the system. Examples of the extra safeguards are reinforced cockpit doors in the aircraft and air marshals aboard many flights, they said. The agency's leadership maintains that security at the nation's airports is significantly better than it was on 9/11 and continues to improve. The TSA stopped 576,925 prohibited items at the nation's airports in March alone, according to Hatfield.

But screeners' concerns about the chance for a weapon to bypass security echo a recent U.S. General Accounting Office report, which revealed that federal investigators conducted covert tests and identified weaknesses at more than 100 airports in the screeners' ability to detect dangerous objects. While the GAO declined to make the details public, those who saw them were troubled.

During a House aviation subcommittee hearing in Washington April 22, Inspector General Clark Kent Ervin said the nation's aviation security screeners—both the federal employees and a handful of private contractors—"performed about the same, which is to say, equally poorly," according to an Associated Press report.

At Newark Airport, various tests of screeners' ability to detect dangerous objects have been conducted since last fall.

In October, Lockheed Martin tested screeners on such skills as how they handwand the passengers who set off the walk-through metal detectors. In November, TSA agents covertly conducted tests for the GAO, returning for another round of undercover drills in March.

Screeners and supervisors say Newark screeners did not fare well.

Arroyo confirmed that some 80 percent of the screeners in half of one terminal failed Lockheed Martin's first tests. But he said there were initial problems with the testing procedures. Within two weeks, he said, some 90 percent of screeners were passing.

Screeners and their supervisors say a different battery of tests was conducted covertly by TSA investigators last November and more than half of those who were tested failed.

While Arroyo would not provide specifics, he acknowledged that the November TSA test marks were poor, but he said the March drills produced "significantly better" results.

"Knowing how difficult the tests are, I was very pleased with our results," said Arroyo. "Had we gotten the results that we had gotten back in November, I would have been very upset."

Arroyo added that test results can be misleading. The tests are supposed to be difficult to pass, he said, because they are seen by the TSA as teaching tool.

"So the testing is, I hate to say it, designed to create failure," said Arroyo.

Screeners and supervisors, however, also point to specific examples of repeated checkpoint failures and worry about what else they might be missing.

In October, several walk-through metal detectors missed a steak knife nearly 8 inches long, according to a screening manager's e-mail.

Following months of complaints by screeners about a blurry X-ray monitor at a Terminal A checkpoint, the unit was finally replaced in January, after a United Airlines passenger discovered he had inadvertently passed through security with a box-cutter.

In February, 78 passengers aboard a Continental flight had to be rescreened, and part of Terminal A closed, when a passenger slipped past security with a carry-on bag containing an object that resembled a gun.

After investigating that incident, Arroyo said, he concluded the screener who said he saw a possible gun was mistaken.

In the case of the blurry monitor, Arroyo conceded there was a problem with the monitor in January, though he said it had passed calibration tests.

"It wasn't a defective machine," said Arroyo. "Was it as good as other machines? Probably not."

Arroyo said he did not recall the incident of the steak knife.

The security director said he is always aware of Newark Airport's 9/11 legacy and is committed to continued security improvements.

"We know that UAL 93 left from this airport and it perished in Pennsylvania," said Arroyo. "If any of us could do more than what we're doing, we would do it."

Ron Marsico covers Newark Liberty International Airport. He may be reached at rmarsico@starledger.com or (973) 392–7860.

Copyright 2004 NJ.com. All Rights Reserved.

Security net at Newark Airport

Sunday, May 9, 2004

Here's a breakdown of TSA screening measures used at Newark LibertyInternational Airport:

CHECKED BAGS

- The preferred method involves sending checked luggage through aSUV-sized bomb-detection machine that checks the molecular content ofitems for explosives.
- Alternatively, screeners swipe bags with a sterile cloth, which is thenput into a computer to check for explosive residue.
- If neither of those methods can be used, screeners conduct hand searchesof bags or use bomb-sniffing dogs to check for explosives.
- As a last resort, each bag is matched to a boarding list of passengerswho are on the airplane. The system is called Positive Passenger Bag Match.

0**CARRY-ON BAGS.**

- All carry-on bags are sent through an X-ray machine at concoursecheckpoints.

PASSENGERS

All departing passengers are required to pass through a walk-throughmetal detector. Passengers who set off the metal detector alarm are thensubjected to a secondary screening with a hand-held metal detector. Insome cases, pat-down searches can be required before the passenger canboard a plane. Some passengers may be advised to remove their shoes,which are also sent through the X-ray machines.

ADDITIONAL MEASURES *

TSA officials say checkpoint and baggage screeners are just one layer ina multi-tiered security system that also includes:

- A computerized profiling system that flags passengers who might pose arisk. Criteria may include passengers who fly one way, pay for ticketswith cash or travel with little or no baggage.
- Reinforced cockpit doors aboard planes.
- Thousands of air marshals on U.S. flights daily.
- Pilots allowed to carry guns.

Copyright 2004 NJ.com. All Rights Reserved.

Mr. CAMP. Thank you very much.

Mr. Dicks, would you wish to make an opening statement?

Mr. DICKS. Yes.

Mr. CAMP. So the gentleman is recognized.

Mr. DICKS. Thank you. First of all, I want to associate myself with the remarks of Congressman Markey. The idea that we are not inspecting cargo, I think, is something that the administration has to address.

We need to understand why that is and what the plan is to take care of that. Secondly, I am worried about port security and the lack of funding in the budget for port security.

It has been the Congress that has had to add the money each year for this endeavor. And I do not get it.

We should remember what happened with just a brief lockout on the West Coast when we could not get containers into the West Coast because of this lockout. And it all of a sudden had an immediate economic impact, not only on Los Angeles and the West Coast cities, but also other cities that get these containers from the West Coast by rail or truck.

And we have a lot of lean production and other things that are done with components and parts coming in from offshore.

Now protecting and securing these ports; yes, I know we, under the Maritime Security Act, had to come in with a report. But there is still a major question about who is going to fund security at these major ports.

And Operation Safe Commerce, yes, that gives us a picture of what we need to do at three or four of the major ports in the country. But that certainly is not a comprehensive approach.

So again, I really worry that we are not putting the resources into this that is necessary to secure an important part of the economy. And I worry about the dirty bomb scenario or something of that nature coming in via a container, being shipped to Chicago. And you have an event that then could put us in a situation where we cannot bring containers in on the West Coast, with an enormous potential economic disaster for the country, if that should ever occur.

So again, we are not getting that part of the job done as well. That is why a lot of us up here are frustrated about this.

And I have been a supporter of homeland security. I want to see us do the right job. And I am pleased that our chairman has had these hearings, so that we can at least have a chance to discuss this with the administration in public, so that the American people know that there are still major gaps in our transportation security.

Thank you, Mr. Chairman.

Mr. CAMP. Thank you.

Thank you, Mr. McHale, for being here. We have received your written statement in advance. And we ask you to summarize it in five minutes.

Thank you.

PREPARED STATEMENT OF THE HONORABLE SHIELA JACKSON-LEE

I thank Chairman Cox and Ranking Member Turner for holding today's hearing and Deputy TSA Administrator Mr. McHale for taking time out of his schedule to deliver testimony to this body. It is very important that we have an opportunity to analyze the performance of the Transportation Security Administration in light of the urgent needs that have arisen and that have existed in the areas of aviation screening and infrastructure, air cargo security, airport perimeter and site access, land security, and personnel.

Air Cargo security will be a topic that deserves special attention from Mr. McHale because we have severe constraints before us with respect to the need to balance the integration, introduction, and training required for new screening technologies with our ability to provide a sufficient number of personnel to operate such technology. Without carefully balancing these issues, we will be faced with yet another vulnerability .

As an attempt to address some of these problems, or at least to give our TSA some legislative tools with which to address these problems, I supported our Ranking Member Mr. Turner, Edward Markey, senior member of the Committee, and Steve Israel, member of the House Armed Services Committee in introducing the *Safe Passengers and Lading in Aviation for National Enhancement of Security Act,* or the "Safe PLANES Act"—important legislation on behalf of House Democrats to improve aviation security throughout the United States of which I am an original co-sponsor.

The bill is comprised of 15 provisions that cover areas such as:

—strengthening the screener workforce at the Transportation Security Administration (TSA), installing explosive detection equipment and other technologies across the nation where needed, and

—the implementation of a plan to fully inspect *all* cargo on passenger aircraft, among others.

This legislation seeks to address the serious gaps that we recognize in our current aviation security plan that is currently being administered by TSA. The nature of the vulnerabilities require immediate changes and the implementation of improved plans to fully screen all cargo, even-handedly install equipment and technology in all airports, and increase the number of trained personnel where needed.

I contributed to this effort by drafting:

—paragraph (a)(5) of Section 6 entitled 'Aviation Security Technologies' and

—paragraph (b) of Section 7 entitled 'Inspection of Cargo Carried Aboard Passenger Aircraft.'

—Paragraph (a)(5) of the first section calls for, in connection with a report requirement made to accompany the Department of Homeland Security's (DHS's) fiscal year 2006 budget request, the gathering of information that reveals the Federal and airport security personnel's capability of operating screening equipment and technology-speaking to the question of equipment interoperability and staff competency to operate equipment.

—Paragraph (b) of the second section requires the Secretary of DHS to transmit to Congress a summary of the system implemented to screen and inspect air cargo in the same manner and degree as that employed to screen and inspect passenger baggage pursuant to Section 404 of this provision.

The language that I proposed seeks to

—uncover weaknesses in our airport security personnel as well as

—to give Congress a blue print with which it can better exercise its oversight duties with respect to the screening and inspection of air cargo.

Among other issues, I will approach Deputy Administrator McHale to seek an answer to one of the questions that relates to the problems that plague Houston's Airport System—namely, whether the security screener hiring cap will be lifted in the near future to accommodate the recent growth of airline travel in Houston's three busy airports.

Additionally, I would like to inquire as to how TSA plans to address a problem that was expressed to me by local administrators in my District of Houston. I had the opportunity to obtain information from personnel of the City of Houston's Homeland Security Division. An issue was expressed that relates to the Urban Area Security Initiative grant that includes three phases of funding to local areas. In 2003, two of the three phases were paid in installments of $8.634 million and $23.7 million, and in 2004, the third phase was paid in an installment of $19 million.

Under DHS' funding mechanism, monies were allocated to Harris, Montgomery, and Ft Bend counties plus the City of Houston. County government executives—elected officials—were given complete discretion as to how to spend these monies by virtue of a mandate of channeling all grants through the state. Because all counties in the state had to agree on how to allocate and spend the monies, there was a tremendous functional problem.

In a recent grant allocation, the City of Houston demonstrated needs that exceeded $30 million; however, the county government executives, who have veto power as to how best to spend the grant monies, voted not to allocate sufficient funds to Houston. Houston's three busy airports, its port, its new public transportation system, high density problems, and shopping centers have infrastructure and vulnerabilities that other counties don't have; therefore, there needs to be a system of providing guidance as to appropriate ways to allocate the money where it really

needs to go and in what quantities. A problem that exists is when several elected officials have veto power over the spending of grant funds, you run the risk of creating a political nightmare because every elected official can provide a justification for the allocation of certain amounts of funds to any project or initiative.

In addition, with respect to Houston's airports, there is a major concern that they aren't receiving adequate funding from TSA (or from FAA). Particularly, as to the need to secure the airport perimeters, Airport System administrators have had to use some of the Urban Area Security Initiative (UAS) monies.

Limitations have been placed on the spending of UAS monies such that construction costs cannot be paid; however, the construction projects are crucial to the securing of Houston's airports. For example, there is a need for vehicle inspection stations, a secure and safe water treatment plant railcar (that contains chlorine) equipped with security features must be funded.

Similarly, the Houston Police Department requires boats to patrol the lakes and dams that feed from Lake Houston. However, under the funding scheme of UAS, only boats that can be used at ports can be purchased.

Moreover, relative to the baggage screening process, the Houston airports were promised to be among the first to be funded for the installation of the new Explosive Detection system (In line Explosive Detection System). According to Houston Airport Systems, TSA ran out of funds before Houston could receive its allocation. This system will significantly reduce staffing needs for TSA and produce more efficient operation.

I hope that these issues, in addition to others brought up on a national scale, can be adequately addressed by Mr. McHale. Thank you.

STATEMENT OF MR. STEPHEN McHALE, DEPUTY DIRECTOR, TRANSPORTATION SECURITY ADMINISTRATION

Mr. MCHALE. Thank you, Mr. Chairman. Good morning. And good morning, Congressman Turner and members of the subcommittee.

I am proud to testify before you today on the significant progress that DHS and the Transportation Security Administration have made to secure our nation's transportation systems since our agency was founded a little over 2 years ago. But before I talk about the specific actions that TSA and the administration have taken, let me first acknowledge the role of our partners.

The nation's transportation system, as you know, is vast and complex. Very few of its assets are owned or controlled by the federal government.

The railroad and pipeline networks are largely private. So too are the intercity bus companies and the thousands of truck operators.

Airlines are privately owned. And most commercial airports are run by local or regional authorities.

Mass transit is owned or operated by the cities or by regional or state authorities. Highways are owned by the states and local governments.

Most maritime assets, including most major port facilities, are in private hands. And on the inland waterways, the federal government often shares jurisdiction with the states and with regional and local authorities.

Only in air is the federal jurisdiction truly exclusive. And for that reason, right from the very start, TSA and its parent department, DHS, have worked with our state, local, regional and private partners to help secure our transportation system. And our partners have risen to the challenge magnificently.

The railroads overcame a 100-year old rivalry to form one of the first—and still one of the best—information sharing and analysis

centers. The mass transit authorities quickly stepped up their spending on security after 9/11, with help for the Federal Transit Administration and the states.

Trucking and pilot associations came forward with innovative programs to harness the observations of thousands of their members to report suspicious activity. Every part of the transportation sector recognized that the nation's transportation system was itself a victim of the 9/11 attacks and has risen to do its part to secure the transportation network.

We could not have achieved a fraction of what we have achieved without the help of our partners.

That said, Mr. Chairman, I am immensely proud of what the men and women of TSA have achieved in such a short time. With the help of our many partners, TSA has created a new aviation security system that is dramatically different from the system in place on September 11, 2001.

TSA's fundamental strategy is to establish a system of rings of security. Each ring contributes to our overall aviation security system. But we do not rely exclusively on any one component.

We have greatly enhanced domain awareness, gathering as much information as possible about the threats, vulnerabilities, trends and conditions of the aviation system and its environment. With the Department of Transportation and the Department of Homeland Security, we have strengthened the perimeter security at airports and we have conducted background checks on more than one million air carrier and airport employees.

At airport checkpoints, highly trained and qualified TSA personnel screen passengers and carry-on items, using state-of-the-art equipment. And checked baggage is screened using explosive detection equipment.

And Mr. Chairman, let me take a moment to come to the defense of our people on the front lines of our nation's airports. A recent Washington Post editorial asserted that our screeners are no better today than before 9/11.

That is nonsense, arising from a misunderstanding of covert test results and a misreading of recent testimony by the Department of Homeland Security inspector general. In fact, the IG has assured us that he believes that the differences between pre-9/11 screeners' performance and the performance of our screeners today is like the difference between night and day.

The basic training our screeners receive is far longer than that of the pre-9/11 screeners. Continuous reinforcement training is also part of our screeners' daily routine. And they are required by law to recertify their skills every year.

And there is no comparison between the pre-9/11 testing and the testing today. Pre-9/11 screeners were tested using large knives, guns and assembled bombs, placed obviously in bags and on the person.

Today's testers use the latest intelligence to do everything they can do to conceal weapons and bomb parts and to slip them past our screeners. Comparing pre-9/11 testing results to test results today is like comparing testing in elementary school to college-level testing. Our people are that much better.

Just since the beginning of this fiscal year, TSA screeners have intercepted more than 300 guns at airports around the country. We have increased the number of explosive detection canine teams working throughout the airports to screen checked baggage and cargo, search unattended bags and vehicles and respond to bomb threats.

The number of federal air marshals have increased from just a handful on 9/11 to thousands today on high-risk domestic and international flights. Cockpit doors have been hardened. And we have trained thousands of volunteer pilots to serve as armed, federal flight deck officers.

On Saturday, May 1, as directed by the Congress, our first prototype class of cargo pilot FFDOs graduated.

We are implementing our air cargo strategic plan that employs the tools, resources and infrastructure that are available today, as well as creating a foundation for future improvements as new technology becomes available. And the result of all this activity is a restoration of public confidence in the security of air travel.

We also continue to look at the transportation sector as a whole. With the Department of Homeland Security, we are developing a national critical infrastructure protection plan. TSA has been delegated the responsibility to develop a sector specific plan for transportation.

We are continuing to work with our federal, state, local and private partners on the development of security plans for each mode of transportation, with such innovations as the Transportation Worker Identification Credential, and are working with the surface and transportation modes to coordination information and threat sharing.

Last year, Mr. Chairman, we activated our Transportation Security Operations Center in Herndon to serve as a single point of contact for security-related operations, incidents and crises in aviation and all land modes of transportation. And Mr. Chairman, I would be glad to invite you to come out and to visit that facility—you or any members of the subcommittee.

We understand, Mr. Chairman, in conclusion, that as we go forward, our strategy will continue to be to do well those things that the federal government does best and, when we can help our partners discharge their responsibilities, to help them do so.

Aviation, where federal jurisdiction is paramount, must continue to be a primary focus of TSA activity. In those sectors where regional, state and local, and private jurisdictions prevail, TSA must ensure that intelligence and best practices are shared widely, that standards of security are set and respected, and that federal financial resources are used to even out inequalities of security across the sector.

Mr. Chairman, much has been accomplished. Much remains to be done. And we continue to look forward to that challenge.

That concludes my testimony, Mr. Chairman. And I will be happy to answer any questions the subcommittee may have.

[The statement of Mr. McHale follows:]

PREPARED STATEMENT OF STEPHEN J. MCHALE

Good morning Mr. Chairman, Congresswoman Sanchez, and Members of the Subcommittee. I am pleased to testify before the Subcommittee on the progress of the Transportation Security Administration (TSA) in fulfilling its critical responsibilities to protect the Nation's transportation systems to ensure freedom of movement for people and commerce. I look forward to highlighting many of the significant advances TSA has made in the two years since the agency was established and since joining the Department of Homeland Security (DHS).

At TSA, we are designing a security strategy for a broader spectrum of responsibilities than we considered in the pre-9/11 world, ranging from enhanced awareness and information sharing, through prevention, protection, response, consequence management, and recovery. DHS was created to lead the unified national effort to secure America. The creation of DHS has produced a force multiplier and a vast network for awareness and information sharing to protect our Nation. Working under the guidance of the Border and Transportation Security Directorate (BTS), TSA's mission is completely aligned with the mission and goals of BTS and DHS. TSA collaborates extensively with other BTS agencies and with DHS components, such as the Science and Technology Directorate (S&T), the Information Analysis and Infrastructure Protection Directorate (IAIP), and the U.S. Coast Guard (CG), identifying opportunities to share information, resources, and expertise. We also continue to work closely with the Department of Transportation (DOT) and the modal administrations. They provide another vital link with transportation providers, and we communicate daily to share expertise and to ensure that we make the best use of each organization's resources and opportunities.

TSA continues to work to improve coordination with our sister agencies within DHS, as well as with our other Federal partners. In this regard, President Bush issued Home]and Security Presidential Directive 7 (HSPD–7) on December 17, 2003, which directs the establishment of "a national policy for Federal departments and agencies to identify and prioritize United States critical infrastructure and key resources and to protect them from terrorist attacks." HSPD 7 sets the framework for DHS to develop a National Critical Infrastructure Protection Plan, and TSA has been specifically delegated the responsibility to develop the Sector Specific Plan (SSP) for Transportation under the National plan. The development of this plan will involve intensive interaction with other DHS directorates and agencies, such as IAIP and CG, in addition to DOT. The plan, which will be developed over the next several months will: (I) identify participants in the sector, their roles and relationships, and their means of communication; (2) identify assets in the sector; (3) assess vulnerabilities and prioritize assets in the sector; (4) identify protective programs; (5) measure performance; and (6) prioritize research and development.

To ensure security in each mode of transportation at an operational level, TSA is also working with our federal and other partners on the development of Modal Security Plans for each mode of transportation. We will expand the Transportation SSP to include modally-specific annexes that provide security planning guidance to modal security plan writers and industry stakeholders, and explicit links to the other National plans such as the National Response Plan (NRP) and the National Incident Management System (NIMS). On behalf of DHS and in conjunction with other federal agencies, the completed Transportation SSP will guide and integrate a family of transportation modal security plans to prevent, mitigate, and respond to intentional disruption of the Nation's transportation systems while ensuring freedom of movement for people and commerce.

The tragic bombings that occurred in Madrid on March 11 and in Moscow on February 6 were terrible reminders of the risk of terrorism to rail transportation. To that end, DHS, in conjunction with DOT, continually ascertains the threats, probabilities, and consequences of potential attacks on rail and other transportation systems using a risk management approach. Effective strategic threat-based planning results from an evaluation of all available intelligence and an assessment of criticality and vulnerability information to determine the overall risk environment.

Domain awareness is the essential starting point of our overall transportation security strategy. TSA receives intelligence information from many sources, from the intelligence community (IC) and law enforcement and from IAIP, which as a member of the IC, routinely receives information from intelligence and law enforcement partners. IAIP has the overall responsibility at DHS for receipt and analysis of information related to threats to the homeland. TSA activated the Transportation Security Operations Center (TSOC) in 2003 to serve as a single point of contact for security-related operations, incidents, or crises in aviation and all land modes of transportation. The National Capital Region Command Center is co-located with the TSOC and provides seamless integration in protecting the National Capital Region.

TSA's 24-hour watch routinely communicates with industry representatives about security events or information of potential security interest.

TSA also has electronic connectivity to intelligence community databases and participates in daily intelligence teleconferences with other Federal agencies to discuss threat and incident reports. To ensure that all information pertinent to transportation security is identified and provided to TSA on a timely basis, TSA has assigned liaison officers to major intelligence and law enforcement agencies. TSA also receives reporting through its field personnel on security incidents that occur at airports and aboard aircraft and from local law enforcement. This information is transmitted to TSA headquarters for evaluation and appropriate dissemination to intelligence and law enforcement agencies. TSA coordinates with IAIP to disseminate specific warnings, advisory information, or countermeasures, where appropriate, to local law enforcement and the transportation industry. All threat information received by the TSA, including information not specifically mentioning transportation, is carefully reviewed for its potential impact on any U.S. transportation asset at home or overseas. TSA consults with other security and technical experts within DHS and in other agencies to achieve a comprehensive threat and vulnerability assessment. If we conclude that warnings to industry and field operators or operational adjustments are warranted, our response can take a variety of forms. Top government decision makers are alerted immediately, as well as industry stakeholders.

The next step in our threat-based, risk-managed approach is to assess the criticality of the Nation's transportation infrastructure assets. Leveraging processes developed by IAIP, TSA developed a criticality model and is now deploying this model to determine criticality scores for facilities and assets. The vulnerability assessment process examines the overall security posture of a transportation asset as well as the security posture of the asset in response to identified threat scenarios. TSA has developed vulnerability assessment tools in concert with DOT modal administrations and industry stakeholders. For assets determined to be critical, the Transportation Risk Assessment and Vulnerability Tool (TRAVEL) will assess an asset's baseline security system and that system's effectiveness in detecting, deterring, and/or preventing potential threats. For assets determined to be less critical, TSA recommends the use of self-assessment tools. To date, one self-assessment module has been developed, in conjunction with CG, for use in the maritime transportation mode. Additional modules will be created for the other transportation modes. For the aviation mode, a third tool, the Joint Vulnerability Assessment (JVA) will also be utilized in conjunction with the FBI at critical commercial airports. Using the results of the vulnerability assessments, we can collectively develop targeted, layered security measures tied to DHS threat levels, or specific intelligence, with maximum flexibility to allow for normal transportation activity even during periods of elevated threat.

Securing Surface Transportation

DHS, in close coordination with our partners at DOT, state and local governments, and transit and rail operators, has taken a number of steps to address vulnerabilities in the rail and transit systems and improve our security posture against attacks. These efforts span the spectrum of security, from information sharing and awareness through prevention, response and recovery to a potential terrorist attack in the United States.

The Department, working with the Federal Transit Administration (FTA), coordinates information and threat sharing for rail and transit through the FT A-funded Surface Transportation Information Sharing and Analysis Center (ST–ISAC) in partnership with the Association of American Railroads (AAR) and the American Public Transportation Association. As part of the significant partnership that has developed, TSA hosts ST–SAC representatives at the TSOC. When appropriate, DHS disseminates Information Bulletins describing specific threats and providing suggested protective measures. In addition, DHS hosts conference calls with our Federal, state, local, and industry partners to communicate current information, obtain an assessment of the level of related preparedness, and determine additional short-term measures to be taken. For example. in the immediate aftermath of the Madrid attacks, the Department released two Information Bulletins and hosted National Conference Calls with federal, state and local public safety communities, all State and Territorial Homeland Security Advisors, officials from 50 major urban areas, and industry stakeholders.

Prior to the Madrid and Moscow events, criticality assessments of rail and transit networks operating in high-density urban areas were performed by TSA and FTA. and as a result of these assessments, these systems have produced robust security and emergency preparedness plans. Between FY 2003 and this year, DHS has used

information from these assessments to allocate $115 million to high-risk transit systems through the Urban Area Security Initiative (UASI) in the Office for Domestic Preparedness. Sixty-five million dollars ($65 million) was allocated in fiscal year 2003 and $50 million was allocated in fiscal year 2004. Grantees may use these funds for such expenses as the installation of physical barricades, video surveillance systems, motion detectors, thermal/IR imagery and chemical/radiological material detection systems, integrated communications systems, and for prevention planning, training and exercises, among other things.

TSA has partnered with the FTA on its "Transit Watch" Program, and is coordinating with the Federal Railroad Administration (FRA) to develop a rail system inspection guide for use by rail law enforcement and security personnel to inspect trains for explosives and other threats. The Department's Federal Law Enforcement Training Center has provided security training to rail and transit operators, and TSA has distributed educational information to transit system employees on how to recognize and respond to potential terrorist attacks.

TSA has also hosted security exercises to bring together rail carriers, federal and local first responders, and security experts, to address potential gaps in antiterrorism training among rail personnel. One such security exercise occurred at Union Station in Washington, DC, in July 2003, and involved stakeholders, emergency responders and enforcement agencies all working to implement the station's Emergency Response Plan. In another security exercise, DHS, through TSA, partnered with the Naval War College Gaming Department to conduct an operation designed to evaluate security awareness, prevention, response and recovery of the national transportation system to a security incident. The lessons learned from these exercises are being used to enhance rail security for the entire Northeast corridor.

The mass transit and rail industries, and State and local governments, have been very proactive in addressing homeland security issues. Most recently, transit and rail system operators enhanced their existing security plans by taking additional preventive measures in cooperation with the Department, including more canine and uniformed patrols. increased surveillance, and reporting and awareness campaigns in the passenger environment. Rail cargo companies are continuing their Alert Level 2, which includes increased security at designated facilities, security plan review, and increased spot identification checks.

On March 22, Secretary of Homeland Security Tom Ridge announced additional measures to strengthen our rail and transit systems. Building on many of the security measures recommended for mass transit and passenger rail authorities, the Department is engaging our Federal partners at DOT, the industry, and state and local authorities to establish base-line security measures based on current industry best practices. These include existing security measures currently being implemented consistently in the mass transit systems and the commuter rail environment and could be adjusted in consultation with transit and rail system owners and operators in response to higher threat levels or specific threats in the future. DHS will ensure compliance with security standards for commuter and rail lines.

TSA is implementing a pilot program in New Carrollton, Maryland, to test the feasibility of using emerging technologies for screening passengers and carry-on items for explosives at rail stations and aboard trains. This pilot, the Transit and Rail Inspection Pilot (TRIP), is being conducted in partnership with AMTRAK, MARC, WMATA, and DOT for a 30-day period. Additional phases of the pilot program are under consideration. The pilot program does not resemble an aviation-type solution to transit and rail security challenges, but rather provides a venue to test new technologies and screening concepts. Rail stations are not self-contained, and passengers have the freedom to board and disembark trains throughout their routes. The lessons learned from the pilot could allow transit operators to deploy targeted screening in high threat areas or in response to specific intelligence.

Using existing Homeland Security explosive detecting canine resources, the Department is developing a rapid deployment Mass Transit canine program. These mobile response teams will be prepared to assist local law enforcement teams. The Federal Protective Service will lead an effort to ensure canine teams from various DHS agencies are crosstrained for the rail and transit environment and available for augmentation of local capabilities when needed. DHS will partner with local authorities to provide additional training and assistance for local canine teams. The mobile program would be used predominantly in special threat environments and provide additional federal resources to augment state and local transit and rail authorities' security measures.

The Department also plans to leverage existing efforts to generate additional public awareness by integrating existing passenger and rail education materials and awareness programs developed by industry, TSA, and FTA. The Department's Fed-

eral Law Enforcement Training Center will also accelerate current security training programs for transit law enforcement personnel.

DHS's Advanced Research Project Agency is developing a program that will focus on research and development of next generation technology for High Explosives Countermeasures. The goal of the program is to develop and test field equipment, technologies and procedures to interdict suicide bombers and car and truck bombs before they can reach their intended targets while minimizing the impact on the freedom of movement. Research and development efforts such as this will be closely coordinated with TSA to ensure that research and development activities lead to deployable solutions.

For highway security, TSA entered into a $19.3 million cooperative agreement with the American Trucking Associations (ATA) to expand the Highway Watch program. The program trains highway professionals to identify and report safety and security situations on our Nation's roads. The expanded program will provide training and communications infrastructure to prepare 400,000 transportation professionals to respond in the event they or their cargo are the target of a terrorist attack and to share valuable intelligence with TSA if they witness potential threats.

Under the USA PATRIOT Act, TSA is also required to conduct security threat assessments on drivers holding a hazardous materials (HAZMAT) endorsement on a commercial driver's license. This effort is being pursued in two phases: name-based, terrorist-focused checks will be conducted on all 3.5 million HAZMAT drivers by June 2004; and fingerprint-based criminal history records checks will begin by January 31, 2005. TSA is working closely with the States and the private sector to develop the necessary infrastructure to establish this program. TSA also plans to leverage existing capabilities and infrastructure when possible to institute the security threat assessment.

DHS has a substantial effort under way to strengthen security credential programs across the Department. For our part, TSA is testing alternatives for a Transportation Worker Identification Credential (TWIC) to mitigate potential threats posed by workers and those with fraudulent identification. During the current prototype stage, beginning this summer, this credential will test the feasibility of bringing uniformity and consistency to the process of granting access to transportation workers entrusted to work in the most sensitive and secure areas of our national transportation system.

With our Federal government's security capabilities now under one roof, in one department, the level of communication and cooperation in enhancing intermodal cargo supply chain security among the CG and BTS agencies, including ICE, CBP, and TSA, is stronger than ever. BTS is leading the effort, with TSA, CBP, and the CG, to develop a more comprehensive framework for securing the intermodal cargo supply chain. This initiative wil1 also assist in meeting Maritime Transportation Security Act requirements for Secure Systems of Transportation by incorporating a point of origin to point of destination approach to cargo transportation. Agencies are reviewing cargo program, analytic tools, and other relevant resources within the Department to identify remaining supply chain vulnerabilities.

TSA is providing CG with technical assistance in the development of methods for local operator inspection of passengers and vehicles using established ferry transportation systems. TSA is implementing the "Synergy Project" designed to test the long-term feasibility of screening and transferring passenger baggage from seaport to airport, reducing the congestion at airport security checkpoints caused by the influx of large number of passengers disembarking from cruise ships. This program is currently underway at the ports of Miami and Vancouver.

Securing the Civil Aviation System

When it was created, TSA inherited a 30-year-old aviation security system. With the help of its many partners, TSA has created a new system that is dramatically different from that which was in place on September 11, 2001. TSA's fundamental strategy in operating this system includes establishing a system of rings of security whereby each security ring contributes to our overall aviation security system, but we do not rely exclusively on any one component.

As in other transportation modes, we begin aviation security with domain awareness. TSA continuously gathers as much information as possible about the threats, vulnerabilities, trends, and conditions of the aviation system and its environment. This first ring in our system-of-systems enables TSA to prioritize, direct resources, and take protective action.

TSA and the Federal Aviation Administration (FAA) have helped fund many local airport projects to improve perimeter security, such as construction of perimeter access roads, installation of access control systems, electronic surveillance and intrusion detection systems, and security fencing. TSA has required background checks

to be performed on more than a million air carrier and airport employees with unescorted access to airport secured and sterile areas. Across the country] 58 Federal Security Directors (FSDs) lead and coordinate all TSA security activities at airports, including tactical planning, execution, and operating management. At checkpoints, highly trained, qualified personnel screen passengers and carry-on items using state-of-the-art metal detectors. All checked baggage is screened using a combination of explosives detection systems (EDS), explosives trace detection machines (ETD), and where necessary, other congressionally approved methods of screening.

Each day, TSA intercepts more than] 5,000 prohibited items at airports around the country. Each month more than 40 firearms are intercepted at airport checkpoints by TSA screeners. This tells us first, that we must continue to be diligent in our screening efforts, and second, that many passengers are not voluntarily complying with the ban on bringing prohibited items onto aircraft. While the majority of cases are not intentional violations, too frequently individuals are deliberately attempting to circumvent security or test the security system. We have intercepted a knife concealed inside a soda can, a sword hidden inside a cane, and a knife hidden within a prosthetic leg, just to name a few examples. TSA has held press conferences at many airports around the country to educate passengers about prohibited items. We prominently post signs in airports to help passengers understand which items are prohibited, and we provide detailed information on our public website.

TSA uses its Special Operations Program to provide ongoing and immediate feedback to screeners, their supervisors, and TSA leadership on screener performance. The Special Operations Program's overall objectives are to test the security systems at the airports and to introduce difficult, real-life threat items to the screener workforce. Once covert testing is completed at a checkpoint, Special Operations teams conduct post-test reviews with available screeners to reenact the test and provide training. These tests are based on the latest intelligence and are far more rigorous than any security testing conducted prior to 9/11. Despite continually raising the bar on these tests, TSA's screeners and security systems continue to improve over time. However, the primary goal of these tests is not to show improvement. We make our system testing hard, harder, and harder still. to uncover vulnerabilities and to address them.

To maintain high levels of screener proficiency, TSA's Screening Improvement Plan places a strong emphasis on recurrent screener training and supervisory training. Over 700 inert Modular Bomb Set (MBS II) and weapons training kits have been deployed to every airport in the country as an integral part of TSA's recurrent training for screeners, enabling them to see and touch the components of improvised explosive devices and weapons. TSA is also developing protocols to help FSDs conduct their own airport level screening testing. To blend nationally and locally developed training, TSA has established the "Excellence in Screener Performance" video training series. The third part of our recurrent training program is a series of web-based and computer-based screener training programs. Recognizing the need to provide our front line supervisors with the tools they need to manage the screener workforce effectively, TSA has sent more than 3500 supervisors to introductory leadership training at the Graduate School, United States Department of Agriculture.

TSA's Threat Image Projection (TIP) program is an essential element of TSA's screening improvement plan. All checkpoint security lanes now are equipped with TRXs with the 2400-image TIP library, providing real-time data on screener performance. Data is available quickly at the local level and reported to headquarters for aggregated analysis and monitoring. Through deployment of TRX machines and activation of the expanded TIP image library, TSA is able to collect and analyze significant amounts of performance data that has not been previously available. TIP is an excellent tool for evaluating the skills of each individual screener so that we can focus directly on areas needing skill improvement. By regularly exposing screeners to a variety of threat object images, TIP provides continuous on-the-job training and immediate feedback.

Today TSA is right-sizing and stabilizing screening operations based on security requirements and opportunities for increasing efficiencies in business processes. As part of our workforce planning, we are evolving to a business model that vests more hiring authority at the local level with our FSDs to address airport staffing needs. The original methods we used in centralizing recruitment, assessment, hiring, and training of screeners were necessary in the fast-paced environment to meet the original statutory deadlines. However, this highly centralized model is not the right fit for sustaining an existing workforce.

Although the Aviation and Transportation Security Act mandated the federalization of airport security screening, it held open the possibility that airports could return to contract screening, provided the high standards required by law and insti-

tuted by TSA are met. TSA is currently operating a pilot program at five airports using private screeners that, by law, must meet TSA eligibility, training, and performance requirements and receive pay and other benefits not less than those of TSA screeners. Beginning on November 19, 2004, any airport operator may apply to have screening performed by a contract screening company under contract with TSA. A recent evaluation by Bearing point will assist us in assessing if and how to expand contract screening. The report found that the private screening pilot airports performed at essentially the same level as federally screened airports. Overall, we believe the report confirms that TSA has been successful in ensuring equal security at the five participating airports. We look forward to applying the insights detailed within the report and the lessons learned from the pilot program as we consider guidance and procedures for airports to opt out of Federal screening.

EDS/ETD equipment purchase and installation is the key to compliance with statutory requirements for full electronic screening of checked baggage. TSA purchases and installs this equipment through a variety of mechanisms, including congressionally authorized Letters of intent (LOIs), which provide a partial reimbursement to airports for facility modifications required to install in-line EDS solutions. TSA has issued eight airport LOIs, covering nine airports. TSA is also using resources to purchase and install EDS and ETD machines at airports outside the LOI process.

Our National Explosives Detection Canine Team program performs a critical role in aviation security, performing multiple tasks throughout the entire airport environment, such as screening checked baggage, searching unattended bags, searching vehicles approaching terminals during increased threat levels, screening cargo on a limited basis, screening mail at certain pilot project locations, and responding to bomb threats. TSA helps local law enforcement agencies by procuring and training selected canines, training selected law enforcement officers, and by partially reimbursing agencies for costs.

The number of Federal Air Marshals (FAMs) was increased from just a few on 9/11 to thousands today, and they are now deployed on high-risk domestic and international flights. With the transfer of the FAM Service from TSA to ICE, BTS has the flexibility to deploy additional ICE agents as a surge force to temporarily increase the number of FAMs on high-risk flights when threat conditions warrant.

In light of security concerns, TSA is performing security checks on flight crew on domestic and international passenger and cargo flights bound for the U.S. TSA will also assume responsibility this summer for conducting background checks on aliens who wish to undergo flight training in the United States. Vision 100 transferred this requirement from the Department of Justice to TSA.

In addition, commercial aircraft serving the U.S. are equipped with new, hardened cockpit doors. TSA, working with its U.S. government partners through the International Civil Aviation Organization (ICAO), is seeking to encourage compliance of foreign carriers with the international requirement for hardened cockpit doors, which went into effect November 2003.

Training of pilots who volunteer for TSA's Federal Flight Deck Officer (FFDO) program will continue at a strong pace with requested funding of $25 million in FY 2005. On May 1, the first prototype FFDO class of cargo pilots graduated. TSA initiated the on-line application process for cargo and other flight deck crew members in February 2004. In January 2004, TSA began doubling the number of FFDO classes, and we plan to provide initial training and qualification for thousands of FFDOs by the end of this fiscal year. TSA has streamlined the process for pilots to become FFDOs, and candidate assessments are administered at 52 locations throughout the United States, with more being added. Pilots also must attend re-qualification sessions twice a year to ensure that they maintain a high level of proficiency and familiarity with program requirements. Ten private, state, and local government sites are available for self-scheduling of requalification training. As the number of FFDOs grows, TSA will consider expanding the number of recurrent training sites to meet their needs.

Ensuring that flight and cabin crew members receive self-defense training will add another layer of security for in-flight aircraft. Each of these security enhancements is an additional obstacle that a terrorist would have to overcome in order to accomplish his objective. Each has been carefully developed with attention to security, customer service, and a minimum impact on the flow of commerce.

TSA plans to institute a Registered Traveler (RT) Pilot Program in the summer of 2004 at a limited number of airports. RT pilots will last approximately 90 days. TSA anticipates that an RT program could provide both security and customer service benefits. TSA envisions that an RT Program would be voluntary and may offer those qualified an expedited travel experience as they go through the screening checkpoint. A security assessment will be conducted on each RT applicant to determine eligibility for the program. Upon conclusion of the Pilots, results will be ana-

lyzed to determine the best program approach for proceeding on a larger scale program.

A total of $60 million is requested for FY 2005 for the second generation Computer Assisted Passenger Pre-screening System (CAPPS II). CAPPS II is a limited, automated prescreening system authorized by Congress. Developed with the utmost concern for individual privacy rights, CAPPS II would modernize the prescreening system currently implemented by the airlines. CAPPS II is expected to employ technology and data analysis techniques to conduct an information-based identity authentication for each passenger using commercial information along with data each passenger provides to the airline upon making a reservation. CAPPS II will combine the results (scores) from the identity authentication with a risk assessment. The overall process will yield a recommended screening level, based on the degree of risk assessed, or specific identifiable terrorist threat. The commercially available data will not be viewed by government employees, and intelligence information will remain behind the government firewall. The entire prescreening process is expected to take only a few seconds to complete.

In its recent report on CAPPS II, the GAO concluded that in most areas that Congress asked them to review, our work on CAPPS II is not yet complete. DHS has generally concurred in GAO's findings, which in our view validates the fact that CAPPS II is a program still under development. As we resolve issues of access to data needed, for testing CAPPS II, and the testing phase moves forward and results in a more mature system, we are confident of our ability to satisfy all of the questions that Congress posed.

Each year, U.S. air carriers transport approximately 12.5 million tons of cargo. To deny terrorists the opportunity to exploit our thriving air cargo system, TSA has developed an Air Cargo Strategic Plan that calls for the focused deployment of tools, resources. and infrastructure that are available today, as well as creating a foundation for future improvements as technology and resources become available. TSA has prohibited all "unknown shipper" cargo from flying aboard passenger carriers since September 11. 2001, thereby limiting cargo to packages from identifiable shippers under the TSA Known Shipper program. TSA has enhanced the criteria for participation in the Known Shipper program and is rolling out an automated Known Shipper database that will allow air carriers and indirect air carriers to verify immediately the status of a specific shipper. TSA has also mandated inspections of a certain amount of cargo transported aboard both passenger and all cargo aircraft.

Under the Air Cargo Strategic Plan, TSA will work closely with CBP to establish a Cargo Pre-Screening system that identifies which cargo should be considered "high-risk" and work with industry and other federal agencies and the airline and shipping industries to ensure that 100 percent of high-risk cargo is inspected. We are also partnering with stakeholders to implement enhanced background checks on persons with access to cargo and new procedures for securing aircraft while they are on the ground. TSA and CBP are working together on air cargo initiatives through four established work groups, making plans for future collaboration, leveraging of existing programs, and sharing resources and technologies.

TSA is requesting $55 million in FY 2005 for the continuation of an aggressive R&D program to investigate technologies that will improve our ability to screen high-risk cargo. TSA will look at new technologies for screening large cargo, including pallets and containerized cargo. In January 2004, TSA issued a market survey requesting submissions and participation of vendors of commercial off-the-shelf explosives detection technology to support cargo inspection. A number of vendors have been tentatively selected for laboratory evaluation of their products against the current EDS certification criteria. TSA has issued a request for proposals (RFP) for potential inventors of explosives detection technology for the screening of containerized cargo and U.S. mail to be transported on passenger aircraft. This RFP, which resulted in 74 responses, will lead to the award of R&D grants to assist in the development of promising technologies. At TSA's state-of-the-art research laboratory, the Transportation Security Laboratory (TSL), we are conducting a cargo characterization study to determine the feasibility of using currently deployed explosives detection technology (EDS and ETD) to screen cargo while new systems are under development.

We need to stay at least one step ahead at all times in the development of new security technology. The President's FY 2005 Budget request includes $49 million for applied research and development and $50 million for next-generation EDS. TSA has a robust research and development program and works closely with DHS S&T to develop and deploy technology that will help make operations more effective, more efficient, less time consuming, and less costly. I would like to invite the Subcommittee to visit our TSL to see the full scope of efforts underway. Several screening and other security technologies are under development, including an explosives

detection portal for passengers to determine if explosives are being carried on an individual's person, document scanners to detect trace amounts of explosive materials on items such as boarding passes, and scanners for better screening of casts and prosthetic devices.

DHS, in partnership with other federal agencies, is taking an aggressive approach to counter the threat of Man Portable Air Defense Systems (MANPADS) to civilian commercial aircraft. The strategy includes proliferation control, tactical measures and recovery, and technical countermeasures. In January, DHS S&T announced the selection of teams to develop plans and test prototypes to help determine whether a viable technology exists that could be deployed to address the potential threat of MANPADS. In addition, as part of the overall MANPADS strategy, TSA is performing airport vulnerability assessments to identify and map the areas around an airport from which a MANPADS attack could be initiated and working with surrounding communities to coordinate the efforts of agencies responsible for responding to this type of threat.

I appreciate this opportunity to highlight just a portion of TSA's efforts and progress in improving transportation security. There is no doubt that securing our nation's transportation system will be both costly and time consuming. Distributing these costs fairly and equitably is a constant challenge—and a constant goal. Looking ahead to Fiscal Year (FY) 2005, TSA and our many partners at the Federal, state, and local levels, and in the private sector, will continue to reinforce transportation security through innovation, technology and enhanced performance. In the two years since its creation, TSA has developed a culture of immediacy and a strong commitment to continual improvement. The increased variety and sophistication of weapons and communication tools available to modern terrorists presents a significant challenge. With preventive measures in place, the risk of terrorism is reduced, albeit not eliminated. TSA will continue to identify and re-evaluate threats and vulnerabilities and make decisions that both facilitate transportation and improve its security.

I will be pleased to answer your questions.

Mr. CAMP. Thank you, Mr. McHale. The chair asks unanimous consent that the delegate from the Virgin Islands be allowed to question the witness when recognized and to remain on the dais when doing so.

Hearing no objection, so ordered.

Mr. McHale, there is an upcoming deadline for an opt-out process for airports to use private screeners. I realize that they would have to have in place a fairly strict security standard in order for that opt-out process to occur.

Can you tell me what action TSA has taken to develop an application review process for that? And where in the fiscal year 2005 budget is this represented?

Mr. MCHALE. As you know, Mr. Chairman, we have run a pilot really right from the beginning—a two-year pilot—on reprivatization of the airports. And we have had private contractors provide security at five airports around the country, ranging from San Francisco to Tupelo, Mississippi.

That pilot was a great success. It showed that the private screening companies, with federal supervision provided by the Federal Security Directors, could maintain security at the same levels and at about the same cost as federal screening.

We are now in the process of looking at what guidance to give airports and contractors who might want to apply to provide private screening in the future. The Aviation Transportation Security Act provides that, beginning on November 19 of this year, airport operators may apply to the Administrator to ask for private screening in lieu of federal screening.

So we are getting that guidance out. We expect to get it out in the next month or so to the airports so that they can begin to make that decision and we can evaluate their applications.

In terms of the budget, there is, I believe, in the President's request $130 million to continue screening at the five airports where we are doing that today privately. That is really a placeholder, since we do not know how many airports will apply to go private.

The best way to look at that budget item is to aggregate it with the $2.4 billion that is set aside for federal screening at the other airports. That combined pot of money will be used to support either federal or private screening, however the airports choose to apply.

Mr. CAMP. I am also interested in a little further comment on the issue of air cargo security and particularly the known shipper program, which is a program to assist in shipments transported on passenger planes. I believe we need a strategy of analysis and risk management here. But I think this program could be expanded to do more in terms of comprehensive background checks and other things.

Mr. MCHALE. Right.

Mr. CAMP. I am a little concerned about the lack of progress at TSA on this program. And I wondered if you could tell me how that is going specifically, if you could update us on that?

Mr. MCHALE. I am glad to do that, Mr. Chairman. Actually, we have made quite a bit of progress. We have operational today a known shipper database.

It contains what we believe today is, I was just told, about one-third of the known shippers that are known to carriers around the country. And we are continuing to populate that database.

Right now, it is still a voluntary database. We are engaged in rulemaking to make that mandatory. We expect to get that rule out shortly.

In addition, as we build that database, we are now running background checks on the known shippers. We are going to continue to make those background checks more rigorous as we get more information and are able to hook in with additional intelligence systems.

It is a little different here because we are not so much running background checks on people as often as we are on concerns. That makes the interface a little bit more difficult. But we are working through that.

Mr. CAMP. Thank you very much.

Mr. Pascrell may inquire.

Mr. PASCRELL. Let's see. Mr. McHale, I have some questions to ask you, specifically about Newark Airport and then the whole question of port security. You have seen the newspapers.

Mr. MCHALE. Yes, sir.

Mr. PASCRELL. You have read the stories. There are going to be more stories. The governor yesterday made a statement about security at Newark Airport. And in good faith, we will proceed.

One-third of the bags at Newark Airport go on planes without screening. That is a pretty remarkable number.

One former screener there said that this is all smoke and mirrors. I want to know what your plans are and what timetable you have for checking all the baggage with electronic detection systems. What plans do you have for Newark?

Mr. MCHALE. As the Federal Security Director at Newark, Marcus Arroyo, who is one of our best, has said, we are in compli-

ance with the law at Newark and we do screen all the bags, either electronically or using alternate means. That said, while we do not talk about specific proportions of bags that are screened at any given airport, I can tell you that we have significantly increased the staffing at Newark in the last few weeks and that I believe that the statements in that article are grossly out of date.

Mr. PASCRELL. You are not going to answer the question as to when, what is your timetable for putting into effect? I mean, I know Director Marcus Aroyo. I think he happens to be doing a great job.

Mr. MCHALE. I think he is too.

Mr. PASCRELL. I say that to his face and behind his back. You are not answering my question, though.

Mr. MCHALE. Congressman, let me suggest this. I would be happy, in a non-public setting, to discuss baggage screening at any individual airport around the country. I cannot discuss with you alternate measures and other actions that are being taken at particular airports. That cannot be done in a public setting.

Mr. PASCRELL. Well, let me say this. I have a lot of questions here. Let me say this: I do not understand, Mr. Chairman, the rationale behind not providing the public—the public has a right to know, let alone the Congress.

We do have oversight. This is the homeland security. There are certain things that are very private. There are certain things that are very secret.

Why is the number, when we said that we would have specific dates as to when luggage that was carried on and when luggage was put into the belly of an airplane would all be checked, why are you afraid? Or let me rephrase. Why are you reluctant to tell the public what percentage even of baggage is not checked at Newark Airport? The public uses that airport every day?

Mr. MCHALE. Congressman, we screen over three million bags a day at 448 airports around the country. On any given day, there will be machines that are down. There will be staffing issues.

There will be other issues at airports around the country. We provide a classified report to the Congress every month on the status of baggage screening at individual airports around the country.

I cannot, in a public session, discuss that kind of classified information. I am perfectly happy to provide it either in closed session or to provide you with a briefing.

Mr. PASCRELL. So you do not—.

Mr. MCHALE. I think you will be pleased with where Newark is and the progress we are making. But I cannot discuss that in detail here.

Mr. PASCRELL. But you do know the answer to the question.

Mr. MCHALE. Yes, congressman, I do.

Mr. PASCRELL. So you know the answer to the question, but you do not want to tell the public what the answer to the question is? Correct?

Mr. MCHALE. Congressman—.

Mr. PASCRELL. Am I putting words in your mouth?

Mr. MCHALE. As I said, we do not discuss specific steps—.

Mr. PASCRELL. Look, look, wait a minute. Mr. Chairman, I have asked it three times. You know, I asked it in good faith. I praise the director before this meeting, after this meeting.

I mean, what the heck more can I do? I think the public has a right to know—has a right to know—whether the baggage at Newark Airport is being checked. I think this is preposterous.

Let me ask you this question—.

Mr. MCHALE. Congressman, the baggage at Newark Airport is being checked.

Mr. PASCRELL. I am talking about how much is not being checked. How much is going on an airplane that is not being checked?

If you are not going to answer the question, let me go to the second point. Are you testifying today that there are a sufficient amount of screeners at Newark Airport? Is that what you are testifying today?

Mr. MCHALE. We are bringing out screeners as we speak. I would say that today there probably is not a sufficient number of screeners at Newark Airport. I expect that there will be within about the next 10 days to 2 weeks.

Mr. PASCRELL. So that if we check back in 10 days or 2 weeks, that there would be adequate screening? And you admit that there are not, there were not a month ago? There were not 2 months ago?

Mr. MCHALE. We have been having—.

Mr. PASCRELL. And perhaps the 45,000 arbitrary cap that we placed on it was a wrong number, that we should have had more people or a pool of more people? The suggestion that we use former police officers, former law enforcement officers has still not been used? But you tell me that in 10 days, you will have an answer to that question or we will have it resolved.

Mr. MCHALE. Within 10 days, we will have the screening at Newark at the level that they are authorized to have. We have been using a lot of overtime at Newark. We want to cut down on that so that our staff is not stressed.

We have a lot of former law enforcement officers in our screening workforce, a lot of ex-military personnel in our screening workforce. In fact, we were required to give preference to them. So we have them out there.

Mr. PASCRELL. Two other questions.

Mr. CAMP. The gentleman's time has expired.

Mr. PASCRELL. I have not given an opening statement. Can I continue to ask some questions?

Mr. CAMP. I will give the gentleman an additional minute. However, the additional three minutes comes for those who attend within five minutes of the gavel going down. And the gentleman was outside of that window.

But I will extend him some more time. I do want to say—and this will not come out of your time—that I understand your reluctance to go into this confidential airport-specific information in this committee hearing.

However, I have never seen this monthly confidential report that you refer to that would give us the individual status of airports. I would like to arrange an opportunity for that information to come

to the subcommittee and we will have a classified session on that individual information.

Mr. MCHALE. Absolutely, Mr. Chairman.

Mr. CAMP. Thank you.

Mr. MCHALE. I will make sure that happens.

Mr. CAMP. And I will give the gentleman an additional minute.

Mr. PASCRELL. Thank you. And Mr. Chairman, that is very important. I would have asked—continued to ask—if the committee would get those, all the members get a copy of that report. I think it is important that we know that, Mr. Chairman.

Mr. CAMP. We will have an opportunity for all of us to get that information.

Mr. PASCRELL. We have no other way to measure whether we are going in the right direction or not.

Now let me ask you this question: who is responsible for airport perimeter security?

Mr. MCHALE. It is the combined responsibility of the Transportation Security Administration and the airport operator.

Mr. PASCRELL. If there is a decision to have people patrolling the perimeter, as an example, or surveillance equipment deployed or new physical barriers, whose responsibility is that?

Mr. MCHALE. The airport operator has developed a security plan that includes that kind of information. And that plan has to meet certain standards that we set and be approved by TSA.

Mr. PASCRELL. Does every one of the major airports in this country have such a plan?

Mr. MCHALE. Yes.

Mr. PASCRELL. Perimeter. Is it being implemented?

Mr. MCHALE. Yes.

Mr. PASCRELL. You are stating for the record that every one of these major airports have a perimeter security plan and it is being implemented.

Mr. MCHALE. They have an airport operator plan that covers perimeter security. Obviously, there are violations of those plans. And our job is to enforce them.

Mr. PASCRELL. My final point is this: why do we not ask employees working within the airport to go through screening like you do and like I have?

Mr. MCHALE. We do screen a lot of the vendor employees. We are working with the airports to improve that within the sterile area.

All of the employees who work in the sterile area and the secured area of the airport have extensive background checks. One of the reasons we have looked at that as a solution is, if you think about the kinds of things that workers have access to on the ramp—the kinds of tools, the kinds of chemicals and the other sorts of things that they have access on the ramp—they really do not have to carry very much into the airport area to do harm. We need to know who they are and be assured about their backgrounds.

Mr. PASCRELL. So you think we can see the day that they will be screened?

Mr. MCHALE. There will be screening of the workers going into the sterile area, we expect. Yes.

Mr. PASCRELL. Not the vendors?

Mr. MCHALE. The vendor workers who are in the sterile area, but not at this point, except in certain airports, on workers going onto the secured area.

Mr. CAMP. The gentleman's time has expired. Thank you.

The gentlewoman from Texas may inquire.

Ms. GRANGER. Thank you.

I am going to continue on the question about the screeners because Hartsfield-Jackson Atlanta International Airport has now waits of 90 minutes with lines half a mile long. And they are saying it is a lack of screeners on hand. And you are saying that perhaps they are going to staff up.

But at my airport, DFW International Airport, TSA has informed the airport it will be reducing the screener workforce by 179 positions. This future staffing level is well below the staffing level that TSA's own federal security director at DFW believes is necessary to man the checkpoints effectively.

DFW already has four separate security checkpoints where the waits extend 30 minutes during peak hours. And that is not during the summer travel time that we are getting ready to enter.

So I want to know what rationale exists for reducing the screener workforce levels at DFW airport in particular or other large airports?

Mr. MCHALE. I think actually DFW will probably stay at about the level it is today. The levels that a lot of airports are looking at are levels that were set when we had 49,600 screeners at the beginning of this fiscal year.

So we are really now, we have actually been operating at about 45,000 screeners, give or take a few, since right about Thanksgiving of last year, or a little after that, in the middle of the holiday season.

Congresswoman, as you know, we did handle the holiday season, I think, very well. We are developing plans and working closely with the airports, the airlines, and our Federal Security Directors to deal with the summer season effectively.

Also at DFW, thanks to your help, we are moving forward with the inline baggage system, which will be more efficient and more effective and will help us bring some of the screeners who are now working on baggage up to the passenger checkpoints.

Ms. GRANGER. So you are saying you are not going to reduce it by 179 positions?

Mr. MCHALE. I have to check the exact numbers for that airport. But my understanding is, what they have on board today is about what they are going to have into the future. It may be a few more, but I would have to double check that. I will get back to you on that.

Ms. GRANGER. I think you should because that is certainly not the information they are giving me. And as I said, their own federal security director is saying that would be inadequate.

Mr. MCHALE. I think it is a reduction from the 49,600 figure earlier this year. But I will get back to your office on that.

Ms. GRANGER. Are you reducing though, intentionally reducing, the screener workforce levels at large airports?

Mr. MCHALE. Not at most of the large airports, as far as I know. There may be some adjustments at a few of them. But generally,

I think the large airports are either growing or staying about the same.

Ms. GRANGER. Okay. What are you doing to address the concerns? How are you getting the information out? In other words, if the airport is telling me one thing, my airport that I work with very directly, and you are telling me something else, then where is the breakdown in this communication?

Mr. MCHALE. We have not yet finalized or issued final staffing allocations for the 45,000 level. Frankly, we are going to be adjusting that and reshaping that and re-rightsizing that every day, every week, as we go on, around the country.

I would say the breakdown that is we have not gone back to the airports and said, "You know, that figure you got last year based on 49,600, well, Congress has said we should be operating at 45,000, so that earlier figure obviously is not the right one."

We need to communicate better on that.

Ms. GRANGER. I know that Secretary Mineta stated 2 years ago that wait times of more than 10 minutes would be unacceptable.

Mr. MCHALE. Right.

Ms. GRANGER. With the federal screeners. And now we are looking at wait times of 30 minutes or more. Are we saying that is acceptable then?

Mr. MCHALE. No, we would like to keep the wait times as far down as we can. We work with the airports and the airlines to reduce the overall hassle-factor in moving through an airport—whether it is ticket check-in or wherever it might be.

We have actually done pretty well, if you take an average across the country, of peak time wait times. They average about 11 minutes.

But in almost every major airport, there is at least one peak during the day, when many flights leave within a very short period, and that peak is not always related to screeners. Even in Atlanta as you mentioned, there is a throat where there are only 18 lanes. Those 18 lanes can be working flat, out and you will still have a long line early in the morning.

They are adding four more lanes there. We are going to staff them. Hopefully, that will help to ease the problem there. We are looking at that kind of solution, where we can, around the country.

A lot of it is physical. Some of it is staffing.

Ms. GRANGER. And last, what are you doing? What is the most immediate thing that TSA is doing to improve security on rail transportation?

Mr. MCHALE. We have a lot of different programs we are doing there, where DHS and TSA are providing additional canine teams to mass transit. We have a pilot program we are running at New Carrollton right now called TRIP, which is primarily looking for explosives. We are trying to see how you could screen passengers for explosives. This is much more difficult in the rail environment than in the aviation environment because it is such an open system.

We are working on additional transit inspection programs. We have targeted inspections going on; we are working with the transit authorities, looking at their security arrangements to try to improve them. We have vulnerability assessments of critical infrastructure for transit authorities that we are working on, and, we

are helping them also with tools to do their own criticality assessments. And of course, there is grant funding that is going to the states and the cities to help them with transit security.

Ms. GRANGER. Thank you.

Mr. CAMP. Thank you.

Mr. Markey may inquire.

Mr. MARKEY. Thank you.

It is my understanding that in the next couple of weeks, TSA will be issuing a hazmat transportation security plan for the District of Columbia region, where we are right now, and that it will become a model for national hazmat transportation security. Will this plan include rerouting shipments of hazardous materials where possible so that they do not go through densely populated areas?

Mr. MCHALE. Well, there actually may be some rerouting. But it will be fairly limited.

One of the problems we have, particularly on the East Coast, is that all of our major rail systems typically run through city centers and it is not easy to go around them. There are really very few additional rail lines. So we have to work with what we have then.

Mr. MARKEY. Let me be more specific then. Will tanker cars, full of hydrochloric acid, be allowed to pass as close to the Capitol as they are allowed today to pass in this recently taken picture?

Mr. MCHALE. Yes, sir.

Mr. MARKEY. They will still be allowed to pass that close?

Mr. MCHALE. There is no way to route them differently; no effective way to route them differently.

Mr. MARKEY. Is there no other route to get that hydrochloric acid to its destination other than allowing it to travel right past the Capitol, with no additional security placed around it?

Mr. MCHALE. There is a rail line in West Virginia that is narrower, much more curvy and raises safety concerns. And then the next route is west of the Appalachians.

Mr. MARKEY. Do you support the rights of states or cities to protect their most vulnerable areas by rerouting such shipments? Or do you retain, to yourself, the federal government, the ability to decide what is safe enough for an individual city?

Mr. MCHALE. I think that is part of our federal system. We need to look at what restrictions cities and states can put in place that may or may not shut down interstate commerce. So if we can work with the states—.

Mr. MARKEY. In other words, would you support the city of Washington saying, "That is too dangerous to be allowed that close to the critical infrastructure of the city?" Or would you retain to yourself the right to override the city?

Mr. MCHALE. We are working very closely with the city.

Mr. MARKEY. Would you retain the right to override the city?

Mr. MCHALE. Actually, I do not know that TSA has the authority to override the city. I would argue that the federal government probably does.

Mr. MARKEY. The federal government would have the right to override. All right. What additional security measures is the department planning to require for shipments of hazardous materials?

Mr. MCHALE. We are looking at notice. We are looking at additional security. We are looking at timing. We are looking at flow. It is going to be quite a well developed plan that cities—.

Mr. MARKEY. What is the additional security?

Mr. MCHALE. There will be inspections of the track and the routing before hazardous materials move through. That is why we need the notice. There will be a number of steps that will go into that plan.

The city is actually working very closely with us on it and very effectively.

Mr. MARKEY. How many technologies have been certified by TSA for inspecting cargo going onto passenger planes?

Mr. MCHALE. We use both ETD and EDS technologies, as well as, of course, our canines, to do some inspections.

Mr. MARKEY. Have you certified technologies to screen cargo going onto passenger planes?

Mr. MCHALE. We certified those technologies for baggage. We can use them for cargo. The certification would be the same.

Mr. MARKEY. Now last year, the Bush Administration opposed my amendment, which called for the full screening of cargo which goes onto passenger planes. Has the Bush Administration yet revisited and reversed its position?

Or does it still maintain that, while we screen the bags of passengers which go on planes, every one of the bags, that we are not going to screen all of the cargo which goes on passenger planes? Have you reversed that position yet? Or do you still maintain that it is not necessary to screen the cargo which goes on passenger planes?

Mr. MCHALE. No, we have not reversed that position. The technology that we have out there today is useful to screen some of the cargo. And it is used to screen some of the cargo.

But we do not yet have technology—.

Mr. MARKEY. I understand. In other words, back a year ago, you said you did not support my amendment because the technology did not exist.

Mr. MCHALE. That is correct.

Mr. MARKEY. Now you are saying that the technology does exist and that you have certified that it exists. So will you remove your opposition to my amendment so that we now mandate that the technology be used to screen all the cargo in the same way that we screen all of the bags of passengers?

Mr. MCHALE. With all due respect, Congressman, that was not my testimony. We have technology that we can use to screen some of the cargo. And we do screen some of the cargo. And in fact, we encourage—.

Mr. MARKEY. Let me ask you this: will you mandate that the technology that you have certified be used to screen all of the cargo that can be screened by that technology?

Mr. MCHALE. Right now, they are screening quite a lot of it.

Mr. MARKEY. I want to know if you support using the technology which you have already certified to then screen all of the cargo which can be screened by that technology. Do you support that?

Mr. MCHALE. We do not believe that that is necessary at this time.

Mr. MARKEY. You see, that is the disagreement that we have.

Mr. MCHALE. That is correct.

Mr. MARKEY. You keep arguing that the baggage of innocent passengers should be screened, that their shoes should be taken off, that their wristwatches should go through the screening, and yet cargo should be placed on the very same plane without the same level of screening, even though for most of this cargo, the technology already exists to screen it.

And the Bush Administration continued to represent a position of the cargo industry and the airline industry, in opposition to the passengers on these planes who are placed at unnecessary risk, even though the technology exists to screen the vast bulk of the cargo which is going on next to their bags in the cargo hold of passenger planes all across America. It is unfair to passengers to put them at that risk, knowing that Al-Qa'ida could exploit that weakness in our system because you do not screen cargo that you could screen with existing technology.

Mr. CAMP. The gentleman's time has expired. But I would like the witness to take a moment and answer, please.

Mr. MCHALE. Thank you. Congressman, as you know, we have what we believe is a comprehensive approach to this. It does include the known shipper database. I know that you do not support that particularly.

Mr. MARKEY. Well, I am a known tripper. And I have my ticket. But they still, even though I am a known tripper, make me take off my shoes and make me put my bag through.

A known shipper, who is no more trustworthy than me, is allowed to put their cargo on without going through screening and put it right next to my bags that have been screened. And I do not think it is fair to American passengers to put them through that kind of a dual system.

Mr. MCHALE. Well, we believe our strategy—using the known shipper program, enhancing that program with background checks, doing random screening using technology, using dogs, keeping quite a lot of cargo off passenger planes—together forms a comprehensive approach that balances the need for security against the tremendous contribution to the economy that air cargo makes on passenger planes.

Mr. MARKEY. Thank you, Mr. Chairman.

Mr. CAMP. Thank you.

Mr. MARKEY. I apologize. One-third—.

Mr. CAMP. The gentleman has run over 2.5 minutes from his time, an ample amount of time.

Mr. MARKEY. Can you give me 10 seconds?

Mr. CAMP. Ten seconds, and then the chairman of the committee will be recognized.

Mr. MARKEY. You have earlier testified that only one-third of all known shippers are in your database, which means that two-thirds of the shippers are unknown shippers. And yet, they get to put their cargo onto passenger planes, the same way that known shippers do.

It is a very dangerous program that could come back to haunt our country and the passengers on the plane, where an explosion could occur.

Thank you, Mr. Chairman.

Mr. CAMP. All right. The chair recognizes the chairman of the full committee, the gentleman from California.

Mr. COX. An important part of our current examination of the department, for purposes of drafting an authorization bill, is looking at the organizational structure of DHS. Of course, when the Transportation Security Administration was created by Congress, there was no Department of Homeland Security. That has now been moved wholly into DHS.

And the question that I would ask you to address—I am going to give you just a couple and this is the first of them—is whether TSA, in your view, should operate as a distinct entity within DHS. Or are we on a road to further organizational progress and integration?

The second, to what degree should TSA exercise authority beyond aviation security? At least on paper, the mandate extends to transportation, not just to aviation.

But I note that the 2005 budget request of $5.3 billion includes just two percent for anything besides aviation. Of $5.3 billion, only $146 million is for some other purpose.

Third, what is the goal, in your view, of IAIP? And to what extent should the infrastructure protection mission of homeland security be coordinated with TSA and its responsibilities, particularly in other areas of transportation?

Because we know, for example, IP is working with rail. We know that IP is working with other forms of transportation. And so how should be integrate all of that?

And then, as a somewhat unrelated question, but a question in which I am equally interested, the Bearing Report—and Mr. Chairman, you will have to tell me whether this question has been asked and answered—concluded that, based on quantitative evidence, the Kansas City Airport outperformed its federal counterparts in Category One. And I wanted to get your thoughts on why that might be.

Mr. MCHALE. Okay, Congressman. TSA as a separate entity—let me address that within the context of the discussion of IAIP as well. When Congress enacted the Homeland Security Act and created the Department, it very much encouraged the Department to look for synergies and integration and how to do the job better.

The thinking on that is evolving all the time, and we have a lot of discussions around that.

I am, however, aware of no plans to change TSA's status as a separate entity. How we go about our job may evolve over time.

I am not saying that such plans may not develop. But as far as I know, at this point, there are no plans.

The Homeland Security Act kept TSA as a separate entity until November of this year. The Department could not change it. After that, the Secretary is free to do so.

I think we probably will be waiting until that timeframe to look at that and into the years ahead. There is no deadline for doing anything like that.

I think there is a lot of work still to be done within TSA, both in the aviation and in the non-aviation arena. I think that what we

will be looking at, in considering TSA's continuing existence, is how best to get that work done.

As a separate entity, TSA brings a lot of focus to the issues. But more integrated, maybe we can bring to bear in a more effective way a lot of the other resources of the Department. So those are the kinds of things we will be thinking about as we go forward.

Very similarly, IAIPs' mission and role within the Department and its role with regard to infrastructure protection is still evolving. Within the government, there are many entities that have a role in infrastructure protection, and IAIP clearly oversees that. The Department of Energy, the Department of Agriculture, all have roles in infrastructure protection. IAIP sets the overall structure for that.

Right now, TSA has been given the lead to develop the sector specific plan for transportation, in recognition of its important intermodal responsibilities.

Briefly, on the maritime and land issue, the budget of TSA outside of aviation is small. It is a recognition that TSA only has one part of the mission to protection maritime and land.

We focus particularly on maritime integration in transportation for the intermodal connections. We are trying to make sure that we identify any cracks or gaps.

When you look at the overall budget, including a vast budget for the Coast Guard—perhaps not vast, the Coast Guard would probably say it was not vast, but from my perspective, it is vast—more of the budget calls for the Coast Guard to protect maritime.

A lot of other agencies are involved in providing funding and other things. I think you need to look at the federal government budget as a whole in the maritime and land area, not just at the TSA budget.

And briefly, lastly, at Kansas City, it is true that the study found that the screeners at Kansas City were better at providing security than federal counterparts at the few other airports they were compared to. However, they did not compare them to all Category One airports. They compared them to a sample.

They found that the TSA and federal and private screeners are pretty much the same at other airports. Those of you who have been to Kansas City know it is a very different airport. It has a very unusual layout.

We are very proud of the work that the screeners there did to get that result. But I think we probably need to drill down to a little bit more detail as to why we got that result there.

It could be layout. It might be training. It might be motivation. There are a lot of things we need to look at.

Mr. CAMP. The gentleman's time has expired. The gentleman from Oregon is recognized for five minutes.

Mr. DEFAZIO. I thank the chairman. Thank you for being here today.

I am going to be meeting with a group of flight attendants shortly. And one of their concerns is that there are not uniform guidelines regarding mandatory security training for flight attendants.

As they observed, in some airlines, they are shown a 20-minute video. Other airlines take this much more seriously, realizing the vulnerability and essentially that they are the first line of defense

or first responders. And they have two days of hands-on and intensive training.

Do you have any intention—or does the agency have any intention—of issuing guidelines that would set standards, as opposed to leaving it to the discretion of the airlines?

Mr. MCHALE. Actually, this was one of the first regulatory packages that TSA issued in early 2002 to set some basic standards for that training. You are correct, however, to say that today, while those are minimum standards, the airlines do vary quite a bit as to how they provide that training.

Mr. DEFAZIO. Right. So what I would suggest is: are you looking at a higher floor?

Mr. MCHALE. Right.

Mr. DEFAZIO. If your base standards are met by a 20-minute video, which really I do not think anybody would think was adequate, are you looking at something that would require a higher base? Because what you get is the cheapo, cut-rate people say, "Oh, we will just show them a 20-minute video." And the mainline airlines and the good operators take it seriously and say, "Well, this is going to cost us a lot of money, but we will do it."

But then they say, "I have to compete. How are we going to compete with someone who shows a 20-minute video and those flight attendants do not have all that down time? I guess we had better move from two days of training to 20-minute videos." We are going to drag down the whole industry.

Mr. MCHALE. Right. As you know, in the Vision 100 Act that Congress passed last year—.

Mr. DEFAZIO. May.

Mr. MCHALE. No, where we are. We are going to develop training for the flight attendants. We are going to have that hopefully piloted later this fiscal year and be ready to deliver it next year.

Mr. DEFAZIO. And that would be—.

Mr. MCHALE. In that process, we are actually looking at what is the base level, and what would that advanced level course do, and how the two would fit together. So we are taking another look at it.

Mr. DEFAZIO. Okay. On the allocation of screeners, I am concerned that not only are we going to see a lot of inconvenience because of the number or lack of screeners this summer, but as with the article that Mr. Pascrell referred to, there are screeners who say, because of the load that they are put through, that they are basically doing things that they do not think are safe.

I mean, they are moving bags through too quickly. They are ignoring some things. They are not giving everything the scrutiny they should.

Where are we in moving toward this cap, which was arbitrarily created out of thin air and imposed by Congress and agreed to by the administration, of 45,000? And where are we in reallocating to the airports, from that 45,000? And do you honestly believe that, at the level of 45,000, we can not only prevent long lines, but we can provide the best possible security?

Mr. MCHALE. We have actually been right around about 45,000 since late last calendar year. So we were there through the Christ-

mas holiday, pretty much, at airports around the country. We managed to get through that period.

We recognize that that was a short period, so we were able to focus a lot of effort there. We have developed a plan to deal with the summer. The increases we are seeing—and I am proud of this—we are seeing quite a resurgence in air travel. I think people are getting back into the air, and that is a great thing. That is also something that is obviously of concern to us as we go forward.

We think we can handle the loads generally that we are seeing today with the 45,000 level. As strain builds up on that, we would come back to the Congress and point out where we have issues and problems.

We are redistributing the workforce. We have not yet gone back out to all the airports with their reallocations at the 45,000 level. We need to do that. Congresswoman Granger raised that with me, and we certainly need to do that shortly.

We are redistributing the workforce to address precisely the kinds of security issues that you raise to make sure that we can deliver security. Security is the number one mission.

Mr. DEFAZIO. I understand. On the bag match, I have asked this question before, but in the modern day world where we have suicide bombers, it seems to me that bag match is not a substitute for and should not be used as one of the criteria for saying we have screened baggage for explosives.

In fact, if I were a suicidal terrorist, I would be thrilled to know that my bag was on board the plane and not some other plane or sitting in the airport and exploding harmlessly or only killing a few people. So why do we think there is any utility in this anymore?

I guess maybe there might be a few non-suicidal terrorists out there. But it really just does not seem to me to be a substitute for some harder form of screening of baggage anymore. It just really does not make a lot of sense.

Mr. MCHALE. We are moving away from using bag match. We have been moving away for some time. We do not use it very much. We are trying to phase it down.

Although I think it always should be a tool in the quiver. Even if it is not a substitute, it is probably something we are always going to be requiring at som some level.

Of course, it is currently an alternate measure recognized by law. But it is one that we are moving away from.

Mr. DEFAZIO. I just question the wisdom of that. And I would assume that you, as the security experts, would be—and it sounds like you are moving away from it, which I am happy to hear.

Mr. MCHALE. Right.

Mr. DEFAZIO. Then the last question would be on the air side. I understand I am going to get a briefing tomorrow on vendor employees and their access to the secure areas in the terminal. And I will be pleased to have that finally and understand where we are moving, because I think that is an extraordinary loophole, with those tens of thousands of people per day going into secure areas with no screening whatsoever.

But beyond that, what about the air side? Are we moving beyond the cursory background checks?

The last testimony we had a couple of months ago, we were not even requiring enhanced background checks of people who have access on the air side—caterers, cleaners, mechanics, others on that side.

Mr. MCHALE. Well, we are moving forward with our plan for enhanced background checks and we will be doing that. We have done some, and we will continue. We will get them all through.

Mr. DEFAZIO. When do you think we will have them all done?

Mr. MCHALE. Congressman, actually I do not know that figure off the top of my head. But I will be happy to get it for you. I do not think it is all that long, but I will be happy to get it back to you.

We are not at this time planning to significantly increase the amount of physical screening done for people entering the site. We will be obviously screening them as they pass into the sterile area, through the checkpoints. That will be the briefing you will have tomorrow; you will have some information about that.

Again, this is really something of a philosophical issue. The people who work on the site have access to such tools, weapons, chemicals, things that can be used as weapons, and other things, that screening them is almost pointless.

Mr. DEFAZIO. With all due respect, my time is going to expire, I have heard that argument before. I do not think that a primitive weapon fashioned from fuel or other things that are available, I would hope that we do not have blocks of C–4 or sheets of C–4 laying around the airport—I do not know what purpose it would serve—or sophisticated detonators laying around the airport that are based on altimeters.

I have heard the argument before that, boy, there are a lot of dangerous things there. But those go more to the idea of someone trying to take over a plane fashioning some sort of weapon or that, but not to the catastrophic loss of a plane with an explosive device. And that is really where I am focused here.

We all have different opinions. But I think that when we look at a repeat of opinions, the most likely thing is they are just going to take them down.

They do not need to take them over and use them as weapons. They can just totally disrupt air travel by just taking them down. They tried that before over the Pacific, Ramzi Jusef.

They repeat patterns. They came back to the World Trade Center. I think they will come back.

Is it suicidal belts that people wear on the planes? Is it checked bags? Is it cargo, as Mr. Markey talked about? We do not know. But we need to be defending against all those things.

And I am not really that worried about people fashioning bombs using fuel at the airport. I just do not agree with that argument, that they have access to the same things that the terrorists have access to.

Mr. CAMP. Thank you.

The gentlewoman from Washington State may inquire.

Ms. DUNN. Thank you very much, Mr. Chairman.

Mr. McHale, we are delighted that you can be here today. We just had some recent activity, as you well know, at Seatac Airport.

And I simply want to thank you for keeping such close watch over the management problems there in that airport.

And I know that today you cannot talk about the details of that whole situation. But we were informed well ahead of time by Admiral Stone. We appreciated that kind of communication because that positioned us well to discuss the topic when it did come up, which it always does. And we always get the press calls.

But I think also what you have done in replacing the top four managers will do a lot toward heightening the morale among the workers who are there. So I wanted to let you know that.

Mr. MCHALE. Thank you.

Ms. DUNN. This committee has focused a significant amount of time and energy to make sure that department-wide we are breaking down the legacy agency mentality and moving toward a forward-thinking department with a new mission. We are committed to supporting the department as it fills the communication gaps that led to the tragedy on 9/11.

When it comes to communicating with the private sector about specific threats on transportation security, what responsibility does TSA have compared to the IAIP wing of the Department of Homeland Security or compared to any other federal agencies?

Mr. MCHALE. TSA works very closely with our stakeholders. In the aviation area, we have principal security inspectors assigned to every carrier.

At almost every major carrier, they have a corporate security officer who has a security clearance, with whom our transportation security intelligence service can share classified information. We talk back and forth with them all the time.

In the other modes, we work very closely with the information sharing and analysis centers, some of the trade associations in the railroads, the railroad industry, the companies themselves and others, to get out threat information that is tailored to their threats.

IAIP tends to look at the national level. And it gives national level threat guidance.

I think one of the innovations they have developed is getting out some very practical kinds of things that industry or people should do to respond to the threat. We take that kind of guidance and try to tailor it to the specific industry or the specific transportation mode that we are dealing with, to give some practical guidance.

Sometimes, it is pretty hard to give practical guidance to deal with a threat, but that is what we look to do.

Ms. DUNN. What about, who would Sound Transit call on the phone if they heard of a vulnerability or a threat? Whom would they specifically—this is our local authority there in the Puget Sound area that deals with transit?

Mr. MCHALE. Last year we started up the Transportation Security Operations Center, TSOC, out in Herndon. That is a one-stop shop basically, to get any information out, and we take it upon ourselves to get it around to the rest of the government.

Sometimes though, the transit authorities in particular are very used to dealing with the Federal Transit Administration. The DOT has its own crisis response center that we are actually hooked into as well.

We recognize that news—bad news—can come in to a lot of different places. What we are trying to do today, throughout the government, is make sure that whoever gets information spreads it around very quickly and gets it to everybody.

Ms. DUNN. I understand that TSA is currently developing a registered traveler pilot program.

Mr. MCHALE. Right.

Ms. DUNN. And you are going to be testing it out this summer. Can you give us an update on that program? And if somebody is enlisted in that program, do they still have to be evaluated by CAPPS 2?

Mr. MCHALE. No, they will not go through the CAPPS system. They will not be a selectee under the CAPPS system.

It will be piloted later this summer. We expect it to run about 90 days at a few airports around the country, probably with most of the carriers in those airports; maybe not all the carriers, depending on how it works out.

We hope to learn a lot from that plot. The idea of that program is to gather enough information about someone so that we do not need to use the CAPPS system to make a determination on them. Then they would not be a CAPPS selectee.

They would have to go through the basic security, and if they alarmed, then they would be subject to secondary security.

Ms. DUNN. Thank you.

As you know, Seatac is currently undergoing an extensive expansion. They started this expansion before 9/11. The airport is continuing the efforts.

While reaching compliance with TSA regulations, I have heard concern about whether there is inadequate space for the exit kiosks in certain terminals at Seatac and at other airports that we visited as a committee on our forays out into the country.

What sort of coordination is going on between your agency and the U.S. visit program?

Mr. CAMP. Time has expired. Please answer, Mr. McHale.

Mr. MCHALE. Thank you, Mr. Chairman. Quite a lot of work has been done.

In fact, U.S. VISIT has been riding on several of our contracts. We provide contracts that support the U.S. VISIT. And we have been looking at the exit side of it.

We do not do too much on the entrance side of it. But on the exit side of it, we have been working very closely with U.S. VISIT.

Some of the plans for the exit side involve TSA directly, and some of them will involve us indirectly.

But we are pretty well integrated. We are on their advisory committee, and we meet with them frequently.

Mr. CAMP. Thank you. The ranking member of the full committee, the gentleman from Texas, is recognized for five minutes.

Mr. TURNER. Thank you, Mr. Chairman. I have three questions.

One: why have we not required the planes that overfly the United States to also harden their cockpit doors, as we have other planes?

Mr. MCHALE. There is an ICAO requirement that kicks in fairly shortly, if it has not already. For all aircraft flying in international space, the International Civil Aviation Organization has a require-

ment to do that. I will be happy to let you know exactly when that is going to be in place.

Mr. TURNER. Okay, thank you. You mentioned to Congressman Markey that quite a lot of cargo that travels on passenger planes is being screened. Does this mean, when you say "quite a lot" that is being screened, does that mean that there is some that you are physically inspecting with the x-ray and following up with the swab for explosives if something is revealed? There is quite a lot of that going on?

Mr. MCHALE. We are using dogs. We are using ETD when it is available. We do trace detection when it is available.

We sometimes run some of the packages through the bigger explosives detection machines. And there is some physical inspection.

Mr. TURNER. Can you clarify what "quite a lot" means? Does that mean five percent or 95 percent?

Mr. MCHALE. There is a percentage that is a random requirement. That percentage is sensitive security information. I would be happy to provide that to you off the record.

Mr. TURNER. What would it take to screen 100 percent?

Mr. MCHALE. It would take new technology. It would take machines with bigger throats to be able to take odd shaped packages, long packages, large packages, large containers, to move it through.

The technology that we have today would be very, very slow, and ineffective and inefficient in doing that. In fact, for some kinds of packages, the technology just does not exist. You would have to literally unpack and pack the cargo to do it.

Mr. TURNER. And how long will it be before that technology is available?

Mr. MCHALE. We are making progress. The department's Science and Technology Directorate has some ongoing basic research on that. We have some ideas about how to do that.

I do not know when we will get to 100 percent. We will get to technology that increases the percentage we can do as we go forward. It will depend on some developments.

Mr. TURNER. So would you say to this committee that you are screening every piece of cargo that travels on passenger planes that technologically can be screened today?

Mr. MCHALE. No, I would not say that. We use the known shipper program. We do not screen every single piece of cargo that could be screened today by technology.

Mr. TURNER. So you really rely a lot on this known shipper program?

Mr. MCHALE. Yes, we do. That is why we are working so hard to improve it.

Mr. TURNER. And that is the program that does not verified that known shippers are actually doing anything to carry out the regulations that are supposed to be carried out if you are designated as a known shipper?

Mr. MCHALE. Well, we do audit them. We do not audit a very large number of them. That is why we are hiring a bunch more cargo inspectors this year, to get out there and do better audits.

Mr. TURNER. Do cargo inspectors have to come under this 45,000 cap?

Mr. MCHALE. No.

Mr. TURNER. Okay. One final question, if my time has not expired. I notice there are no funds requested in your budget request for grants to rail or other transit authorities for security. And we all know, particularly in light of the Madrid bombing, that rail is a significant vulnerability.

Why is it that the department did not request in your budget any funds for these types of grants?

Mr. MCHALE. Almost all of the grant programs are being consolidated within the Office of Domestic Programs for next fiscal year, which is part of the Department. They are being moved out of TSA. Some of the maritime grants will be moved out of Coast Guard.

There are grants in programs like the Urban Area Security Initiative and other programs that are available to be used to states and locals. They will be available to use for transit security and other kinds of developments.

Mr. TURNER. You know the estimates range as high as $2.5 billion in terms of the needs of rail and transit for security measures?

Mr. MCHALE. Yes.

Mr. TURNER. And even though you are consolidating and this committee—in fact, has recommended some consolidation—it seems that in this year's budget, you should have made some request to acknowledge the need that is there. And to be totally silent while we are asking for funds for a whole lot of other things and to not mention rail seems to have been a serious oversight.

Mr. MCHALE. I think if you look at the budget as a whole, there will be funding. The rail industry particularly on the freight rail groups, has really done a tremendous amount, even starting right at 9/11. They are very advanced in their thinking on this.

Amtrak has received funding over the past few years and continues to get funding separately. If you look at all the different pieces, there is funding out there. But there is no funding in the TSA budget.

Mr. TURNER. Thank you.

Mr. CAMP. Thank you.

The gentlewoman from the Virgin Islands, Ms. Christensen, may inquire for five minutes.

Mrs. CHRISTENSEN. Thank you, Mr. Chairman. And thank you for allowing me to sit in on the subcommittee.

Welcome. You have a great group of workers in the Virgin Islands.

Mr. MCHALE. Thank you.

Mrs. CHRISTENSEN. I cannot speak for every other airport. But I know ours are really—.

Mr. MCHALE. I have not gone down there to see them yet. I should.

Mrs. CHRISTENSEN. Very good. But sometimes, they are really stressed when we have a large number of passengers coming through, especially on the island of St. Croix, where we have no machine.

Now I understand we are supposed to have 100 percent of luggage screened electronically hopefully by the end of the year. We may be a little delayed on that.

So even though my airport in St. Croix is a small airport, can I anticipate that I am going to have one of those machines that would screen electronically in my airport?

Mr. MCHALE. I will have to look at the specific situation in St. Croix. There are two types of machines that we use. One is a trace detection machine. The other are the much larger EDS machines. And it sounds like you are referring to one of the EDS machines.

Mrs. CHRISTENSEN. EDS machine.

Mr. MCHALE. I will have to look at St. Croix.

Mrs. CHRISTENSEN. It is really hard on them when you have long lines. People actually miss flights. And they have to go through the luggage by hand. And there are long lines of people waiting.

And they really do a good job. And they do a thorough job. But it is very, very difficult.

So I am hoping that—.

Mr. MCHALE. We are making some progress. As we are getting more and more of the larger, inline systems at the larger airports, we are able actually to roll down some of the machines that are then made redundant at those airports and move them into smaller airports.

Unfortunately, I do not know the situation in St. Croix. But I will be happy to take a look at it.

Mrs. CHRISTENSEN. Right, right. Because you know, the chances of missing something becomes much greater. And I do not want that to happen at my airport.

When you are doing the studies between the private contractors and the TSA federal employees, are you comparing alternate methods, as well as the electronic? Is it structured so that you are comparing the checking by alternate method by alternate method?

Mr. MCHALE. Between the private contractors and the federal contractors?

Mrs. CHRISTENSEN. Yeah.

Mr. MCHALE. We are comparing the overall security. We are comparing all their operations as screeners, whether it is the baggage or the passenger checkpoints. We are looking at each of the operations that they do as we compare them.

And as we said, we have basically found them to be comparable. We train them to the same standards, and we supervise them very closely.

Mrs. CHRISTENSEN. Right. We went through an awful lot of discussion. And after September 11, we felt that it was really important to make the screening a federal responsibility.

Can you help me to understand the thinking—and I realize we left it open, that we could come back and look at private screeners. A lot of people in my district and I am sure across the country were displaced and could not be rehired by TSA.

Now we are going to go back. Could you give me some of the thinking that went on to now? I mean, the system is working just as well.

Mr. MCHALE. The pilot program that we just completed is one that was mandated by Congress to do. We had to do the five airports in five different categories, but the screeners were required to meet exactly the same standards.

They too had to be U.S. citizens, English speakers, able to pass the observation and discernment test, communications skills, and all those sorts of things. They also had to meet the same training standards. They had to get the same pay and benefits or equivalent pay and benefits, I think is the language in the statute.

So there were a variety of things that really, within the statute, said that we were going after essentially the same population of people, whether they were federal or private. In fact, the private screeners, screening companies, ended up hiring about the same relatively small percentage of pre-9/11 screeners as we did in the federal workforce because they had the same requirements for the same standards.

Mrs. CHRISTENSEN. Do I understand that under the LOIs that the match is changing from 90 to 75? If so, is that to try to reach more airports?

And do you think that there are airports that, if you change the match—somewhere I read that—and if that match is being changed, do you think the airports are going to be able to meet the requirements under this new match that we require them to contribute more?

Mr. MCHALE. The program, when it started, was at a 75 percent match. And then in the Vision 100 Act, passed last year by the Congress, there was language which authorized the creation of a fund. And part of that language changed the match to 90 percent.

To the extent we have issued LOIs so far, they have been issued at the 75 percent level. We are concerned that it will strain the the available funding at the 90 percent level.

The administration has proposed in its budget to roll that back to 75 percent.

As to whether airports will be able to make it, to meet it, I think the answer is: some will. Some have already. There will be difficulties at other airports.

At smaller airports and small to medium-sized airports typically we are not looking at LOIs. We fund those a little differently through programs that we can give direct funding to.

Mr. CAMP. All right.

Thank you. The gentlewoman's time has expired.

I want to thank you for your testimony here today, Mr. McHale. I also want to acknowledge and welcome to the committee room your new director of legislative affairs, who many of us know very well. And glad he could be here as well.

Thank you for your testimony. This hearing is now adjourned.

[Whereupon, at 12:00 p.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS AND RESPONSES FOR THE RECORD

QUESTIONS SUBMITTED BY THE HONORABLE DAVE CAMP

1. Recently, several reports from the DHS/OIG, GAO, and BearingPoint (under contract to TSA) identified a number of compelling challenges facing TSA's screener program, including ongoing performance problems. What are the root causes of screener performance deficiencies noted by these groups? How much is attributable to technology, how much is attributable to training, and bow [sic] much is attributable to other human factors causes (e.g. supervision, fatigue)? What does TSA plan to do in response to these reports' findings? Please explain TSA's response plan, with implementation timelines.

Answer: The GAO and OIG reports both indicate that TSA has made significant progress in providing enhanced training tools to the screener workforce in order to improve threat object detection performance. In July 2003, TSA completed a comprehensive Passenger Screening Performance Improvement Study using the tools, strategies and techniques associated with performance analysis. The study team validated desired screener performance, examined screening practices, and determined factors that influence the gap between these two states. Using this systemic process, TSA evaluated the nature of the screening work tasks, the screening workplace environment in which the tasks are performed, and the screeners'—performance. The outcome of this performance analysis included a list of systemic root causes and a set of recommended solutions linked to those causes. Although the solutions encompass the areas of technology, training, and human factors, TSA did not quantify the percentage of overall performance gap attributable to these areas but instead determined which among all the categories needed priority attention.

In October 2003, to address passenger screening performance deficiencies identified in the Screening Performance Improvement Study, TSA developed a "Short-Term Screening Performance Improvement Plan." This plan included eight broad initiatives and 62 specific actions that TSA planned to pursue to provide tangible improvements in screening performance and security. On June 7, 2004, TSA reported to the Chairman, Subcommittee on Homeland Security, Committee on Appropriations, U.S. House of Representatives, the completion of 57 of these actions. One action, is still in progress and is expected to be completed in the first quarter of fiscal year 2005. The remaining two actions have been deferred pending identification of appropriate resources.

2. Given the upcoming deadline to provide an "opt out" process for airports to use private screeners, what action has TSA taken to develop an application and review process? Where is this process represented in the FY05 budget?

Answer: ATSA provides that airport operators may submit applications on or after November 19, 2004 to TSA to have the screening of passengers and property be carried out by qualified private screening companies. On June 23, 2004, TSA released its guidance setting forth the general parameters of the Screening Partnership Program (SPP) under which TSA will receive and review applications from airports to opt out of Federal screening and select contractors to provide contract screening services in opt out airports. While the guidance does not address every question relating to the Screening Partnership Program, TSA is continuing to define the program. For example, TSA is crafting an application template for distribution at the appropriate time.

In terms of funding for the SPP, TSA's approach is to fund Opt Out screening operations from the same budget line item as screening operations performed by TSA screeners. In this manner, Federal screeners and private screeners will be funded from the same pool of money. Costs for contracts with companies providing screen-

ing services in SPP airports will be funded by the cost of the Federal operations that are being displaced. Funding SPP in this manner is necessary because providing a specific program budget for SPP airports, which necessarily depends on the number and size of airports that will be approved to opt out, is not possible at this time.

3. What cooperation did you receive from the aviation and travel industry in developing the Registered Traveler Program? How is or can this program be coordinated with expedited pre-clearance programs run by CBP, such as Air Nexus?

Answer: Cooperation with the aviation and travel industry in the development of the Registered Traveler program has been extensive. During the concept development phase, TSA adopted an aggressive outreach program with both industries to ensure key stakeholder input was available. TSA met with representatives of major airlines and travel associations to exchange ideas on the operational aspects of the program and to identify the potential benefits. Key partnerships were established with the 5 airports participating in the pilots (Minneapolis-Saint Paul, Los Angeles, Houston Bush, Boston Logan and Reagan National), as well as the participating airlines (Northwest, United, Continental, and American) to ensure effective coordination and service to passengers volunteering to participate in the Registered Traveler pilots. TSA also met with the National Business Travel Association and the Association of Corporate Travel Executives. We anticipate that additional meetings and briefings will continue with stakeholders and associations within the aviation and travel industries while the pilots are operating.

TSA continues to communicate and coordinate with other expedited pre-clearance programs, such as Air Nexus. TSA has met with the Air Nexus staff to share ideas and lessons learned and to examine potential synergies. TSA arranged for Air Nexus staff to visit and observe the pilot currently being conducted at Minneapolis-Saint Paul. We anticipate this communication and cooperation will continue into the future.

4. Department of Homeland Security (DHS) Undersecretary for Border and Transportation Security Asa Hutchinson said (in a Senate Committee on Commerce, Science, and Transportation hearing on March 23, 2004), in response to a question about signing Memoranda of Understanding with DOT outlining responsibilities for transportation security, that such agreements were unnecessary in light of Presidential Decision Directive #7 (signed on December 17, 2003) on critical infrastructure protection. However, this directive does not delineate responsibilities between the TSA and DOT; it says that DOT and DHS 'gill collaborate on all matters relating to transportation security and transportation infrastructure protection"

The GAO argues that without a clear division of responsibilities between TSA and the DOT modal administrations, there can be "duplication, confusion, and gaps in preparedness." Moreover, an agreement delineating responsibilities would make each organization accountable for its responsibilities, and would make the separate roles and responsibilities of each organization clear to transportation security stakeholders.

Why has TSA chosen not to sign Memoranda of Understanding with the Federal Transportation Administration (FTA), which is within DOT, as it did with the FAA to delineate areas of responsibility and accountability? How would clarifying the relationship be helpful for coordinating transportation security?

Answer: Homeland Security Presidential Directive (HSPD)—7, sets forth the establishment of "a national policy for Federal departments and agencies to identify and prioritize United States critical infrastructure and key resources and to protect them from terrorist attack." The directive instructs DHS and DOT to collaborate on transportation security and transportation infrastructure protection, and it directs DHS to take the lead role in coordinating protection activities for transportation systems, including mass transit, aviation, maritime, ground/surface, rail, and pipeline systems.

Additionally, DHS and DOT have finalized a Memorandum of Understanding (MOU). Through the procedures agreed upon in the MOU, DHS and DOT will work together to achieve effective public transportation strategies and initiatives and develop appropriate funding plans.

DHS has assigned TSA primary Sector Specific Responsibility for the Transportation Sector in implementing HSPD–7. In accordance with DHS's implementation plan and in partnership with other federal stakeholders, TSA is coordinating the development of the Transportation Sector Specific Plan (TSSP) and is working under DHS guidance and with partners in the U.S. Coast Guard and the DOT. The TSSP will discuss how Federal and private-sector stakeholders will communicate and

work together; how critical assets in the transportation sector will be identified, assessed, and prioritized; how protective programs will be developed; how progress in reducing risk will be measured; and how R&D will be prioritized in the sector. In the Transportation Sector, the SSP will help ensure that efforts are systematic, complete, and consistent with the efforts in the other 16 critical infrastructure and key resources sectors. DHS will build on the foundation of the SSP to develop the Transportation Security Operational Plan (TSOP) that will provide overall operational planning guidance on rail and other modal security. The TSOP will ensure that modal security plans are integrated into an effective concept of operations for management of security of that sector of transportation.

DHS and DOT's Modal Administrations are currently meeting to discuss roles and responsibilities and are cooperating on many issues of mutual interest, especially on the development of the Transportation SSP and modal security plans under the guidance of HSPD–7. We believe this "family of plans" will provide clarity to all parties on roles and responsibilities in transportation security.

QUESTIONS BY THE HONORABLE CHRISTOPHER COX

1. At a March 2004 appropriations subcommittee hearing, you testified that TSA was employing a "system of systems" approach to enhance aviation security, including improving screener performance, deploying technology, and strengthening oversight and accountability. Please explain the specific steps being taken in implementing this systems approach, including timelines for completion and provisions for review/evaluation and improvement. This is especially important because TSA appears to have a large portfolio of issues to address and is taking a number of actions without an apparent proactive overall plan.

Answer: TSA's security strategy uses a "system of systems?" approach whereby each security ring contributes to TSA's overall security system but the overall system does not rely exclusively on any one component. These systems includes screening of passengers and their checked and carry-on baggage, the display of valid, government-issued photo identification, Federal Air Marshals, Federal Flight Deck Officers, hardened cockpit doors, and other enhanced security practices. Each security measure is designed to complement the efficiency and effectiveness of the others. The result is a system of enhanced security systems designed to provide a layered security that addresses a continuum of security threats with minimal impact on airline customers and operations, and on the free flow of commerce through the nation's commercial aviation infrastructure.

TSA has established four strategic goals aligned with DHS goals: domain awareness; prevention/protection; response/restoration; and organizational effectiveness. TSA continuously gathers as much knowledge as possible about the threats, vulnerabilities, capabilities, status, trends, unusual circumstances, and other conditions of the transportation system and its environment. We use this knowledge to direct resources and protective action most effectively.

We continue to meet the challenge of preventing terrorist attacks through a multi-layered detection, deterrence and response system. We work collaboratively with intelligence and law enforcement agencies to monitor, disrupt and pre-empt emerging terrorist threats, and through our layered security systems, prevent terrorist attacks and incidents. We have developed plans to coordinate a rapid and effective response to any attack on, or disruption to, the air transportation system. We also provide expertise to assist in the development of plans for incident management, contingencies, and organizational continuity, such as the National Response Plan (NRP) and the National Incident Management System (NIMS).

To ensure and improve our organizational effectiveness across the board, we have established performance planning and reporting mechanisms, and we continue to use these systems to collect data to monitor our progress toward achieving our goals. Our Performance Measurement Information System (PMIS) was developed to capture basic performance measures at U.S. airports on a daily basis and is continually being upgraded to support new capabilities. We capture and analyze data on our security operations and adjust operations to achieve desired performance goals. Random and routine inspections, plus program evaluations, are also conducted to supplement the information captured in PMIS.

To measure effectiveness, TSA's Office of Internal Affairs and Program Review (OIAPR) has been conducting covert testing continuously since September 2002 to identify vulnerabilities in airport security systems. OIAPR has conducted thousands of checkpoint, checked baggage, access control and other tests of airport security systems. OIAPR conducts post test reviews with the screeners, screener supervisors, and Federal Security Directors (FSD) to re-enact the test and to identify opportuni-

ties for improvement. The information OIAPR provides to TSA management is used to focus attention on critical areas needing performance enhancements.

FSDs and their staff routinely monitor passenger and baggage screening activities to ensure that the screener workforce is complying with TSA standard operating procedures and policy directives at U.S. airports. Regulated parties are also monitored and inspected for compliance with pertinent security regulations and measures. Similar monitoring takes place overseas to ensure that airlines and host government authorities also maintain a high level of effectiveness in their screening operations and application of security controls for flights to the United States.

Terrorism is thwarted by efforts to raise or adjust the security threshold and create uncertainties in terrorists' planning efforts. Accordingly, TSA takes a risk-based approach to provide effective aviation security. This is accomplished by analyzing the threats along various pathways of attack and vulnerabilities to those methods of attack, as revealed by comprehensive and continuous threat and vulnerability analyses of security systems.

By necessity, upon its creation, TSA focused its security efforts almost exclusively on the commercial aviation sector. Since then, it has been criticized for not paying sufficient attention to other modes of transport, such as rail, maritime, and surface, especially in light of recent attacks on such modes (e.g., Madrid). What steps is TSA taking to protect other modes of transport, especially in terms of the aforementioned "systems" approach?

Answer: In partnership with other DHS component agencies and the Department of Transportation (DOT) modal administrations, TSA is identifying security vulnerabilities in the non-aviation modes of transportation. This security information will be used in developing and implementing, as appropriate, national performance-based security standards to improve the security of passengers, cargo, conveyances, transportation facilities and infrastructure. TSA is also working closely with federal, state, local, and industry partners to ensure compliance with established regulations and policies.

Specific projects TSA is undertaking or that are under discussion include:

- Partnering with Information Analysis & Infrastructure Protection directorate (IAIP) and industry stakeholders to leverage Information Sharing Analysis Centers effectively;
- Assessing hazardous materials (HAZMAT) transport security threats and identifying best practices and mitigation strategies to secure HAZMAT transport through High Threat Urban Areas (HTUA). Specifically, DHS and DOT joined in a collaborative effort to address security issues surrounding the movement of bulk HAZMAT by rail through the National Capital Region (NCR). TSA, designated as the lead Federal agency in these efforts by DHS, developed a pilot project centered in Washington, D.C.—known as the D.C. Rail Corridor Project. TSA performed a fact-based, risk-analysis approach to understand vulnerabilities, hazards, and the "as is conditions", and—based on the facts and analysis—IAIP developed mitigation strategies to identify threats associated with the movement of bulk HAZMAT that occur within the physical boundaries of the beltway—about 42 miles of railroad track and related assets. Some of those enhancements were implemented immediately, and others will be implemented overtime. The willingness of the diverse parties involved to come together for the D.C. Rail Corridor Project has been extraordinary. In a multi-disciplinary, multi-agency approach, our partners in this effort reflect the complex relationships, roles, and responsibilities that exist within the NCR.
- Working with the Science and Technology directorate to develop chemical, biological, and radiological countermeasures for identifying, isolating, and defeating attacks in mass transit settings;
- Assessing the operational feasibility and appropriateness of applying tailored screening standards to passengers in non-aviation environments;
- Working under the guidance of the Border and Transportation Security Directorate, and with U.S. Customs and Border Protection (CBP) and the USCG to develop the appropriate framework for securing the intermodal transport of containerized cargo in the domestic United States.
- Working with DOT, USCG and public/private transportation owners and operators on transportation security planning efforts that are an important part of DHS's overall Critical Infrastructure Protection program.

DHS announced the following initiatives for rail and mass transit:

- Continued engagement with industry and State and local authorities to establish base-line security measures based on current industry best practices;
- Transit and Rail Inspection Pilot (TRIP) to test the feasibility of screening luggage and carry-on bags for explosives at rail stations and aboard trains;

• The integration of existing public and employee awareness programs and the creation of new programs where necessary;
• Homeland Security Presidential Directive 7 (HSPD–7) directed DHS to develop a comprehensive National Infrastructure Protection Plan (NIPP) covering 17 sectors of the U.S. economy's Critical Infrastructure and Key Resources, a process that is being managed by DHS IAIP. For each sector, there is a federal agency taking the lead in developing a Sector Specific Plan (SSP) that will feed into the comprehensive National Plan. In the Transportation Sector, TSA has worked closely with IAIP to develop the Transportation Sector Specific Plan (TSSP). The TSSP is a process-oriented document and provides a high-level map for security in the Sector. TSA is now developing the Transportation Security Operational Plan (T–SOP). The TSOP is an operational-level extension of the TSSP, which will provide much greater detail on Transportation Sector initiatives and accompanying roles and responsibilities. The TSOP will consist of two parts: a baseline plan that details all common elements among the modes followed by mode-specific annexes, one of which will include the rail sector.
• Investment in the research and development of technological innovations for biological, chemical and high explosives countermeasures.

2. Passenger and baggage screening is generally said, even by TSA, to be impractical for passenger rail systems, due to the openness of the system and the nature of their operations. Yet, TSA has undertaken test screening procedures in two rail stations, through a Transit and Rail Inspection Pilot program. Even if screening procedures that are devised for the pilot yield positive results, is it likely that such procedures would be transferable to stations where the rail systems vary significantly in design and passenger volume is much greater?

Answer: TSA's goal in the Transit and Rail Inspection Pilot (TRIP) pilot has been to introduce emerging technologies to the rail environment, to evaluate their effectiveness at detecting explosive material, and to assess the impact that deployment of such technologies have on passenger travel. Unlike aviation facilities, rail stations are not self-contained and passengers have a great deal of freedom to board and disembark the train throughout its route. Because screening passengers in the open rail environment is very different from the controlled-environment of the aviation sector, the pilot focuses on testing the best means to adapt screening techniques for this environment. TSA and its partners recognize the distinct challenges presented by the rail environment and are conducting this pilot to identify the best methods to address them.

On May 30, TSA completed Phase I of this pilot program in New Carrollton, Maryland. The purpose of this phase was to test equipment in the open environment of a rail station and see if it is feasible as a response option for mitigating a high threat situation.

Between June 7 and July 5, Amtrak passengers boarding long-distance trains at Washington, D.C.'s Union Station had their checked luggage screened for explosives, as part of Phase II of the TRIP program. The goal of Phase II was to evaluate emerging technologies in a rail environment to screen for explosives in checked and unclaimed baggage, as well as temporarily stored personal items and cargo.

The Phase III pilot was designed to determine the operational suitability of installing screening technology in passenger rail cars to screen passengers and/or their carry-on baggage. Phase III began on July 19, 2004 and ran until August 20, 2004 and examined potential issues surrounding the development of a screening model for Amtrak and/or a commuter rail systems. Phase III was conducted in conjunction with Connecticut's Shoreline East commuter rail system. Screening was conducted in a specialized railcar equipped with on-board screening technology as the train was in motion. TSA tested technologies to screen passengers and their baggage for explosives while the train car is in motion.

All three phases of the pilot have been completed. Results are being assessed and will be presented to the Department when ready.

3. In recent testimony, TSA officials have indicated that the agency is "right-sizing" screening operations to a mix of no more than 45,000 full-time and part-time FTEs. How was this number developed, especially in light of the findings in the recent reports on screener performance that concluded that such performance was impacted in part because of staff shortages at certain airports? Does the right-sizing drill-down to the airport level, where the level of screening personnel is a function of, among other things, the airport's risk, its workload, and infrastructure configuration?

Answer: TSA is developing a detailed bottom-up staffing model that takes into account several factors to determine an adequate level of screening personnel necessary to meet our mission. This model uses airport flight information, airport hours of operation, baggage screening areas, checkpoint lanes, types of screener equipment, screener Standard Operating Procedures, passenger load factors and arrival curves, projected administrative time, and other operating criteria.

TSA reviews the workforce requirements for each airport on a periodic basis. The model, once operational, will be an important asset in TSA's efforts to ensure that our screeners are deployed effectively to maximize the safety and security of the traveling public. This analysis will also allow us to engage in further discussions with the relevant Committees of Congress.

TSA is also creating additional capacity through achieving greater efficiencies in the scheduling of screeners. Federal Security Directors at each airport now have access to scheduling tools that provide real-time information enabling them to forecast periods of peak demand for screening. TSA uses mores split shifts and has restructured the workforce to reach a higher ratio of part-time screeners to maximize operational flexibility. As a result of this restructuring, TSA can more efficiently schedule screeners to match capacity with the level of demand.

4. How does TSA propose to gather and analyze relevant data to calculate its performance indicators? For example, what processes and controls will be put in place that will allow TSA to gather the data, ensure its relevance and quality, and "crunched?" How will these indicators collectively present TSA with a picture of its performance and trends in this performance?

Answer: TSA has been collecting and analyzing performance data for over two years from a variety of sources. The backbone of the TSA performance measurement and indicators structure is the Performance Measurement Information System (PMIS), which collects data from all federalized commercial airports as well as from the five airports that are under private screening contracts. Source data include screener employee census data, payroll, passenger throughput, passenger wait times by screening checkpoint, items confiscated, and machine performance, among other data. Additionally, PMIS contains sizing information on airports, checkpoints, lanes, and machines that produce a number of standard and ad hoc reports. In August 2004, TSA deployed the Performance Information Management System (PIMS), a business intelligence tool that allows greater ad hoc reporting using multiple TSA data collection systems, including PMIS and the Performance and Results Information System (PARIS), used to collect data on incidents, inspections and investigations at the Nation's ports.

The Threat Image Projection (TIP) systems embedded in x-ray machines at use in airports superimposes randomly selected threat images on x-ray screens during actual operations and records whether or not screeners identify the threat object. TSA combines the live covert testing results with the results from TIP automated testing for a more complete picture of TSA's effectiveness in aviation security screening operations. The results of these assessment processes are analyzed for trends and emerging vulnerabilities in order focus training plans on areas needing strengthening.

TSA also uses surveys, listening sessions, and other mechanisms to receive quantitative and qualitative information from passengers and other customers, industry stakeholders, and employees. This outreach ensures that the performance measurements encompass all aspects of our business, including efficiency and customer satisfaction.

5. At what percentage of airports are airport workers permitted to bypass screening checkpoints, relying upon identification cards for security checks? Are strategies being evaluated to increase the screening of airport workers?

Answer: The Airport Security Plan (ASP) at each airport governs procedures for airport employees that require access to sterile and SIDA areas, including whether they are authorized to access the sterile and SIDA areas respectively upon presenting their SIDA or sterile area badges. Federal Security Directors must approve the ASPs for the airports that they oversee.

TSA is actively strengthening safeguards regarding access to Security Identification Display Area (SIDA) and sterile areas of our Nation's airports. The sheer quantity of airport workers with SIDA credentials and the fact that they would have access to a wide variety of tools and equipment within the SIDA area preclude any simplistic solutions. TSA's security strategy uses a "system of systems" approach whereby each security ring contributes to TSA's overall security system but the overall system does not rely exclusively on any one component. In other words, the different security components complement and reinforce each other.

TSA recently completed a review of the access for airport and airline workers to SIDA and sterile areas of airports and has significantly strengthened security policies. Details of the policies contain sensitive security information and can be shared in the appropriate manner.

An extensive background investigation is necessary for one to be issued either a SIDA or Sterile Area badge. The background investigation consists of 3 parts: (1) an FBI fingerprint based criminal history records check (CHRC) with specific outstanding arrests or convictions resulting in disqualification, (2) a name-based check against the TSA No Fly and Selectee lists which provide links to potential terrorists, and (3) a name-based security threat assessment on all SIDA and Sterile area workers. The latter component is a new requirement recently enacted by TSA.

TSA will continue to review security processes relating to access to sensitive areas of airports and identify further enhancements where appropriate. While no single measure will provide a 100% security guarantee, TSA's current procedures represent a significant set of mutually reinforcing safeguards when taken as a whole and are consistent with our layered security approach.

6. Air cargo security has received increasing scrutiny as a potential "soft" target vulnerable to some sort of terrorist action, yet thus matter has not received sustained attention. TSA essentially relies on the Known Shipper Program to ensure the security of air cargo shipments-tender this program, cargo from unknown shippers is declined loading aboard aircraft. However, a number of terrorism experts and others note that such programs could be compromised by terrorists who might pose as legitimate businesses for a period of time, establish credibility, and then strike.

What steps is TSA taking to secure air cargo, especially cargo that originates overseas; and what is the level of cooperation and coordination with U.S. Customs and Border Protection (CBP)?

Answer: TSA, in coordination with CBP and the Border and Transportation Security Directorate, has taken numerous steps to strengthen air cargo security. In November, 2003, TSA issued revised security mandates requiring random inspection of air cargo transported on both all-cargo and passenger aircraft. In December, TSA adopted a comprehensive Air Cargo Security Strategic Plan (ACSSP), based on recommendations from the ASAC Air Cargo working group.[1] Additionally, earlier this year, TSA deployed our Known Shipper Database which has centralized the collection of data on about 450,000 known shippers and enabled vetting against government databases. TSA's Known Shipper Database will be just one element of our planned Freight Assessment program which will be designed to identify high risk cargo that will be subjected to further inspection prior to transport by passenger aircraft.

CBP is an integral partner to TSA in the development and implementation of several important air cargo programs, including freight assessment. Currently TSA and CBP have four distinct working groups dedicated to the advancement of freight assessment components.

7. CAPPS II has generated considerable controversy and, as detailed by a recent GAO report, faces a number of technical and operational challenges. What specific steps is TSA taking to respond to the challenges that GAO identified-TSA had not fully addressed seven of eight key issues, including accuracy of data, prevention of unauthorized access, and privacy concerns; and implement the recommendations it made?

Answer: TSA concurred with the findings of the GAO report on CAPPS II when it was released. One of the primary reasons for the "weaknesses" cited by GAO was the fact that, thus far, the Department has not been able to conduct any testing. DHS believes that once a reasonable amount of testing has been conducted, it will be in a far better position to address and resolve the concerns raised by the GAO report.

After a review of airline passenger prescreening programs, and bearing in mind GAO's findings, the Transportation Security Administration (TSA) has developed a new program for screening domestic airline passengers in order to enhance the security and safety of domestic airline travel called Secure Flight.

The Department has learned valuable lessons regarding passenger pre-screening and will be incorporating these lessons into Secure Flight. During the Secure Flight testing phase, TSA will:

---

[1] The Air Cargo Notice of Proposed Rulemaking (NPRM), which includes the ACSSP, was published in the Federal Register in November 2004 and is one in a series of steps of steps toward codifying air cargo security measures first introduced to industry in the form of security directives and emergency amendments after the 9/11 attacks.

- Compare historic passenger name record (PNR) information against expanded and consolidated watch lists held in the Terrorist Screening Center database to identify known or suspected terrorists.
- TSA will also apply, within the Secure Flights system, a streamlined version of the existing CAPPS rule set related to suspicious indicators associated with travel behavior as identified in passengers' itinerary-specific PNR.

Additionally, on a very limited basis, TSA will also test the use of commercial data to determine if this approach is effective in identifying passenger information that is incorrect or inaccurate.

Secure Flight will be continuously monitored to identify and delete factors that do not contribute to the effective and efficient assessment of terrorist risk. Additionally, the TSA Civil Rights and Privacy Offices, and when appropriate the DHS Office for Civil Rights and Civil Liberties and the DHS Privacy Office, will be involved in redress process for the new program. The full protection of privacy and civil liberties remains a core principle for any passenger pre-screening system.

QUESTIONS SUBMITTED BY THE HONORABLE LAMAR SMITH

My question pertains to the Transportation Worker Identification Program (TWIC):

As you know, Congress overwhelmingly approved and appropriated the funds necessary to study, develop, test and deploy a credentialing program that contained biometric identification procedures to require that transportation workers be authenticated before gaming access to secure areas, facilities and networks. While Congress has been patient through the transition of the TSA from the Department of Transportation to the Department of Homeland Severity [sic] and the subsequent change of its leadership, the TWIC program has unfortunately floundered and has been unnecessarily delayed.

Would you please update the Members of this Committee on the status of TWIC and the Department's plans and timeline to fully deploy this biometric identification card program to all transportation workers?

Answer: In May 2002, DOT transitioned the lead for the TWIC project to TSA. In August 2002, additional Congressional guidance resulted in modification of the TWIC implementation planning and program timeline. An extensive Technology Phase was inserted into the plan prior to conducting an operational prototype. The Technology Phase evaluated the full range of credential-based technologies. The Technology Phase contract was released in April 2003, and the phase was completed in October 2003. The results of the Technology Phase confirmed that the most appropriate technology for the core TWIC requirements was the integrated circuit chip (ICC) smart card. Concurrent with Technology Evaluation, planning for the Prototype Phase occurred.

At the completion of the Technology Phase, a review of the TWIC program occurred prior to commencement of the Prototype Phase. Based upon this review, the Request for Proposal for the TWIC Prototype Phase was approved for release in June 2004, and the contract was awarded in August 2004. The Prototype Phase is being conducted over a seven-month period. Upon its completion, the results will be reviewed, and a final decision is expected to be made in the 2nd quarter of FY05 with regards to national implementation.

Please share with us the Department's plans to address the National policy issues surrounding the deployment of these cards including: which transportation workers will be issued a card and what is the plan for financing of the necessary infrastructure.

Answer: TSA has announced plans in the Federal Register to commence the development of a rule making process that will provide more explicit guidance for specific populations that will use the TWIC to gain access to secure areas. Additionally, TSA is conducting the required planning and stakeholder outreach, including a detailed Privacy Impact Assessment.

In accordance with Congressional guidance, TSA is developing a user fee-based funding strategy, and plans to transition to fully fee-based funding for TWIC in FY06.

QUESTIONS SUBMITTED BY THE HONORABLE JIM TURNER

Responses to the following questions have not been recieved.

1. You testified that "[a]t airport checkpoints, highly trained and qualified TSA personnel screen passengers and carry-on items, using state-of-the-art equipment." However, at a previous hearing before the House Government Reform Committee (November 20, 2003), you stated "I agree with you completely that the technology we'e using is somewhat better than 9/11 but not a lot. It is the same type of technology. We've replaced all the metal detectors with the latest generation, but it is still the pre-9/11 x-ray and metal detection technology." Please provide the Committee with a description of the types of equipment needed and timeline for expected deployment of new products under Projects Phoenix and Manhattan II.

2. Does DHS still intend to conduct a risk assessment for all cargo by the end of fiscal year 2005? If so, who will conduct the risk assessment, what information will that be based on, how and when will that information by provided to DHS, what will constitute a sufficiently high level of risk to trigger action, and what will that action be?

3. You stated that one third of the known shippers are currently in TSA's database. How many companies do you ultimately expect to be in the database? What is TSA's policy for verifying that known shipper companies are complying with security regulations, both in terms of written and physical inspections?

4. Please provide details on the background checks that are conducted for known shipper companies, airport workers in sterile and secure areas, and screeners. For each, please provide the number of checks that have been conducted, who conducts the checks, and what types and sources of information are included in the checks.

5. You testified that TSA will minimum security training for flight attendants will be "piloted later this fiscal year and be ready to deliver it next year." Can you provide a timeline and description of the training?

6. How many airports currently rely on positive passenger—bag match as the only security measure on checked baggage? When will no baggage rely solely on the passenger—bag match as a security measure?

7. You mentioned the exemplary work of the rail information sharing and analysis center (ISAC). Does TSA intend to create and use a similar structure for the aviation sector? Will there be a sector coordinator? Has there been interest from the aviation community in establishing an ISAC?

8. You testified that the Transportation Security Operations Center is the point of contact for local transit authorities with security issues, but that the Federal Transit Administration also plays a role. Please clarify the responsibilities of the TSOC and the FTA, and indicate any operations that are conducted solely at the TSOC.

9. TSA officials have testified that many airports—far beyond the current set of eight—have a legitimate need for letters of intent (LOIs) to better deploy EDS machines. The President's fiscal year 2005 budget request include no funds to sign new LOIs. What is TSA's long term budget plan for LOIs?

10. The GAO report on CAPPS II in February, 2004, said that only one of the eight criteria that TSA and DHS need to meet before implementing the system had been met. Since then, has GAO told determined that any of the remaining seven criteria have been met? When does TSA expect to be ready to deploy CAPPS II?

11. I understand that TSA's pilot program on the registered traveler program may include using dedicating checkpoint screener lanes for registered travelers. Screening resources, in terms of TSA personnel, equipment, and physical airport space, are already stretched thin and can't be increased in the short term. Won't this proposal to dedicate screeners and detection equipment to a small percentage of the passengers mean that the overwhelming majority of travelers will face even longer lines, and that it will be even more difficult than it is now to fully screen all passengers and baggage? Can you explain how this system will run without compounding the screening problems we already have?

12. The Committee has heard from armed federal law enforcement officers traveling on commercial flights that their status is revealed at several points in the airport, including in conversations with airline personnel at check-in, in noticeable bypassing of checkpoint screening, and in pre-

boarding. What steps, if any, are being used to help law enforcement officers avoid being revealed as such? Are any additional authorities needed to help in this regard, either for the security of the federal law enforcement personnel or for aviation security? Regarding TSA's pilot program for federal law enforcement officers traveling with firearms to use the National Law Enforcement Telecommunications System (NLETS) to pre-notify airport personnel: What airports are involved in this study? What are the results of the pilot program in terms of security at the participating airports and the advisability of using NLETS for this purpose?

13. When will TSA complete any steps necessary to determine the appropriate size of the screening workforce, especially in light of increasing air travel?

14. Does TSA have a risk-based plan for securing rail and mass transit? If so, please provide the Committee with a copy. If not, when will such a plan be in place?

15. The American Public Transportation Association has estimated that public transportation authorities throughout the country would need to spend $6 billion to be reasonably secure. Does TSA agree with that figure? If not, what is TSA's estimate of the cost for adequate transit security? What is TSA's responsibility for helping transit authorities reach that security level?

16. What is TSA's timeline for completing the requirements in Homeland Security Presidential Directive-7 to create an intermodal transportation security strategy? What are the timelines for finishing all the sector specific plans?

17. In light of the TSA publication "Security Guidelines for General Aviation Airports" released this month:

- **Will TSA monitor, on an ongoing basis, the progress made by general aviation airports in reaching the recommended levels of security?**
- **What TSA or FAA funds are available for general aviation airports to make security improvements? Has TSA coordinated with FAA to provide financial assistance to help airports implement the guidelines?**

○