

*Opening Statement of Ranking Member Kathleen Rice (D-NY)*

*Subcommittee on Transportation Security*

**Joint Hearing: “How Pervasive is Misconduct at TSA: Examining Findings from a Joint Subcommittee Investigation”**

**July 7, 2016**

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In light of the recent attacks at airports in Istanbul and Brussels, I think we are all more cognizant than ever of the importance of TSA’s mission. I think those attacks have also made us more aware of the increasing complexity of that mission, as TSA must confront not only the threat of terrorists trying to sneak weapons or explosives past checkpoints and onto planes, but also the threat of attacks on soft targets like the public areas of airports.

Right now, I think TSA is in the midst of sort of a perfect storm. On the one side, we have the constant and evolving threat of terrorism. On the other, we have record-numbers of travelers passing through American airports, and an ever-increasing demand for speed and efficiency. And in the middle of it all, we have an Administration that has struggled to recruit and retain the highly-skilled workforce that it needs to carry out its mission and achieve the right balance between security and efficiency.

So as we assess allegations of misconduct and mismanagement within TSA, we have to be aware of the fact that such behavior has real and direct implications for our national security.

In 2013, GAO examined how TSA investigates and adjudicates cases of employee misconduct, and issued a report with four recommendations for how TSA can strengthen these processes.

I understand that TSA concurred with and has implemented all four recommendations. But I’m concerned about the fact that the process for adjudicating misconduct by Transportation Security Officers remains different than that for other TSA employees – and I hope that our witnesses can shed some light on why that is, and whether a more uniform adjudication process would better serve TSA’s mission.

In April and May of this year, the Committee on Oversight and Government Reform held hearings on mismanagement and misconduct at TSA.

During their first hearing, OGR heard testimony from TSA employees who recounted instances of intimidation, retribution, and improper reassignments.

Following that hearing, the same panel questioned Administrator Neffenger on bonuses given to senior officials, and we learned that over the course of several months, one individual who was responsible for overseeing the TSA’s Office of Security Operations had been given a bonus of \$90,000.

Ms. Gowadia, I hope that you can tell us what changes TSA has made to prevent such actions and better protect taxpayer resources.

I mentioned earlier that one of the problems facing TSA – and one that I know Admiral Neffinger is working hard to address – is the low morale within TSA. According to the Best Places to Work in the Federal Government, TSA ranked 313 out of 320 federal agencies – and that certainly adds to the Administration’s problems with recruitment and retention.

But at the same time, TSA’s Domestic Nuclear Detection Office has been ranked among the best places to work in the federal government – so I’m eager to hear how TSA is working to replicate practices from that office within the broader workforce.

TSA’s workforce is tasked with a tremendous responsibility, and Transportation Security Officers, who make up the majority of that workforce, perform what is often a thankless job.

They are on the front line of our aviation security efforts, ensuring that prohibited items are not able to be brought onboard an aircraft, while also evolving to better confront the threat of attacks on soft targets within airports.

This time last year, a leaked OIG report caused them to refocus and tailor their efforts to ensure that they do not miss threat items at checkpoints. Security effectiveness was the top priority.

Recently, not even a year later, TSOs were facing criticism for long lines at airports, even though the issues causing wait times were systemic and not necessarily tied to their performance. The priority shifted to efficiency.

So I hope that Deputy Administrator Gowadia can talk about to what extent those challenges may be related to some allegations against these officers, as well as how many allegations of misconduct are adjudicated and found to be valid versus those where no instance of wrongdoing is found.

Again, I think it’s important to remain aware of the fact that with TSA, even more so than many other agencies and departments, mismanagement and misconduct have direct national security consequences and cannot be tolerated. So I hope that our conversation today will give us a more complete understanding of how prevalent such behavior is within TSA and how it is being addressed, so that we can focus on how we can better combat perhaps the most pressing threat facing TSA and the American aviation industry – that of attacks on soft targets like the public areas of airports.