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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

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May 11, 2020

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Mr. Tom Farmer
Chairman
Surface Transportation Security Advisory
Committee
425 3rd Street SW
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Dear Mr. Hauptli, Mr. Calio, Ms. Barnes, Mr. Burke, Mr. Schmidt, and Mr. Farmer,

On behalf of the U.S. Senate Committee on Commerce, Science, and Transportation, I am writing to request your feedback regarding the Fiscal Year (FY) 2021 President's Budget Request; the Coronavirus Aid, Relief, and Economic Security (CARES) Act; and other legislation impacting the Transportation Security Administration's (TSA) operations and programs.

The FY 2021 President's Budget includes a request of \$8.24 billion for TSA. The request focuses on preserving frontline operations, transitioning to new technologies, maintaining current screening equipment, consolidating TSA headquarters, and creating efficiencies to optimize limited resources. The request also seeks funding for 47,596 Transportation Security Officers (TSOs).

The President's Budget Request was submitted before the COVID-19 crisis escalated. Undoubtedly, this pandemic will change budget priorities, particularly for the air and surface

transportation sectors. The aviation industry has been hard-hit by the pandemic. TSA reports that only 119,629 passengers entered through a TSA checkpoint on April 29, 2020, compared with 2,256,442 passengers one year ago – a decline of nearly 95 percent.¹ As for the railroad industry, Amtrak is experiencing a 96% year-over-year decline in system-wide customer trips and a 94% year-over-year decline in daily bookings.² Freight rails typically transport approximately 60,000 carloads of food and agricultural products per week and employ 150,000 people.³ Any disruption to this vital surface supply system would be particularly disastrous for our households and our essential workers during this difficult time.

In addition to the President's Budget Request, I would appreciate your thoughts on the CARES Act and its implications for TSA operations. The CARES Act was signed into law on March 27, 2020, to alleviate the economic impacts of the COVID-19 crisis.⁴ The Act provided TSA with \$100 million for janitorial services at checkpoints and other airport common areas to mitigate the spread of the coronavirus.⁵

I would very much appreciate your responses to the questions below. Your answers will help to inform the Committee on matters including the challenges presented by TSA's FY 2021 budget, the TSA Modernization Act of 2018, the CARES Act, COVID-19, and any other relevant TSA budget or operational issues you may wish to bring to the Committee's attention:

- 1.** The FY 2021 budget request proposes to eliminate the Visible Intermodal Prevention and Response (VIPR) teams. How would the Administration's proposed elimination of VIPR teams impact transportation security, especially when teams are using explosive detection canines?
- 2.** Last year, Congress provided \$46.3 million for the Law Enforcement Officer (LEO) reimbursement program. Airport operators are required by statute to have a law enforcement presence at or near security checkpoints to respond to threats that may be discovered during the TSA screening process, as TSA's frontline personnel do not have the authority to detain individuals or make arrests. Currently, 300 airports have agreements with TSA that partially reimburse airports for LEOs who respond to possible threats discovered during the TSA screening process. How would the FY 2021 request to eliminate funding for TSA's LEO reimbursement program impact the security of the traveling public?
- 3.** The FY 2021 budget request assumes Congress will permit TSA to shift exit lane access control responsibilities to airport authorities, as the Administration has proposed for the

¹ Transportation Security Administration, *TSA checkpoint travel numbers for 2020 and 2019*, <https://www.tsa.gov/coronavirus/passenger-throughput>.

² Luke Christou, Will Amtrak ever break even? *Railway Technology* (Apr. 28, 2020), <https://www.railway-technology.com/features/coronavirus-amtrak/>.

³ Association of American Railroads, *Railroads & COVID-19 Response* (last updated Apr. 23, 2020), <https://www.aar.org/covid-19>.

⁴ U.S. Travel Association, *COVID-19 CARES Act Relief Resources*, (last updated Apr. 1, 2020), <https://www.ustravel.org/toolkit/covid-19-cares-act-relief-resources>.

⁵ Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), P.L. 116-136.

past three fiscal years. Why is it important that TSA remain responsible for exit lane staffing at airports?

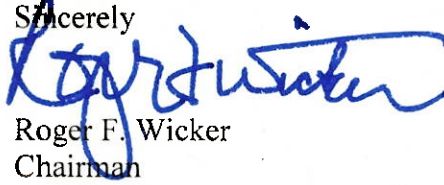
4. The CARES Act provided \$100 million to airports for janitorial services. How do these support services enhance passenger and TSO safety?
5. The TSA Modernization Act required the development of standards that allow for the use of third-party explosives detection canines in the screening of passengers, property, and air cargo in order to increase the supply and deployment of canines at airports. On December 21, 2018, the first third-party canine team conducted an air cargo inspection under the certified cargo screening facility canine program (CCSF-K9).⁶ Currently, 13 certifying organizations are permitted to designate a team under the CCSF-K9 program.⁷ What opportunities do you see for TSA to increase the use of third-party canines?
6. The FY 2021 budget request seeks \$28.9 million for the procurement and deployment of Checkpoint Property Screening Systems, particularly computed tomography (CT) technology. CT units are arguably the most effective property screening technology currently available. However, CT deployment may cause increased passenger wait times and staffing needs at checkpoints when configured without proper support equipment. What options should TSA consider to optimize checkpoint flow and nationwide CT deployment without requiring a net increase in checkpoint staffing or increasing passenger wait times?
7. The FY 2021 President's Budget proposes \$2.3 million to finalize the procurement and deployment of 1,520 Credential Authentication Technology (CAT) units to airports nationwide. These CAT units are a significant technological advancement from the equipment currently used for identity verification. Are TSA's deployment timeline and funding request sufficient to meet its aviation security mission?
8. What would be the benefits to aviation security and passenger/TSO safety if TSA introduced self-service and automated biometrics verification into checkpoints?
9. The Government Accountability Office, Department of Homeland Security Inspector General, and other independent testers have found canine teams to be one of the most effective means of detecting explosive substances. However, TSA's ability to procure and deploy canines is currently hampered by a limited supply of canines, a lengthy training process, and a limited number of training locations. How would eliminating VIPR teams, as the FY 2021 budget request proposes, impact transportation security?

⁶ Transportation Security Administration, Press Release: First TSA certified third-party canine team screens air cargo, December 21, 2018, Available at: <https://www.tsa.gov/news/releases/2018/12/21/first-tsa-certified-third-party-canine-team-screens-air-cargo>.

⁷ Federal Register, Announcement by the TSA of approved Third-party Canine-Cargo Certifiers, and Start of Certification Events, November 6, 2018, Available at: <https://www.federalregister.gov/documents/2018/11/06/2018-24218/announcement-of-approved-third-party-canine-cargo-certifiers-and-start-of-certification-events>

I look forward to hearing from each of you as the Committee works to get TSA program and funding priorities right.

Sincerely

A handwritten signature in blue ink, appearing to read "Roger F. Wicker". The signature is stylized with a large initial "R" and a long horizontal stroke at the end.

Roger F. Wicker
Chairman