



**One Hundred Seventeenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515**

October 25, 2021

The Honorable David Pekoske
Administrator
Transportation Security Administration
6595 Springfield Center Dr.
Springfield, VA 22150

Dear Administrator Pekoske:

We applaud the Biden Administration's recent announcement of increased Transportation Security Administration (TSA) civil penalties for travelers who do not comply with the requirement to wear masks in transportation settings. Robust enforcement of these penalties is necessary to hold offenders accountable, discourage unacceptable passenger behavior, and deter potential threats to the aviation environment.

With incidents of unruly passengers at airport checkpoints and aboard planes at historic highs, we are concerned that TSA is not fully utilizing its authorities to deter this reckless and dangerous behavior. Between February 2, 2021, and September 13, 2021, TSA received 4,102 reports of mask-related incidents. During that time it assessed a total of only \$2,350 in civil penalties against ten passengers and simply issued warnings to more than 2,000 passengers. In contrast, the Federal Aviation Administration has fielded complaints about more than 3,500 mask-related incidents since the start of the year and has issued over \$1 million in proposed fines against disruptive passengers generally.¹ TSA must likewise hold offenders accountable to reinforce passenger confidence in air travel safety.

We urge you to implement these enhanced penalties to curb the rising number of mask-related disruptive passenger incidents that threaten the safety and well-being of Transportation Security Officers (TSOs), airport and airline workers, flight crews, and other travelers. We further urge you to widely publicize TSA's efforts to give visibility to the steep consequences violators face as a warning to potential offenders.

Accordingly, please respond in writing not later than November 15, 2021, to the following questions:

1. How does TSA determine whether to issue a warning or a civil penalty in cases of non-compliance with the mandate to wear masks in transportation settings? Will TSA adjust

¹ Federal Aviation Administration, "Unruly Passengers" (numbers current as of Oct. 3, 2021), https://www.faa.gov/data_research/passengers_cargo/unruly_passengers/.

how it makes such determinations to penalize non-compliance more aggressively and provide a stronger deterrent going forward?

2. How many civil penalties has TSA issued for violations of the mask mandate to date? Of those, how many recipients have paid the penalties assessed by TSA?
 - a. Does TSA regularly track the final outcomes of fines it assesses? If not, will TSA commit to doing so in order to better understand the effectiveness of its compliance efforts?
3. What difficulties does TSA face in pursuing more aggressive enforcement action in cases of non-compliance with the mask mandate? What solutions is TSA implementing in response?
4. Will TSA commit to robustly advertising the fines and consequences that passengers face for non-compliance to clearly communicate potential repercussions?
5. How do TSA's efforts to enforce compliance with the mask mandate fit into the agency's broader efforts to address recent increases in unruly passenger behavior, including the increased rate of assaults against TSA employees?

We look forward to continuing to work with you on this pressing matter.

Sincerely,



BENNIE G. THOMPSON
Chairman



BONNIE WATSON COLEMAN
Chairwoman
Subcommittee on Transportation and
Maritime Security