

SPEECH OF
HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
April 10, 2013

- Mr. Speaker, I rise today in strong support of the “Contract Screener Reform and Accountability Act.”
- Together with my colleagues in the House, Representative Nita Lowey of New York and Cedric Richmond of Louisiana, I am introducing this legislation to reform, enhance oversight of, and provide greater workforce protections to the Transportation Security Administration’s (TSA) contract screener program known as the Screening Partnership Program (SPP). I am very pleased that a companion measure is being introduced in the other chamber by Senator Sherrod Brown of Ohio.
- Specifically, the “Contract Screener Reform and Accountability Act” would:
 - Bar subsidiaries of foreign owned corporations from providing for security screening at domestic airports under the SPP;
 - Mandate covert testing of contract screeners so that their performance can be monitored and compared to airports where screening is carried out by TSA and protect the integrity of those tests by imposing penalties for compromising such testing;
 - Require security breaches at airports with contracted screening services to be reported;
 - Ensure national security through requiring training for the proper handling of sensitive security information at SPP airports;
 - Provide new compensation, benefits, and whistleblower protections for screeners; and
 - Enhance customer service for the flying public who are screened at SPP airports.
- With enactment of the ‘*FAA Modernization and Reform Act of 2012*’ (P.L. 112-95), subsidiaries of foreign owned corporations are permitted, for the first time since the

terrorist attacks of September 11, 2001, to provide screening services at our nation's commercial service airports. This change in law was enacted without debate about the security implications and despite the need, in the current economic climate, to encourage opportunities for U.S. companies rather than outsourcing work and diverting taxpayer dollars to subsidiaries of foreign owned corporations.

- The reforms concerning covert testing are necessary in light of the Department of Homeland Security Office of Inspector General's previous finding that the contractor for screening services at San Francisco International Airport (SFO), the nation's largest and busiest airport with contract screeners, compromised covert testing.
- It is imperative that the integrity of covert security testing be protected so that we are assured that contract screeners perform at the same level as Transportation Security Officers.
- TSA has reported numerous security breaches occurring regularly at airports with contract screeners, including at SFO. These breaches include contract screener personnel not detecting prohibited items such as knives and bullets in carry-on baggage, improperly clearing passengers without verification of their identity, and not conducting the required additional screening of passengers referred to secondary screening.
- For example, on August 21, 2009, a passenger at SFO alarmed the walk-through metal detector and was referred to the secondary area for additional screening. The passenger promptly let herself out of the holding area and collected her accessible property. It was three minutes before an employee of the private screening company noticed that she was missing.
- More needs to be done to prevent security breaches at SPP airports.
- Similarly, given that the documented mishandling of sensitive information can have tragic consequences, more needs to be done to prevent such violations as well.
- Today, TSA does not have a process in place for ensuring that all employees of corporations with contracts for screening services receive training on the proper handling of sensitive information.
- This is the case despite several instances of sensitive security information having been mishandled by employees of corporations with contracts for screening services under the SPP.

- For example, on July 18, 2010, a new hire training manual containing sensitive security information (SSI) about screening practices was stolen after a private security company employee in possession of the manual removed it from SFO. In response, TSA sent a letter to the company that conducts screening services for SFO, as well as to all other SPP contractors, directing that any SSI materials be retained in a secure fashion at the airport and only removed with expressed, written permission of a TSA Contracting Officer.
- I understand that similar incidents have occurred at other SPP airports. However, since TSA has not always taken action or documented their actions to correct the mishandling of the SSI information, reports on such incidents are currently unavailable.
- Regarding workforce protections, the bill would protect workers' pay and benefits by requiring that when an airport privatizes, the private screening company provide Transportation Security Officers employed at the time of the switch the right of first refusal to screening jobs and offer compensation and benefits equal to or greater than what they received at the time the contract was awarded.
- No worker on the front lines in securing our aviation system should lose their job, see a reduction in pay, or lose benefits because an airport opts to utilize a private screening company.
- As all of my colleagues can attest to, customer service at airports, and in particular in the security screening lanes, is an issue that evokes passionate reactions from constituents all across the country.
- Currently, there is no requirement that private screening companies report customer complaints regarding their screening experience to TSA or Congress. The bill would provide the public an avenue for expressing concerns with screening at airports with contract screeners, thus ensuring that the flying public's concerns can be addressed.
- In the wake of the deadly attacks of September 11, 2001, TSA was created to secure all modes of transportation so that a terrorist attack on the scale of 9/11 would never happen again.
- Since TSA's earliest days, it has struggled to fulfill its mission, but, with every passing year, it matures and improves as a security agency. Opponents of TSA have not forgone any opportunity to exploit a misstep to advance their ultimate goal—the dismantling of TSA. At the same time, they have willfully turned a blind eye to lapses, breaches, and problems at airports secured by contract screeners.

- Just as we must act to strengthen TSA's security operations, it is imperative that we address SPP's glaring security challenges.
- It is my hope that the "Contract Screener Reform and Accountability Act" be enacted to ensure that we do just that.
- With that Mr. Speaker, I yield back the balance of my time.