



**Statement of Subcommittee Chairman Scott Perry (R-PA)
Joint Transportation Security and Oversight and Management Efficiency Subcommittee Hearing**

*“How Pervasive is Misconduct at TSA: Examining Findings from a Joint Subcommittee Investigation”
July 7, 2016*

Remarks as Prepared

In May 2016, Secretary Jeh Johnson released a new mission statement for the Department of Homeland Security: “With honor and integrity, we will safeguard the American people, our homeland, and our values.” I think most Americans would agree that this isn’t that high an expectation; the American people expect all federal employees, especially those charged with protecting the homeland, to conduct themselves with integrity. Unfortunately, a six-month investigation conducted jointly by my subcommittee and Chairman Katko’s subcommittee has found that TSA violates the words and spirit of this new mission statement to a degree that is alarming and unconscionable.

Here are the facts our investigation: egregious misconduct occurs across all levels of TSA and is growing, yet TSA’s investigations into internal misconduct and the resulting penalties have decreased. Specifically, we found that TSA employee misconduct grew by almost 29 percent from fiscal year 2013 through 2015. 35 percent of airports experienced increased numbers of allegations, some having nearly 40 times the number of allegations than in fiscal year 2013. In terms of the types of misconduct that are growing, we saw significant increases in areas related to integrity and ethics and disruptive behavior, including sexual misconduct. “Neglect of Duty” allegations nearly doubled during this period. There was a 17 percent jump in the category of failing to follow instructions. There are examples of airport screeners facilitating drug and human smuggling and sexually assaulting travelers, and a Deputy Federal Security Director promoting a subordinate with whom he had a romantic relationship, among numerous others.

Every American should be outraged by these findings; I certainly am. We are in the highest threat environment since 9/11. From Orlando to San Bernardino, our citizens are under attack from radical Islamist terrorists. Terrorist groups remain obsessed with both attacking civil aviation and recruiting westerners. Just last month, CIA Director John Brennan testified that ISIS is “probably exploring a variety of means for infiltrating operatives into the West.” The last thing the American people need to be concerned with are corrupt, insolent, and unethical airport screeners. What’s even more outrageous is TSA’s response has been to investigate fewer allegations and use lesser penalties. We found that open investigations had declined 15 percent and closed investigations had declined 28 percent during this period. Use of non-disciplinary actions, such as counseling, jumped 80 percent while disciplinary actions, including letters of reprimand and suspensions, decreased by 14 percent and adverse actions, including termination, declined 23 percent. TSA has not taken misconduct seriously and it’s no wonder why employee morale at DHS is among the worst in the federal government.

What TSA has done is created a bloated bureaucracy without any real substance to process misconduct issues. Multiple offices have varying responsibilities related to misconduct but no one oversees misconduct across airports to identify systemic solutions. Airports vary in how they address misconduct. Some airports have staff devoted to tracking misconduct issues while others do not. Some Federal Security Directors are

engaged while others step in only when needed. This disjointed approach is not working. Several individuals who came forward to us said that they were either blown off or recriminated against for bringing issues forward. TSA's big government, bureaucratic response has failed. It has failed TSA's employees and it has failed the American public.

We recommend several common-sense actions in our report which could improve TSA's management of misconduct issues. But TSA must be committed to reform. Dr. Gowadia, there cannot be lip service to what TSA is doing to address these findings – there needs to be significant, lasting, and meaningful reform from the top to the bottom of the agency. If there are employees unwilling to change, you must replace them with those who will. Every minute TSA is forced to handle employee misconduct is one less that they are safeguarding travelers. The American people deserve better and they are counting on you to succeed in your mission.

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