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MISCONDUCT AT TSA THREATENS THE SECURITY OF THE FLYING PUBLIC

HOUSE HOMELAND SECURITY COMMITTEE MAJORITY STAFF REPORT

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Executive Summary

The Transportation Security Administration (TSA) was created in the immediate aftermath of 9/11. Today, it has roughly 60,000 employees working at about 450 airports. For years, news media outlets have reported on serious instances of misconduct by TSA employees across the country, ranging from assaulting passengers to participating in large-scale criminal conspiracies. Although TSA has taken some steps to address employee misconduct, sadly, these stories continue to be in the news and in the mind of the public. Given these seemingly continuous scandals, the House Homeland Security Committee conducted an investigation to review TSA's efforts to identify, adjudicate, and address misconduct.



TSA agent accused of helping smuggle illegal immigrants into US



Former TSA Agent: Groping Scandal Is Business as Usual



Another TSA Scandal: 73 Airport Workers Revealed To Be On Terror Watchlist

The Washington Post

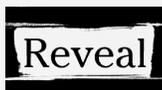
Why the TSA catches your water bottle, but guns and bombs get through



Dozens Punished by TSA for Whistle-Blowing Are Later Exonerated



TSA Officer Accused of Molesting Traveler in Latest Scandal to Hit Controversial Agency



Besieged by misconduct, TSA sows culture of dysfunction and distrust

TSA data shows that misconduct has grown over time—both before and after a watchdog investigation. For example, in 2013, the U.S. Government Accountability Office (GAO) reported that misconduct by TSA employees increased by almost 27% from fiscal year 2010 to 2012, and that TSA did not have the processes in place to adequately address it.¹ GAO recommended that TSA establish a process to review misconduct cases to ensure that airport-level staff complied with existing policies, issue guidance describing the process for recording misconduct data, track cycle times for investigating and adjudicating misconduct, and reconcile completed investigations with adjudication decisions. GAO also reported that Transportation Security Officers (TSO) engaging in misconduct raised security concerns because those were the very employees charged with helping to ensure the security of the nation’s aviation system. GAO concluded that it was imperative for TSA to effectively manage instances of employee misconduct and take steps to mitigate future occurrences. Although TSA implemented these recommendations, **recent TSA data shows that misconduct continued to grow by almost 29% from fiscal year 2013 to 2015.**

Example of Misconduct:

In 2015, three TSA Federal Air Marshals in Chicago, IL, were accused of hiring prostitutes and using government funds to pay for hotels rooms to engage in sexual misconduct. One air marshal resigned and the other two were indefinitely suspended without pay while TSA is in the process of adjudicating the matter.

Sources: Associated Press, TSA

According to information provided by the Department of Homeland Security (DHS), TSA employees have been caught, for example, smuggling drugs and people through TSA checkpoints. One TSO was caught accepting bribes in exchange for smuggling foreign nationals through a TSA-regulated checkpoint into one of the nation’s largest airports.² According to Frank Cilluffo from the George Washington University’s Center for Cyber and Homeland Security, **“smuggling is smuggling is smuggling.”**³ Given that employees have engaged in this type of activity, serious concerns exist around the potential for TSA insiders to knowingly or unknowingly put the traveling public at grave risk. The ever-evolving threat landscape and increased concern about the insider threat to aviation security underscores the need for **a capable aviation security workforce to detect and stop nefarious activity.** As a result, it is vitally important for TSA to **ensure that its workforce is focused on its mission to secure the aviation system.**

Our investigation found that senior management officials at TSA have also allegedly been involved in serious misconduct and abuse of internal policies, indicating that **misconduct occurs at all levels of TSA.** Specifically, numerous individuals came forward to the Committee alleging that senior TSA officials used the practice of directed reassignments, or mandated employee transfers around the country, as, in some cases, retaliation for employees elevating security concerns. This practice poses significant security risks where senior leaders ignore possible vulnerabilities, while also potentially **presenting significant costs to taxpayers** because TSA covers the expenses of those forced to relocate. This behavior erodes employees’ confidence in an organization that has struggled with improving employee morale and wastes taxpayer dollars.

Employee misconduct of all types corrupts TSA's core mission to protect the traveling public and poses serious security vulnerabilities. **Every minute TSA is forced to handle employee misconduct is one minute less that they could be addressing security matters.** It is important for TSA to have the policies and internal controls in place to ensure that employees at all levels—including those at the very top—are beyond reproach and held accountable.

I. TSA's Bureaucratic Process for Addressing Misconduct

Depending on the type of misconduct allegation, different offices within DHS generally, and TSA specifically, are responsible for investigating and adjudicating employee misconduct.

Entities that Investigate and Adjudicate Misconduct

Passengers, other TSA employees, and other federal agency personnel can file complaints against TSA employees for alleged misconduct. These allegations are sent to TSA's Office of Inspection (OOI), which then refers many of them to the DHS Office of Inspector General (OIG) for investigation.⁴ The OIG has the right of first refusal for investigating all TSA misconduct cases, but generally prioritizes allegations with potential criminal misconduct. It refers all others back to OOI based on an agreement with TSA. Once an investigation is completed, the OIG and OOI produce a Report of Investigation (ROI) that includes information related to the case. ROIs are subsequently forwarded to the relevant office responsible for adjudicating misconduct cases.

Example of Misconduct:

In December 2015, a TSA officer from Oakland International Airport was charged by a federal grand jury for using her position to facilitate drug smuggling through the security checkpoint. The officer allegedly smuggled over 100 kilograms of marijuana over a two year period. This case was a result of an investigation by the Federal Bureau of Investigation, Alameda County Sheriff's Office, and TSA's Office of Inspection.

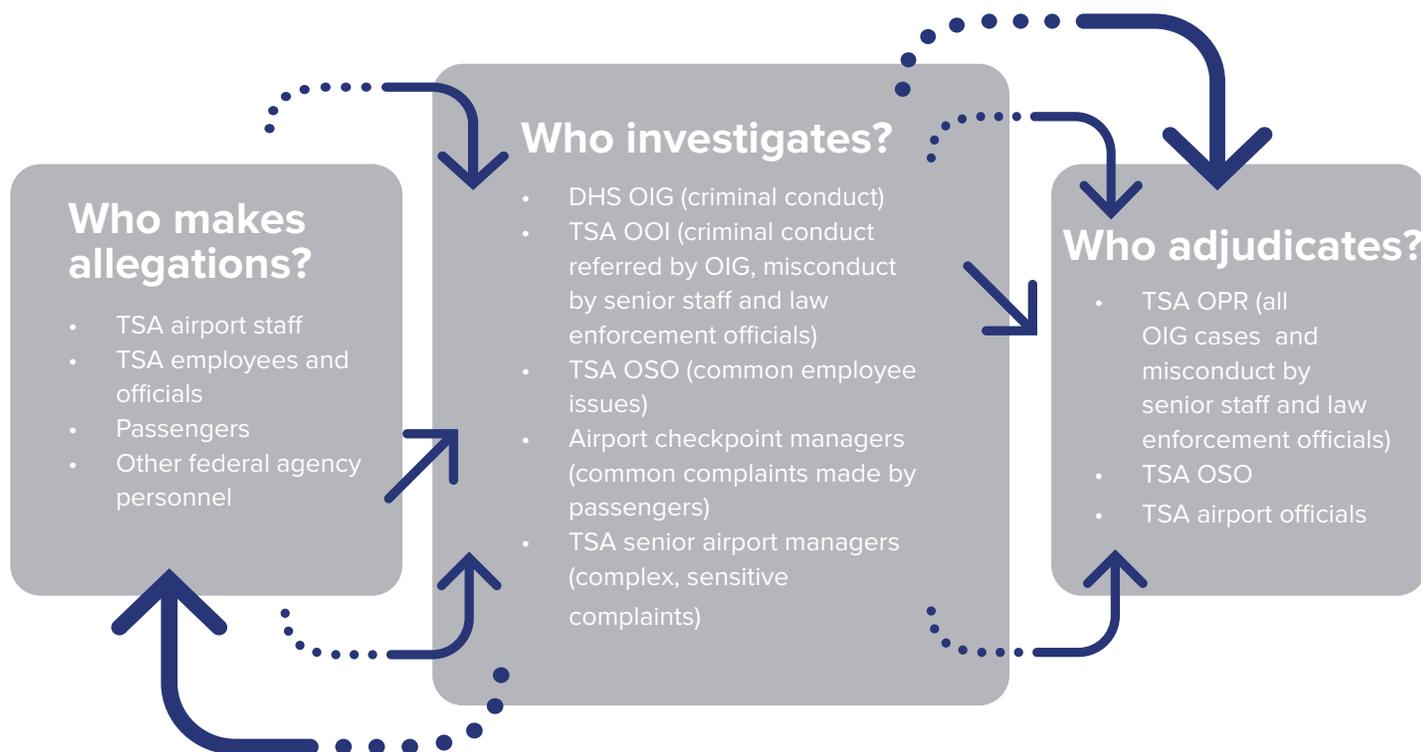
Source: Department of Justice

Allegations related to misconduct that are more administrative in nature, such as time and attendance abuse, are referred to the employee's office or airport where they are investigated through TSA's administrative inquiry process at the local level or by supervisors at the checkpoint. During this process, airport or office leadership designates an inquiry official to obtain information related to the case and produce a report similar to an ROI, which is then referred to the relevant office responsible for adjudication.

TSA's Office of Professional Responsibility (OPR) adjudicates all misconduct allegations that involve senior officials and law enforcement officers, as well as all cases investigated by the DHS OIG. According to TSA officials, former Administrator John Pistole established

OPR as an independent office within TSA to ensure that disciplinary actions were applied consistently to employees under its jurisdiction. In addition, airport management officials have the authority to adjudicate employee misconduct allegations that do not fall under OPR’s jurisdiction. Figure 1 provides an illustration of the relevant entities related to investigating and adjudicating employee misconduct at TSA.

Figure 1: Entities that Investigate and Adjudicate TSA Employee Misconduct



Source: TSA documentation

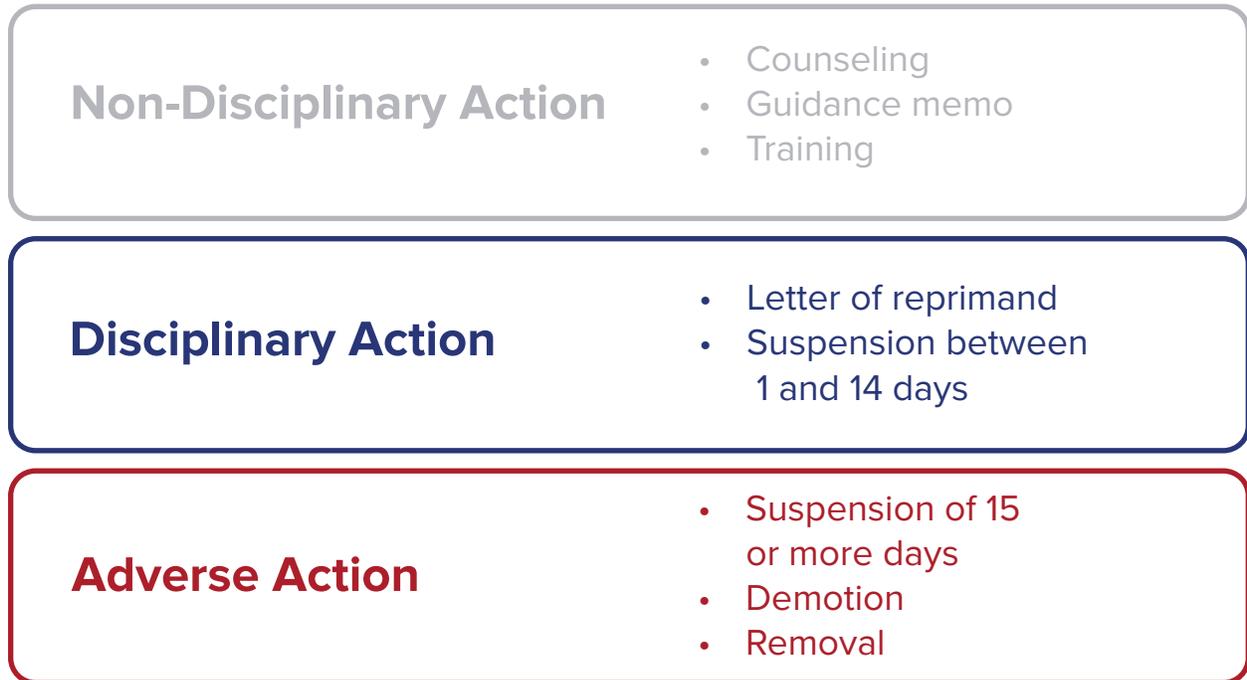
Processes for Adjudicating Employee Misconduct

When adjudicating misconduct, airport officials and managers at the checkpoint are required to follow policy when administering actions to address misconduct.⁵ Specifically, managers should use TSA’s *Table of Offenses and Penalties for Appropriate Discipline for Common Offenses* (Table of Offenses and Penalties) as guidance, which establishes recommended ranges of penalties for specific types of misconduct, when administering disciplinary and adverse actions against an employee.⁶

For example, the Table of Offenses and Penalties recommends that employees caught consuming alcohol while on duty should be fired from TSA. Additionally, it recommends that employees who treat a supervisor inappropriately or disrespectfully receive penalties ranging from a Letter of Reprimand to a 10-day suspension. TSA’s Table of Offenses and Penalties allows flexibility for managers to provide lesser or more stringent penalties depending on “mitigating factors,” such as self-reporting, and “aggravating factors,” such

as failing to report misconduct. Moreover, TSA’s Table of Offenses and Penalties states that “supervisors and law enforcement officers are held to a higher standard” and, as such, should be given the higher end of the penalty range. These policies also apply to personnel at Screening Partnership Program airports. See Figure 2 for types of actions related to employee misconduct.

Figure 2: Types of Outcomes for Adjudicated Misconduct Cases



Source: TSA documentation

Process for Removing Employees for Misconduct

The Aviation and Transportation Security Act (ATSA), which governs virtually all of TSA’s activities, does not authorize a specific process TSA should use to remove employees from its workforce.⁷ Consequently, TSA has issued policies outlining procedures for removing employees, which includes an expedited adjudication process. According to TSA, most disciplinary and adverse actions taken against an employee are administered through a two-step process where a management office notifies the employee in writing of a proposed action and provides an opportunity for him or her to respond. Then, a different management official will review the entire case and issue a written decision.

Additionally, TSA uses a one-step process to remove TSOs who commit severe violations, such as theft, drug and alcohol use, serious security breaches, and felonies. As part of this process, TSA holds a pre-decisional meeting with the employee to discuss the misconduct complaint and allows the employee to respond to the allegation. TSA is not required to provide a written notice of the proposed action to the employee. TSA may also use the one-step process when issuing reprimands in lieu of suspension for three days or less, suspensions of three days or less, and indefinite suspensions.

Employees may use several avenues to appeal disciplinary and adverse actions administered by TSA. Employees may appeal certain types of disciplinary actions, such as removal, involuntary demotions, and indefinite suspensions, to OPR's Appellate Board. Employees may also bring litigation against TSA through an administrative appeals process or contest TSA actions to the Office of Special Counsel, which is an independent investigative and prosecutorial agency that serves federal employees.

Example of Misconduct:

In 2015, a male TSA employee at New York's LaGuardia Airport sexually assaulted a female passenger after convincing her that she needed additional screening. He was later charged with forcible touching, official misconduct, and unlawful imprisonment.

Sources: Reuters, CNN

TSA's Employee Code of Conduct

Employees are required to comply with TSA's code of conduct and accompanying handbook, which outline the agency's standards of behavior.⁸ TSA's code of conduct states that employees should report to work on time, fully comply with instructions provided by supervisors, and report all personal arrests, among other things. The code of conduct also requires managers and supervisors to ensure that all employees review the code of conduct policy and accompanying handbook or a comprehensive summary of ethical standards each year.

II. Employee Misconduct Continues to Grow While TSA Investigations & Punishments Decline

Based on data provided by TSA, allegations of employee misconduct have increased substantially over time, despite the agency's attempts to address unacceptable behavior. Misconduct allegations related to TSA employees involve a variety of offenses ranging from unexcused absences to serious criminal activities, such as bribery and drug smuggling. According to information provided by the DHS OIG, **TSA employees have been criminally charged for using cocaine on the job, facilitating large scale drug and human smuggling, and engaging in child pornography activities.** When asked by Committee staff, TSA's Chief Human Capital Officer (CHCO) could not explain the causes behind any of the changes in misconduct discussed below.

Misconduct Allegations Overall

The number of misconduct allegations filed against TSA employees increased by 28.5% from fiscal year 2013 to 2015. In fiscal year 2015, TSA data shows that 17,627 allegations of employee misconduct were filed compared with 13,722 in fiscal year 2013. This number of allegations could be equivalent to one in every three TSA employees. TSA had 54,129 full-time equivalent (FTE) in fiscal year 2013 and 55,016 in fiscal year 2015, which indicates

that the nearly 30% increase in allegations was likely not correlated with the about 1.6% increase in FTEs. In a letter provided to the Committee, TSA stated that the high numbers of misconduct allegations “demonstrate that TSA has created an environment in which all concerns are addressed in furtherance of TSA’s mission.”⁹

Example of Misconduct:

In 2012, a Deputy Federal Security Director was accused of promoting a subordinate with whom he had a romantic relationship.

Sources: Reuters, DHS OIG

Misconduct Allegations by Type

From fiscal year 2013 to 2015, allegations of employee misconduct increased across eight out of 19 misconduct categories, including misconduct related to integrity and ethics and disruptive behavior, such as sexual misconduct. Specifically, allegations of misconduct related to the category “neglect of duty” nearly doubled during that time period, representing the largest percentage increase.

Misconduct allegations related to attendance and leave constituted nearly half of all allegations in fiscal year 2015. While this category includes reporting to duty late or not at all, Federal Security Directors (FSD), who are responsible for managing airports, told us that this is a serious impediment to executing the mission. For example, one FSD reported that TSOs “**going AWOL is devastating**” because it degrades the ability to plan for staffing needs and means that fewer TSOs are available to screen passengers and their belongings. Employees’ failure to report to duty compounds TSA’s current challenge in managing excessive wait times at checkpoints, because officers scheduled to screen passengers do not report for duty. According to TSA’s CHCO, many TSOs do not fully understand the requirements for reporting to work when they come onboard, which can lead to instances of misconduct such as failure to report for duty.

Further, 17% of misconduct allegations in fiscal year 2015 were related to TSA employees failing to follow instructions. This category includes misconduct related to insubordination, ignoring policies or security procedures, and disrespectful behavior. See Appendix I for a complete list of types of misconduct.

Misconduct Allegations by Airport

On average, 58 allegations were filed at each airport in fiscal year 2015, with the number of misconduct allegations by airport ranging from 0 to nearly 1,400. The largest airports in the country experienced the highest rates of misconduct, including Los Angeles International Airport, Newark International Airport, and Boston Logan International Airport.

Example of Misconduct:

In 2013, a TSO was charged for smuggling illegal aliens through TSA-regulated airports. This case was investigated by Immigration and Customs Enforcement, TSA Office of Inspection, and the DHS Office of Inspector General.

Source: DHS OIG

In addition to these airports experiencing the highest rates of misconduct, they also experienced large increases in the number of allegations filed from fiscal year 2013 to 2015. Similarly, one large airport in Florida had 620 allegations of misconduct in fiscal year 2015 compared to 137 in fiscal year 2013, representing a 353% increase. One small airport in the Northeast had 77 allegations of misconduct in fiscal year 2015 compared to two in fiscal year 2013, representing a 3,750% increase. **In fact, 35% of airports experienced an increase in the number of allegations of employee misconduct, with some airports having nearly 40 times the number of allegations than in fiscal year 2013.**

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Outcomes of Misconduct Allegations

Investigations

While the number of employee misconduct complaints has increased over time, TSA has investigated fewer of them. From fiscal year 2013 to 2015, the number of investigations opened and closed decreased by 15% and 28%, respectively. More specifically, in fiscal year 2013, TSA opened 780 investigations out of 13,722 misconduct allegations, representing about 6% of the total misconduct allegations filed. In contrast, in fiscal year 2015, TSA opened 663 investigations out of 17,627 misconduct allegations, representing about 4% of total allegations.

Similarly, based on data provided by the OIG, the number of complaints related to TSA employee misconduct referred to the OIG for investigation also increased from fiscal year 2013 to 2015. Specifically, 933 complaints were filed against 1,518 TSA

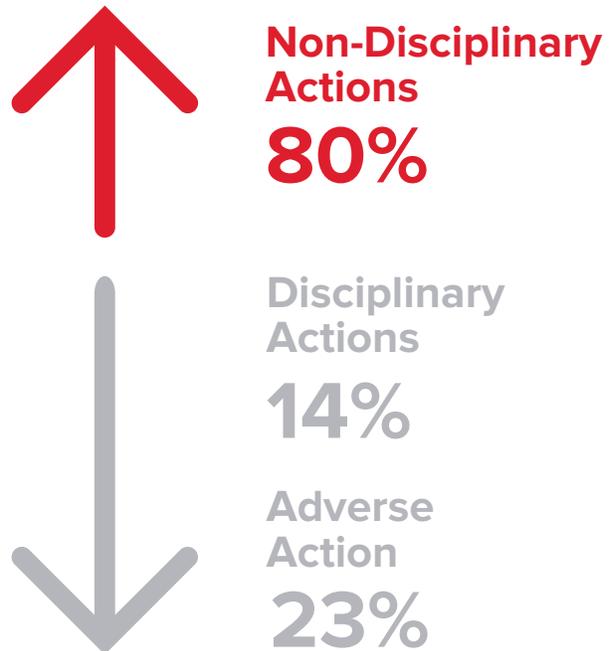


employees in fiscal year 2015 compared with 811 complaints against 986 employees in fiscal year 2013, representing **an increase in the number of TSA employees named in complaints of 54%**. Examples of complaints about TSA employee referred to the OIG in fiscal year 2015 include criminal misconduct (290 complaints), employee corruption (33), theft (19), violation of civil rights (48), and suspicious activity (26).

Actions Taken

While the number of misconduct allegations has increased over time, TSA has taken fewer disciplinary actions against employees. **From fiscal year 2013 to 2015, TSA increased the use of non-disciplinary actions by almost 80%, while it decreased the use of disciplinary and adverse actions by 14% and 23%, respectively.** As a result, TSA has offered fewer and lesser punishments and, instead, has provided more counseling and letters that explain why certain behaviors were not acceptable.

In fiscal year 2015, **about two-thirds (66%) of adjudicated cases resulted in non-disciplinary actions**, such as counseling, guidance, leave restriction, or training, **while about one-third (27%) resulted in disciplinary actions**, such as letters of reprimand or suspensions of up to 14 days. Only about 6% of allegations resulted in adverse actions, such as suspension of 15 days or more, demotion, indefinite suspension, removal, termination, or retiring. Moreover, four out of seven non-disciplinary actions are not included in TSA's Table of Offenses and Penalties, which managers should consult when determining what action to take. These included guidance, leave restriction, performance improvement plans, and Specific, Mutually-acceptable, Appropriate, Realistic and Time-based (SMART) agreements, which identify actions the employee has agreed to take to improve conduct or performance.



III. Misconduct Occurs from the Top to the Bottom of TSA

Misconduct Allegations by Job Category and Pay Band

From fiscal years 2013 to 2015, allegations of misconduct by TSOs constituted the majority of allegations made against TSA employees across all job categories. However, misconduct increased among both TSOs and Federal Air Marshals Service (FAMS) during that time period (see Table 1).

Table 1: Misconduct Allegations by Job Category

| | FY 2013 | FY 2014 | FY 2015 | All FYs | Percentage |
|----------------------------------------------------------|----------------|----------------|----------------|----------------|-------------------|
| Transportation Security Officers (TSO) | 12,222 | 16,050 | 16,117 | 44,389 | 90.8% |
| Management, Administrative, & Professional Employees | 804 | 800 | 754 | 2,358 | 4.8 |
| Federal Air Marshals Service (FAMS) | 644 | 691 | 730 | 2,065 | 4.2 |
| TSA Senior Executive Service Officials (Senior Managers) | 32 | 21 | 10 | 63 | 0.1 |
| | 13,702 | 17,562 | 17,611 | 48,875 | 100% |

Source: TSA data

Specifically, allegations against TSOs increased by 32% and against FAMS by 13%. Additionally, about 60% of all misconduct allegations were related to TSOs in the E pay band, which has a pay range of \$30,190 to \$45,340.¹⁰ The number of misconduct allegations increased among this subset of employees by almost 55% from fiscal year 2013 to 2015.

However, four out of nine pay bands and several specific job types within those pay bands experienced significant increases of misconduct allegations during that time period. For example, from fiscal years 2013 through 2015, the number of misconduct allegations filed against FAMS in the I pay band, which has an annual salary range of \$60,268 to \$93,465, increased by 21% from 601 to 729. According to officials from TSA's Office of Law Enforcement, FAMS are evaluated each year on the competency "maintaining a culture of accountability," which holds FAMS accountable for misconduct. Given the rise in misconduct, the inclusion of this competency in FAMS' performance evaluations does not appear to have a positive impact enough impact to deter misconduct on its own. Despite this, however, other TSA positions are not evaluated on such criteria.

Finally, 63 senior managers had allegations of misconduct filed against them, which indicates that misconduct occurs at all levels of the organization. For example, the former Assistant Administrator for Security Operations was placed on administrative leave after Congress and the media learned that he received about \$90,000 in bonuses that were recommended by a subordinate. In fact, we received numerous allegations of senior management misconduct by TSA sources, which we discuss in detail later in this report.

Employees with Numerous Complaints

Almost half of TSA's entire workforce allegedly committed misconduct, and almost half of that number allegedly did so repeatedly. According to TSA data, from fiscal year 2013 through 2015, almost 27,000 unique employees had an allegation of misconduct filed against them. Moreover, about half of those employees had two or more misconduct allegations filed against them, with some employees having 14, 16, and 18 allegations. In fact, 1,270 employees had five or more misconduct allegations filed against them (see Table 2).

In addition, TSA provided data showing that 781 employees received paid administrative leave while under investigation for alleged misconduct from fiscal years 2013 through 2015, with 20 of these employees receiving such leave for six months or more. Five employees received paid administrative leave for 1 year or more. In total, TSA spent almost \$5.9 million paying these 781 employees while they were being investigated for alleged misconduct.

TSA could not explain to Committee staff in a briefing on this topic why employees might have a significant number of complaints filed against them, nor why headquarters had not identified or handled these repeat offenders. Despite having a policy that recommends more stringent penalties for aggravating factors, such as prior disciplinary offenses, almost half of TSA's workforce allegedly committed misconduct multiple times. This indicates that the number of misconduct allegations is not due to an environment where concerns are addressed, as TSA stated. Instead, it appears as though minimal accountability is provided with certain employees engaging in ongoing misconduct.

Table 2: Number of Employees with More than 1 Complaint during Fiscal Years 2013 to 2015

| Number of Complaints | Number of Employees |
|-----------------------------|----------------------------|
| 1 | 15,385 |
| 2 | 6,195 |
| 3 | 2,778 |
| 4 | 1,250 |
| 5 | 606 |
| 6 | 304 |
| 7 | 149 |
| 8 | 118 |
| 9 | 44 |
| 10 | 22 |
| 11 | 9 |
| 12 | 8 |
| 13 | 4 |
| 14 | 4 |
| 16 | 1 |
| 18 | 1 |
| Total | 26,878 |

Source: TSA data

Loopholes in TSA Policies Allow for Senior Level Misconduct

During the course of this investigation, nearly a dozen individuals came forward to the Committee to report serious alleged misconduct by senior management officials at TSA. Specifically, these individuals alleged that senior officials abused TSA's directed reassignment policy, which allows the agency to reassign or move employees to other locations at their discretion.¹¹ According to these sources, certain senior leaders at TSA have reassigned employees to other locations around the country as retaliation for, in some cases, employees raising security concerns.

On March 10, 2016, Chairman McCaul requested data from TSA on the number of directed reassignments that have taken place to understand the depth of this type of misconduct and to give TSA an opportunity to present information in its defense. However, almost four months later, TSA has only provided about half of the requested data stating that it has required manual review of case files. **If this information is not readily available to provide to Congress, it is likely not readily available to TSA decision-makers, and indicates that TSA is not providing oversight of these types of reassignments.**

Based on data TSA provided to date, TSA issued 1,690 involuntary notices for directed reassignments from fiscal year 2013 to 2015. TSA covers the costs of these forced relocations, but could not provide us with the total costs associated with these nearly 1,700 reassignments. According to TSA policy, managers may reassign employees involuntarily without loss in pay band or basic pay and must give an employee at least 60 days advance notice. Despite these policy requirements, 40% of directed reassignments resulted in a loss in pay and about 160 employees were given less than 60 days advance notice. Over 200 employees declined this forced reassignment with some leaving TSA altogether. Despite TSA having a policy in place to govern the process and establishing an Executive Resources Council to review these types of personnel actions, TSA does not appear to have a clear grasp of what directed reassignments have taken place.

Example of Misconduct:

In 2015, a senior official allegedly approved \$60,000 in cash awards for a relative who also worked at TSA. The DHS Office of Inspector General investigated this case and found that there was no evidence that this official was related to anyone in his command, but that TSA had limited oversight of the award process.

Sources: DHS OIG

Additionally, according to a 2013 DHS OIG report, TSA OOI did not use its staff and resources efficiently to conduct cost-effective inspections, internal reviews, and covert testing.¹² The report found that TSA OOI misclassified its criminal investigators as law enforcement officers, which resulted in higher pay and enhanced retirement benefits.¹³ According to the Office of Personnel Management, law enforcement officers spend, in general, 50 percent of their time investigating, apprehending, or detaining individuals suspected or convicted of violating criminal laws. However, OOI's criminal investigators

spent less than half their time on these activities despite being paid to do so, and other employees performed the same work at a lower cost. The DHS OIG reported that classifying certain individuals as criminal investigators allowed those employees to receive premium pay and other benefits for which they would otherwise be ineligible, resulting in as much as \$17.5 million over five years.¹⁴

To address this problem, members of this Committee introduced the *TSA Office of Inspection Accountability Act of 2015*, which became law in September 2015.¹⁵ This law requires TSA to certify to Congress, and the DHS OIG to validate, that only TSA employees who meet the relevant legal and regulatory requirements are classified as criminal investigators and receive premium pay.

VI. TSA's Bloated Bureaucracy Cannot Effectively Address Misconduct

Five entities within TSA have responsibility for some part of the process to address misconduct—OOI, OPR, Office of Human Capital (OHC), Office of Security Operations (OSO), and airports. However, no one senior official or office at headquarters has been clearly designated as responsible for overseeing misconduct issues, despite TSA having 20 direct reports to the Administrator and nearly 3,000 headquarters employees.¹⁶ Of these, about 230 are in the OHC alone, indicating that hundreds of headquarters staff are tasked with overseeing employee human resources functions and, as part of those responsibilities, should be overseeing employee misconduct.

TSA's Misconduct Industrial Complex Limits its Ability to Manage Misconduct

According to officials from both the Office of Law Enforcement and OPR, OHC is the office responsible for leading misconduct efforts at TSA. However, TSA's Chief Human Capital Officer (CHCO) stated that OHC is responsible for issuing policies and guidance related to human resources, while the FSD at each airport is responsible for ensuring that employees follow them. We spoke with four FSDs from some of the nation's largest airports and found that the extent to which FSDs manage or ensure that employees follow policies varies by airport. For example, one FSD had two TSO managers investigating low-level misconduct offenses as part of a formal collateral duty where they were part of a team that met regularly to review allegations. In contrast, another FSD said all TSO managers were responsible for investigating these types of issues as they arose. This indicates a disconnect between the policies generated by OHC and how well or how often those policies are followed in the field.

Example of Misconduct:

In 2012, a Supervisory TSO and a Lead TSO were found guilty of using cocaine while on duty at Dallas Fort Worth International Airport. Both employees were arrested and charged for possession and resigned from their positions with TSA.

Source: DHS OIG

According to TSA's CHCO, each airport employs its own human resources staff responsible for ensuring TSA policies are implemented. Further, the CHCO stated that OHC provides limited training on an ad hoc basis to airport human resources staff but does not follow up with airport leadership to ensure that policies are followed consistently.

Additionally, TSA's CHCO stated that most disciplinary and non-disciplinary penalties are given by lower level managers at airport checkpoints with potentially very little oversight by the airport's FSD, much less by headquarters. However, the four FSDs with whom we spoke said that all actions taken in response to misconduct are reviewed by local human resources staff and that these cases are entered into the national database, which is managed by the CHCO. This demonstrates a lack of oversight by headquarters of the adjudication process at the airport level and a lack of clarity related to headquarters' role in overseeing that process, which limits headquarters' ability to address misconduct nationwide. TSA has developed a bloated, top-heavy bureaucracy to process misconduct allegations, but does not effectively provide leadership over it to ensure that misconduct is consistently addressed. Furthermore, TSA has failed to properly address misconduct despite using a significant amount of resources to manage or, in this case, mismanage, the misconduct process.

TSA Is Not Reviewing Misconduct Data Systematically or On an Ongoing Basis

TSA is also not systematically reviewing the data on misconduct allegations that airport level staff enter into TSA's national database to identify trends, which limits TSA's ability to identify necessary policy changes to address misconduct. In fact, based on our interviews with TSA personnel, it was not clear whether TSA had reviewed the data contained in its misconduct database until the Committee requested this information.

According to the CHCO, FSDs have access to misconduct data but may not be reviewing it because that there is no requirement to do so. According to one FSD with whom we spoke, misconduct data is available for review by FSDs but it is up to them to determine how often it will be reviewed and what actions will be taken as a result of such a review. In fact, in our interviews with four FSDs from airports around the country, the level of review and oversight of misconduct allegations varied. For example, at one airport, the FSD reviewed aggregate misconduct data by the type of misconduct offense and the length of the process to adjudicate allegations. In contrast, the FSD at another airport only reviewed misconduct information on a case-by-case basis. Furthermore, although some local airports may be reviewing this information, it is not systematically funneled up to TSA at headquarters to be reviewed. According to DHS's Chief Human Capital Officer (CHCO), systematic review of this type of data is critical to addressing misconduct and ensuring consistency. When this does not occur, the DHS CHCO said that it is likely that a "rash of [misconduct] activity occurs and spills over into the agency providing paid administrative leave" as it deals with the issue. As a result, TSA is not using all of the tools it has at its disposal to identify and address employee misconduct and is wasting taxpayer dollars.

TSA Lacks Mechanisms Needed to Address Misconduct

TSA does not have mechanisms in place to ensure that employees follow headquarters policies and guidance. For example, according to GAO's *Standards for Internal Control*, management should use information to evaluate and report on issues, such as employee misconduct, and develop corrective actions to address them.¹⁷ However, TSA is not using all of the tools it has at its disposal to do this. Although TSA requested airports to input data related to employee misconduct allegations, it does not (1) systematically review misconduct data, (2) use that data to develop strategies to address misconduct, or (3) monitor progress—either nationally or at the airport level—in addressing misconduct. Without systematically reviewing data it already collects, TSA will likely be unable to address employee misconduct in the future.

Further, GAO reported that the tone at the top should demonstrate TSA leadership's commitment to integrity and ethical values.¹⁸ However, individuals have come forward to the Committee stating that TSA's oversight body, the Executive Resources Council, has, at times, used directed reassignments to punish employees or force them to quit. Also, allegations of employee misconduct related to senior managers indicate that there is not a commitment to integrity and ethical values. As a result, the confidence that TSA's workforce has in its senior leadership is undermined.

Additionally, management should evaluate performance and hold individuals accountable for their internal control responsibilities, but TSA does not hold FSDs responsible for implementing misconduct guidance at their airports. According to TSA's CHCO, FSDs are not required to track employee misconduct at their airports and, according to numerous complaints made by individuals who came forward to the Committee, senior leaders are not held accountable for their actions. If TSA delegates authority to the airport's leadership-level, then it should hold those officials accountable for addressing or, at a minimum, monitoring misconduct that occurs at the airports for which they are responsible.

In order to ensure that TSA's organizational structure effectively delegates authority to the local level, TSA needs mechanisms to ensure that employees are adhering to guidance. If these are not implemented, TSA will likely be unable to ensure that misconduct declines over time. Although TSA has issued guidance related to employee conduct and expects that all employees review and adhere to it, it does not have mechanisms in place to ensure that the policy is implemented at the local level (e.g. reporting procedures, random inspections, pre-employment polygraphs, or ongoing and routine training). However,



Headquarters

No mechanisms to connect policies generated by headquarters & the employees expected to follow them.

Employees

TSA has not employed any of these to ensure that guidance is followed. See Appendix II for our assessment of deficiencies related to managing TSA misconduct.

Other Agencies Identified Misconduct TSA Missed

According to DHS OIG information, other components and agencies identified misconduct by TSA employees through the pre-employment screening process when they applied for positions in those agencies. For example, during Customs and Border Protection's (CBP) pre-employment polygraph process, TSA employees admitted to committing crimes, at which point CBP provided information on these individuals to the DHS OIG, who subsequently referred these cases to TSA OOI. Some serious examples of misconduct identified through this process include:

- CBP reported to the DHS OIG that one TSA employee admitted to selling and using drugs, accepting bribes, engaging in prostitution, and being involved in a credit card scheme during the course of a pre-employment polygraph and interview.
- The U.S. Postal Inspection Service reported to the DHS OIG that another TSA employee admitted to participating in the production, possession, and distribution of child pornography; abuse of an animal; and shoplifting.

While we acknowledge that these egregious types of misconduct are not indicative of the entire TSA workforce, it is indicative of TSA's inability to effectively identify, root out, and address misconduct when it does occur. We find it concerning that other agencies identified these serious instances of employee misconduct rather than TSA.

TSA's Implementation of Watchdog Recommendations Fell Short

The increase in misconduct allegations over time is of particular concern considering TSA implemented GAO's recommendations aimed at improving efforts to address employee misconduct. GAO recommended that TSA establish a process to review misconduct cases to ensure that airport level staff responsible for adjudicating employee misconduct were complying with TSA's policies and procedures. According to GAO, TSA implemented this recommendation because its Audits and Inspections Division audited disciplinary actions at airports in November 2014 and developed an inspection checklist that included items related to disciplinary files. However, TSA has not provided evidence that it has conducted any audits since that single audit in November 2014. Further, TSA's CHCO told Committee staff that TSA relies on airport leadership to address employee misconduct and comply with headquarters policies. TSA must strengthen its commitment to more rigorous oversight to ensure its senior leaders are complying with policy.

V. TSA's Growing Misconduct Corrodes Morale

As misconduct has grown across TSA, morale has declined from low to even lower. The Federal Viewpoint Survey shows that DHS, as a whole, is at the bottom of the entire federal government for employee morale.¹⁹ According to an analysis of data from the Federal Viewpoint Survey, Federal News Radio reported that:

“DHS’ specific data shows employees like what they do, are willing to put in extra effort or come up with new ideas to improve how they meet their mission. But they say poor performers are not dealt with properly, good work is not recognized in a meaningful way and employees do not feel personally empowered to be creative or innovative.”²⁰

Similarly, the Partnership for Public Service found that TSA ranked 313 out of 320 agency subcomponents for the best places to work in the Federal government.²¹ TSA’s overall index score fell three points from 2013 to 2015. Scores related to fairness—the category related to how employees view whether arbitrary action and personal favoritism is tolerated and if employees feel comfortable reporting illegal activity without fear of reprisal—declined from 2013 to 2015. In addition, scores related to performance-based rewards and advancement were the lowest among agency subcomponents and were down from 2013, which indicates that employees have little confidence that they are rewarded in a fair manner.

Individuals who spoke with Committee staff reinforced these views as many believed they faced reprisals and recrimination for attempting to bring issues forward to improve the agency. Some were forced to other assignments, denied promotions, or forced to move across the country. Such views by TSA’s workforce demonstrate how misconduct contributes to dysfunction and further corrodes morale.

Example of Misconduct:

In 2014, a Supervisory TSO was charged with smuggling narcotics through a TSA-regulated airport in the Caribbean onto airplanes. The DHS Office of Inspector General investigated this case.

Source: DHS OIG

Research shows that organizational culture is one of the primary factors driving individual behavior in general and misconduct in particular.²² Organizations that have a dysfunctional organizational culture are likely to have more examples of failed employee conduct, policies, and programs. Similarly, a recent Homeland Security Advisory Council report on CBP employee conduct outlined factors that affect integrity within an organization:

“Several factors contribute to and promote integrity within an organization. A workforce that is well qualified and trained, one that is highly motivated by its mission, one that believes that personnel and other decisions are made on the merits is far less likely to have integrity lapses and corruption issues. Also important is deterrence and a strong ethos internalized within the organization that emphasizes corruption will not be tolerated and is, in fact, dealt with in a prompt and decisive way, i.e., by prompt investigations and disciplinary actions.”²³

Research has also shown that internal reporting, or whistleblowing, is beneficial to healthy organizations, because it allows leadership to investigate and remediate issues quickly.²⁴ This early detection better positions an organization to prevent small issues from festering into systemic issues.²⁵ Studies also show that “in strengthening internal governance controls, organizations are encouraged to expand opportunities for employee disclosure.”²⁶

It is important for TSA to identify the root causes behind employee misconduct and low morale in order to ensure that both improve over time. Although much can be done to improve management and oversight of specific programs and policy issues, it is up to TSA management to hold employees at all levels accountable for their actions, as well as to establish systems to ensure that proper conduct is rewarded and improper conduct is addressed.

Conclusion

The Committee is alarmed by the longstanding dysfunction at TSA and the serious examples of misconduct that appear to exist at all levels of the organization. During the course of this investigation, it became clear to the Committee that TSA has not taken all the necessary steps to ensure that employees follow policies and that misconduct is properly addressed. TSA has issued policies and the Table of Offenses and Penalties that, in theory, should provide guidance to employees about appropriate conduct and processes for addressing misconduct. However, TSA has not put in place effective mechanisms to ensure that policies are followed.

While we commend Administrator Peter Neffenger for the changes he has made to improve TSA to date, it is unclear whether these changes will be institutionalized as the next Administration begins its term. TSA needs bold reform, led by senior officials with a strong commitment and willingness to change in the face of criticism in order for lasting, positive change to take hold. To improve, significant management reforms at TSA must be made.

Recommendations/Legislative Proposals

Based on this investigation’s findings, we recommend that the TSA Administrator implement the following actions:

1. Identify a senior executive to be responsible for overseeing the misconduct process.
2. Direct the Chief Human Capital Officer to coordinate with the Department’s Chief Human Capital Officer to identify and develop strategies for best addressing employee misconduct.
3. Identify a senior executive to conduct spot checks or random inspections of disciplinary and non-disciplinary actions taken.

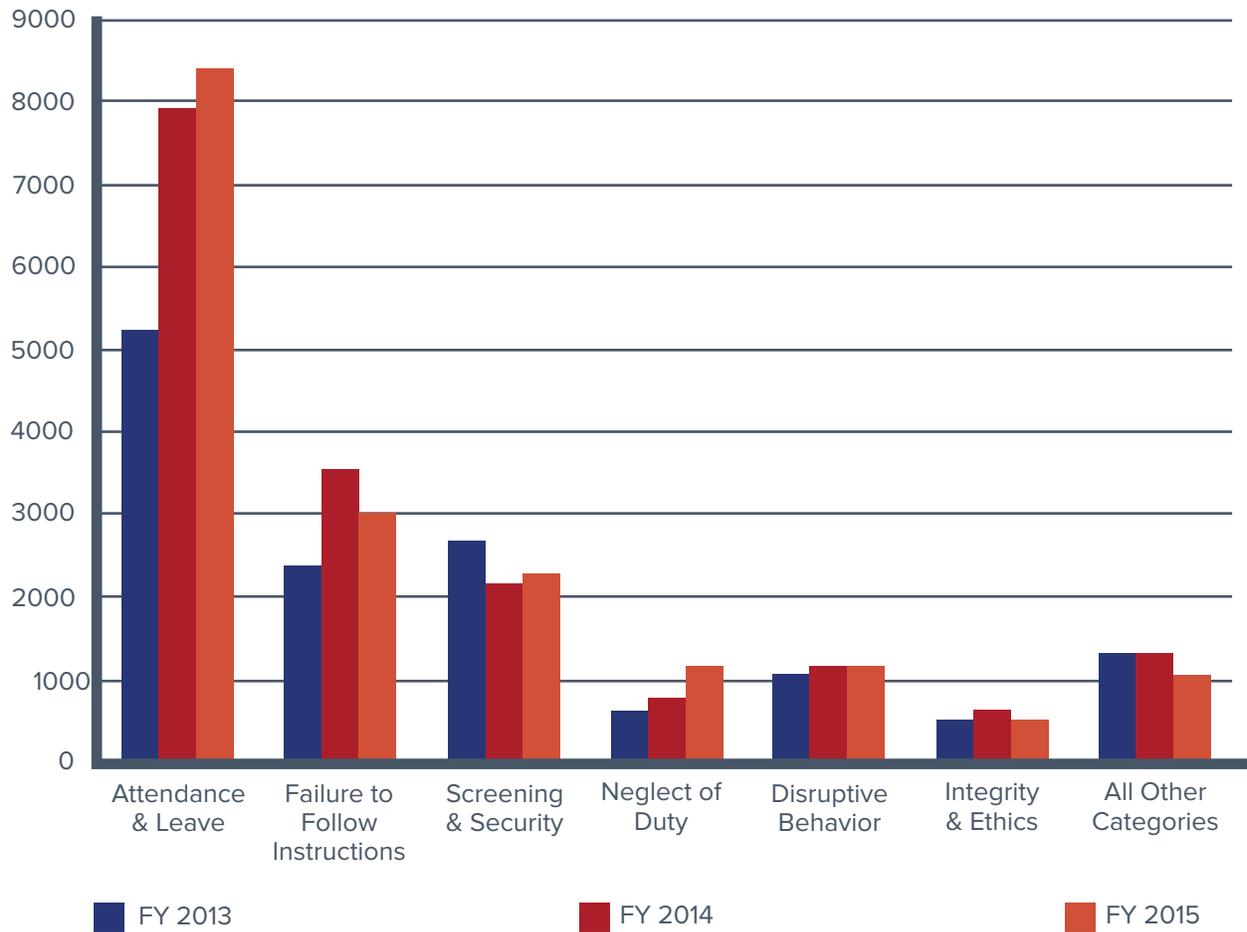
4. Direct the Office of Security Operations to ensure that local level managers are appropriately adjudicating misconduct according to the Table of Offenses and Penalties.
5. Direct the Office of Human Capital to:
 - a. Holistically and systematically review misconduct allegation data.
 - b. Explicitly include all acceptable disciplinary, non-disciplinary, and adverse actions that may be administered for misconduct in the Table of Offenses and Penalties.
 - c. Properly align misconduct policies with those generated by DHS's Management Directorate.
 - d. Develop and implement strategies for addressing attendance and leave issues nationwide.
 - e. Incorporate addressing misconduct into FSD performance evaluations.
 - f. Provide clearer job descriptions on employment announcements so that appropriately qualified candidates apply for positions.
 - g. Develop and deliver training and on-the-job resources for supervisors to appropriately address performance and misconduct issues, including increasing the emphasis placed on ethics and integrity in basic training.
 - h. Develop and implement a process for identifying and quickly addressing repeat offenders.
 - i. Provide clear guidance to all TSA employees on how to report misconduct.
 - j. Develop a strategy to address the root causes of misconduct with specific outcomes to assess performance.
6. Make misconduct information readily available to Congress and, as appropriate, to TSA personnel and the public.

We also recommend that the Department's Chief Human Capital Officer:

1. Issue a department-wide misconduct policy for components to follow, including a Table of Offenses and Penalties, consistent with best practices.
2. As part of the CHCO's Executive Steering Committee, review TSA's policies and processes related to addressing misconduct and develop strategies to address the systemic issues that exist.

Appendix I: TSA Data on Misconduct Allegations by Category

Figure 1: Top Misconduct Allegations Filed Against TSA Employees



Source: Analysis of TSA data

Note: These misconduct types were the top six for all three fiscal years, although the order varied from year to year. However, attendance and leave allegations were the most common for all three fiscal years. The category “All Other Categories” includes the following in fiscal year 2015: drugs and alcohol (209); personal appearance and hygiene (191); falsification and dishonesty (158); failing to meet reporting responsibilities (126); property misuse and damage (119); safety, security, health concerns (68); failure to safeguard information (50); weapons (44); unauthorized taking or possession (33); inquiries and investigations (14); other (11); and mishandling classified information (11).

Table 1: Types of TSA Employee Misconduct Allegations for Fiscal Years 2013 - 2015

| Misconduct Category | Category Description | FY 2013 | FY 2015 | Percent Change from FY2013 to FY2015 |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------|--------------------------------------|
| Neglect of Duty | Inattention to duty resulting in a loss of property or life, careless inspection; negligent performance of duties; failure to exercise due diligence in performance of duties; failure to follow procedures. | 603 | 1206 | 100% |
| Attendance and Leave | Unexcused and/or excessive absences or tardiness, absent without leave, failure to follow leave procedures, etc. | 5214 | 8382 | 61% |
| Personal Appearance & Hygiene | Uniform violations, keeping an unprofessional appearance. | 126 | 191 | 52% |
| Failure to Follow Instructions | Failure to comply with a lawful order of a supervisor/ manager, insubordination, ignoring policies and security procedures, disrespectful conduct. | 2389 | 3023 | 27% |
| Other | | 9 | 11 | 22% |
| Disruptive Behavior | Inappropriate or sexual misconduct, fighting, abusive language, or use of authority. | 1040 | 1160 | 12% |
| Integrity and Ethics | Bribing, conflicts of interest, criminal conduct, nepotism, charge card abuse, misuse of government identification, accepting a gift, improper association. | 516 | 574 | 11% |
| Property Misuse/ Damage | Misuse of Government property, negligent operation of Government property, unauthorized use of Government property, failure to follow proper procedures for handling Government property, damaging Government property, losing Government property. | 118 | 119 | 1% |

| | | | | |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|------|
| Safety/Security/Health | Failure to observe safety procedures, unsafe use of Government equipment, failure to follow instructions, careless performance of duties, negligent performance of duties, inattention to duty, improper use of Government equipment. | 69 | 68 | -1% |
| Safeguarding Information | Failure to secure Government information, careless and/or negligent handling of personally identifiable information (PII) or other materials covered by the Privacy Act; unauthorized disclosure of PII or other materials covered by the Privacy Act; violation of security procedures covering information, documents, records, or other material that is classified or SSI. | 51 | 50 | -2% |
| Reporting Responsibilities | Failure to report arrest, failure to timely report arrest, failure to comply with reporting obligation, failure to report lost property, failure to safeguard Government property. | 150 | 126 | -16% |
| Screening and Security | Failure to follow Standard Operating Procedure (SOP), bypass screening, failure to conduct checks, sleeping on duty. | 2678 | 2248 | -16% |
| Weapons-Related | Failure to report the discharge of a firearm or use of a weapon as required by applicable policy, improper handling of a weapon, failure to follow proper safety practices, loss of TSA-issued firearm. | 58 | 44 | -24% |
| Falsification/Dishonesty | Lack of candor; forgery; unauthorized recording; time and attendance fraud, making misstatements or misrepresentations with the intent to mislead including material and/or intentional falsification. | 219 | 158 | -28% |

| | | | | |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-------|-------|
| Inquiries and Investigations | Refusal to cooperate in agency investigation, failure to cooperate in agency investigation, failure to follow instructions. | 22 | 14 | -36% |
| Drugs and Alcohol | Use of drugs or alcohol on duty, refusal of drug test, positive drug or alcohol test, driving under the influence, use or sale of drugs. | 344 | 209 | -39% |
| Unauthorized Taking/ Possession | Unauthorized use, removal, or possession of a thing of value belonging to another employee or private citizen and colluding with others to commit such acts; actual or attempted theft, or other unauthorized taking of funds or property owned or controlled by the Government and colluding with others to commit such acts. | 81 | 33 | -59% |
| Mishandling of Classified Information | Violation of security procedures covering information, documents, records, or other material that is classified. | 30 | 11 | -63% |
| Property Misuse/Loss/ Damage | Misuse of law enforcement equipment, failure to follow procedures. | 5 | 0 | -100% |
| Total | | 13722 | 17627 | 28.5% |

Source: TSA data

Note: The total number of misconduct allegations by fiscal year include all misconduct allegations by job category in addition to a small number of allegations where the job category or pay band was not specified.

Appendix II: TSA's Implementation of Internal Controls to Address Misconduct

GAO's *Standards for Internal Control in the Federal Government*, which sets internal control standards for federal agencies, outlines specific components and principles for an internal control system, which include having effective oversight and monitoring.²⁷ GAO has found that the tone at the top, oversight, expectations of confidence, and accountability are essential to having effective controls over an organization. It has also reported that effective monitoring within an agency includes reporting and evaluating issues, as well as taking corrective actions.

Our analysis of TSA's efforts to address misconduct found that TSA lacks effective oversight and monitoring of employee misconduct as they relate to GAO's Standards for Internal Control. Specifically, TSA has not effectively implemented any of the seven specific principles related to effective internal controls or monitoring.

Table 1: Analysis of TSA Internal Controls Related to Employee Misconduct

| Principles | Examples | Explanation | Consequence |
|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| Control Environment | | | |
| The oversight body and management should demonstrate a commitment to integrity and ethical values. | Tone at the top Standards of conduct Adherence to standards of conduct | Although TSA has issued policies specifying its code of conduct, TSA does not have a process to ensure that employees adhere to it. Further, individuals have come forward stating that TSA's oversight body, the Executive Resources Council, uses directed reassignments to punish employees or force them to quit. Additionally, allegations of employee misconduct related to senior managers indicate that there is not a commitment to integrity and ethical values. | This undermines the confidence that TSA's workforce has in its leadership. |
| The oversight body should oversee the entity's internal control system. | Oversight structure Oversight for the internal control system Input for remediation of deficiencies | TSA does not have an oversight body that oversees employee misconduct or any internal control systems related to addressing such misconduct. According to TSA's CHCO, headquarters issues policies that employees are to follow but does not have compensating internal controls to ensure that employees actually follow that guidance. | TSA cannot ensure that employees are following policies and guidance intended to address misconduct. |

| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Management should establish an organizational structure, assign responsibility, and delegate authority to achieve the entity's objectives. | Organizational structure Assignment of responsibility and delegation of authority Documentation of the internal control system | TSA established an organizational structure that delegates authority to airport leadership but does not do so in a way that achieves its objectives—namely, to address employee misconduct—because TSA is not ensuring that employees follow policies. | TSA's organizational structure limits headquarters' ability to address employee misconduct nationwide. |
| Management should demonstrate a commitment to recruit, develop, and retain competent individuals. | Expectations of competence Recruitment, development, and retention of individuals Succession and contingency plans and preparation | TSA has struggled to recruit and retain the right employees. For example, according to TSA, in fiscal year 2014, almost 4,700 employees left the agency while only 373 employees joined the agency. Also, Administrator Neffenger has testified that TSA has 4,000 fewer staff than in it did four years ago, which poses significant challenges for TSA to achieve its mission. | Although Administrator Neffenger has made strides in improving TSA, TSA will likely have new leadership with the change in administration, and it is unclear whether the officials that stay with TSA will continue to demonstrate this type of commitment. |
| Management should evaluate performance and hold individuals accountable for their internal control responsibilities. | Enforcement of accountability Consideration of excessive pressures | TSA's CHCO stated that FSDs are not required to address employee misconduct at their airports. Further, numerous individuals stated that senior leaders are not held accountable for their actions. | If TSA delegates authority to airport leadership, then it should hold those officials accountable for addressing or, at a minimum, monitoring misconduct that occurs at those airports. |
| Monitoring | | | |
| Management should establish and operate monitoring activities to monitor the internal control system and evaluate the results. | Establish baseline Monitor internal control system Evaluate results | Although TSA required airports to input data related to employee misconduct allegations, it does not (1) systematically review misconduct data, (2) use that data to develop strategies to address misconduct, or (3) monitor progress—either nationally or at the airport level—in addressing misconduct. | TSA is not using all of the tools it has at its disposal. Without systematically reviewing data it already collects, TSA will likely be unable to address employee misconduct in the future. |
| Management should remediate identified internal control deficiencies on a timely basis. | Report Issues Evaluate Issues Issue Corrective Actions | TSA agreed with GAO's 2013 recommendations but has not fully implemented them. | TSA has not adequately addressed the deficiencies identified in GAO's report. This indicates that TSA is not taking serious steps to address employee misconduct. |

Source: Assessment of TSA practices against Standards for Internal Control in the Federal Government

Endnotes

- 1.** GAO, Transportation Security: TSA Could Strengthen Monitoring of Allegations of Employee Misconduct, GAO-13-624 (Washington, D.C.: July 30, 2013).
- 2.** For public information, see: <http://www.foxnews.com/us/2013/09/14/tsa-agent-accused-helping-smuggle-illegal-immigrants-into-us/>
- 3.** The George Washington University, Mexico and the Triple Threat, Sharon L. Cardash, Frank J. Cilluffo, Bert B. Tussing (Washington, D.C., October 20, 2011).
- 4.** DHS, Management Directive 810.1 The Office of Inspector General, (Washington, D.C.: June 10, 2004). From fiscal year 2013 to 2015, the DHS Office of Inspector General (OIG) conducted 139 investigations related to misconduct by TSA employees. According to TSA, OOI refers specific types of misconduct allegations to DHS, including those involving criminal and serious non-criminal offenses and senior level employees, among others.
- 5.** TSA, TSA Management Directive No. 1100.75.-3 Addressing Unacceptable Performance and Conduct, (Washington, D.C.: February 12, 2014).
- 6.** TSA, Table of Offenses and Penalties for Appropriate Discipline for Common Offenses, (Washington, D.C. May 15, 2014).
- 7.** Pub. L. 107-71.
- 8.** TSA, TSA Management Directive No. 1100.73.-5 Employee Responsibilities and Code of Conduct, (Washington, D.C.: September 30, 2013).
- 9.** TSA, Letter from Administrator Peter Neffenger to Chairman Michael McCaul, (Washington, D.C.: February 26, 2016).
- 10.** TSA pay bands system ranges from A through M, and is roughly equivalent to the executive branch's General Schedule (GS) pay system. These pay bands include TSOs, and administrative, management, and professional employees.
- 11.** TSA, TSA Management Directive No. 1100.30-4 Permanent Internal Assignments, (Washington, D.C.: Dec. 16, 2010).
- 12.** DHS OIG, Transportation Security Administration Office of Inspection's Efforts to Enhance Transportation Security, OIG-13-123 (Washington, D.C.: September 24, 2013).
- 13.** Law enforcement officers qualify for enhanced retirement at the age of 50, with full benefits after 20 years of service; receive a faster accruing pension; and are eligible for receiving an additional 25 percent of their basic pay.
- 14.** OIG-13-123.
- 15.** P.L. 114-53.
- 16.** As of May 2016, TSA headquarters had a total of 2,945 employees onboard.

- 17.** GAO, Standards for Internal Control in the Federal Government, GAO-14-704G (Washington, D.C.: September 2014). GAO defines an internal control as a process used by management to help an entity achieve its objectives.
- 18.** GAO-14-704G.
- 19.** <https://www.unlocktalent.gov/department-of-homeland-security>
- 20.** Federal News Radio, “For DHS, improving employee engagement is not one-size-fits-all.” April 8, 2016. <http://federalnewsradio.com/management/2016/04/dhs-improving-employee-engagement-not-one-size-fits/>
- 21.** <http://bestplacestowork.org/BPTW/rankings/detail/HS10>
- 22.** Vardi, Yoav. The Effects of Organizational and Ethical Climates on Misconduct at Work, Journal of Business Ethics Vol. 29, Issue 4 2001-02. Kluwer Academic Publishers.
- 23.** Homeland Security Advisory Council, Final Report of the CBP Integrity Advisory Panel, (Washington, D.C.: March 15, 2016).
- 24.** Berry, Benisa. Organizational Culture: A Framework and Strategies for Facilitating Employee Whistleblowing, Employee Responsibilities and Rights Journal, Vol. 16, No. 1, March 2004. Plenus Publishing Corporation.
- 25.** Berry. 2004.
- 26.** Berry. 2004.
- 27.** GAO-14-704G.