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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <http://commerce.senate.gov>

JOHN KEAST, STAFF DIRECTOR
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May 23, 2019

The Honorable David Pecoske
Administrator
Transportation Security Administration
601 12th Street South
Arlington, VA 22202

Patricia Cogswell
Acting Deputy Administrator
Transportation Security Administration
601 12th Street South
Arlington, VA 22202

Dear Admiral Pecoske and Acting Deputy Administrator Cogswell:

We write to express concern about the Transportation Security Administration's (TSA) plan to deploy over 40 Federal Air Marshals (FAMs) from Visible Intermodal Prevention and Response (VIPR) teams to assist U.S. Customs and Border Protection (CBP) at the southern border. It is also our understanding that an additional 80 FAMs will be deployed, with the ultimate goal of sending 175 FAMs to support CBP operations. According to recent reports TSA is also considering deploying up to 400 Transportation Security Officers (TSOs) currently conducting screening operations at airports,¹ as well as reprogramming \$232 million from TSA accounts including one which supports security equipment acquisitions.²

While we acknowledge the request for additional resources from the Department of Homeland Security, we have concerns about the potential impact on executing TSA's mission to "protect the nation's transportation systems to ensure freedom of movement for people and commerce."³ Deployment of FAMs would significantly diminish operational capacity, and diversion of funds may slow deployment of new computed tomography (CT) screening machines. In addition, the

¹ Rene Marsh and Gregory Wallace, *CNN to deploy hundreds, including air marshals, to border*, CNN, May 15, 2019, available at <https://www.cnn.com/2019/05/15/politics/tsa-border-security/index.html>.

² Julia Ainsley, *DHS backup border funding plan would take millions from TSA, other agencies*, NBC News, May 21, 2019, available at <https://www.nbcnews.com/politics/immigration/dhs-backup-border-funding-plan-would-take-millions-tsa-other-n1007961>.

³ Mission Statement, Transportation Security Administration, available at <https://www.tsa.gov/about/tsa-mission>.

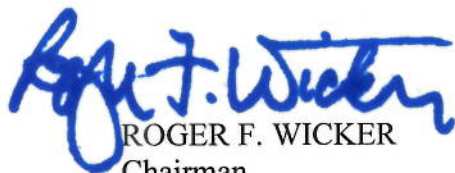
redeployment of hundreds of TSOs at the start of the summer travel season could increase wait times for travelers at airports across the country through the summer and beyond.

At the same time, TSA recently issued a Surface Transportation Security Awareness Message “to encourage continued vigilance over the Memorial Day holiday period, which is associated with increased travel and large outdoor gatherings to which crowds often take public transportation.”⁴

Given TSA’s mission, we would expect that a decision to divert TSA resources toward new functions would be based on a comprehensive risk assessment to ensure the security of our transportation systems. Further, any determinations regarding significant changes to TSA’s security operations and risk-based strategy should only be undertaken after consultation with the congressional committees of jurisdiction.

Accordingly, we request that you meet with us to discuss the decision-making involved in this new and unexpected use of TSA resources and any further deployment of TSA personnel. We also ask that you provide the Committee on Commerce, Science, and Transportation with a risk assessment and analysis of the impact to TSA operations and strategy, as well as a summary of outreach to and coordination with transportation stakeholders, including airports and surface transportation facilities.

Sincerely,



ROGER F. WICKER
Chairman
Committee on Commerce, Science,
and Transportation



MARIA CANTWELL
Ranking Member
Committee on Commerce, Science,
and Transportation

⁴ Surface Transportation Security Awareness Message, Document Control Number 2019-SAM-200-006, May 20, 2019.