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## **IMPROVING SECURITY AT AMERICA'S AIRPORTS: STAKEHOLDER PERSPECTIVES**

### **STATEMENT OF LAUREN BEYER VICE PRESIDENT, SECURITY AND FACILITATION, AIRLINES FOR AMERICA BEFORE THE UNITED STATES SENATE COMMERCE COMMITTEE SECURITY SUBCOMMITTEE**

**OCTOBER 17, 2019**

Good morning Chairman Sullivan, Ranking Member Markey, and members of the Subcommittee. My name is Lauren Beyer, and I am the Vice President for Security and Facilitation at Airlines for America (A4A). Thank you for inviting me here today to discuss aviation security.

**Overview.** The safety and security of our passengers and employees is our single highest priority. We recognize the sometimes-challenging security environment when operating in more than 800 airports in nearly 80 countries, and these challenges have grown in recent years to also include cybersecurity and unmanned aircraft systems. We are dedicated to working cooperatively and collaboratively with the Transportation Security Administration (TSA) and other partners around the world every day to keep our skies safe and secure.

Securing the aviation system protects people first and foremost, but it also helps preserve the American economy. The U.S. airline industry helps drive \$1.5 trillion annually in U.S. economic activity and supports more than 10 million U.S. jobs. When talking about the daily challenges of aviation security it is important to understand the depth and magnitude of what takes place and what is transported by air: U.S. airlines carry 2.4 million passengers and more than 58,000 tons of cargo every single day. The National Strategy for Aviation Security (NSAS) published in December of last year underscores this dual objective:

“The NSAS aims to enhance the safety and security of the Aviation Ecosystem, preserving the freedom of operations for legitimate pursuits and facilitating American prosperity.”<sup>1</sup>

Given the vast geography and sheer volume of air travel it is exceedingly important that we approach security in a smart, effective, and efficient manner that best utilizes the finite resources available to both improve security and facilitate commerce. This becomes even more imperative given the expectation that both passenger and cargo traffic are expected to grow in the coming years.

Indeed, the 2019 summer travel season was the busiest ever with TSA screening 262 million passengers and crew between May 22 – September 3. This equates to an almost 3.4% increase over last year. Overall, TSA performed well during this critical season, and I would like to thank TSA for addressing the growing volume of passengers and cargo with increased staffing and overtime allocation.

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<sup>1</sup> <https://www.whitehouse.gov/wp-content/uploads/2019/02/NSAS-Signed.pdf>



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**Risk-Based Security.** As an industry, we believe aviation benefits most from the principles of risk-based security – which is the lynchpin and bedrock of our security system today. A risk-based approach recognizes that “one size fits all” security is not the optimum response to threats. The implementation of risk-based, outcome-focused measures has been a widely accepted approach to aviation security by governments and industry alike for some time. We know the effectiveness of risk-based security and we therefore strongly support it.

One of our nation’s greatest challenges is to strike the right balance when managing risk. Enhanced aviation security and the efficient facilitation of passengers and cargo are not mutually exclusive goals; government and industry must continue to work together to find pragmatic approaches that appropriately balance these goals.

By utilizing and following risk-based principles we provide a security framework that is more agile and more responsive to current and emerging threats and allows TSA and industry to focus resources on the highest risks. This framework also takes the operational complexity of the U.S. aviation system into account.

Key to our effort to develop and effectively implement risk-based security measures is coordination between TSA and industry. We must continue to build partnerships between TSA and industry that focus on pursuing security improvements in a collaborative and proactive manner. Congress emphasized the importance of this partnership throughout the *TSA Modernization Act of 2018*.

Published last year, the TSA Administrator’s Intent which sets out how TSA intends to execute its strategy through the end of 2020 specifically directs the agency through its guiding principles to “actively seek stakeholder input” and to “collaborate to drive value...through action, transparency and accountability.” Further, the first strategic priority is to improve security, including through “consistent communications and coordination with regulated and non-regulated partners.”<sup>2</sup> We have made good progress in this regard under Administrator Pekoske’s leadership, and U.S. airlines appreciate the Administrator’s steadfast commitment to making **consistent coordination and collaboration with industry** part of the agency’s culture and standard way of doing business.

**TSA Modernization Act.** I would like to thank this Subcommittee and the Congress for the monumental achievement of enacting the *TSA Modernization Act*, the first reauthorization of TSA in its 18-year existence. Many of the provisions in this bill were important to our membership to move critical security initiatives forward. One such provision was the establishment of a 5-year term for the TSA Administrator. The continuity and stability that a 5-year term will bring to a still young agency that has experienced tremendous leadership turnover is much needed.

A4A and airlines have met with TSA periodically since the bill’s passage to review implementation status. While we recognize the volume of requirements placed on TSA by the bill and in some cases the short deadline required, we continue to urge TSA to expeditiously and fully implement those provisions that are outstanding. We respectfully ask this Subcommittee to do the same.

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<sup>2</sup> [https://www.tsa.gov/sites/default/files/tsaadminintent\\_2018.pdf](https://www.tsa.gov/sites/default/files/tsaadminintent_2018.pdf)



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A4A has also partnered with TSA directly or through our participation on the Aviation Security Advisory Committee (ASAC) to provide input on TSA's execution of several provisions. One example of this partnership is the provision that requires an airport worker access controls cost and feasibility study. For TSA to assess the impact of employee screening including a comparison of estimated costs and effectiveness to TSA, airports, and airlines, it necessarily requires close coordination with industry to ensure the full scale of potential impact is considered.

Several cargo-related provisions of the *TSA Modernization Act* deserve mention. We are pleased that TSA has established an air cargo security office within TSA Policy, Plans and Engagement. Consolidation of air cargo expertise and decision-making within TSA will be hugely beneficial to provide focus, momentum and clear guidance on critical cargo security initiatives, including those based on recommendations from the ASAC Air Cargo Subcommittee. We have already seen progress through TSA's successful rollout of the Third-Party Canine Program. We continue to work with TSA on efforts to advance additional technological resources for the screening of air cargo and hope to see additional progress in the coming year.

Innovation in aviation security is key to ensure we continue to stay ahead of adversaries, and innovation frequently has the added benefit of improving the customer experience. This is a primary reason we support TSA's Innovation Task Force (ITF). We encourage TSA to now shift their focus to expediting the resourcing and permanent rollout of successful ITF pilots so that these efforts are seen through from idea to completion.

Additionally, A4A supports TSA's evaluation of biometrics for identity verification at the security checkpoint as well as the consultation with U.S. Customs and Border Protection (CBP). The primary benefit of the biometric program is the enhanced ability to protect against identity fraud, but we also believe it enhances customer experience.

A4A members have worked closely with TSA and CBP during this process. While we believe the privacy protections currently in place are effective, we will continue to work with TSA and our passengers to ensure the highest levels of privacy. Airlines already collect and transmit biographic data to the Department of Homeland Security (DHS) to comply with federal security requirements, so we have experience in the area. Airlines, like DHS, also have committed to strict privacy principles as it relates to the use of biometric information. For facial recognition technology, these principles include opt-out options and non-retention of photos for business purposes. We all agree that privacy is of the utmost importance.

**REAL ID.** Effective October 1, 2020, travelers will be required to have a REAL ID compliant driver's license or alternate approved identification to pass through TSA checkpoints at airports, the final enforcement deadline of the *REAL ID Act of 2005*.

We appreciate Chairman Wicker's leadership in raising awareness of REAL ID in recent hearings and the media about the potential disruption to air travel next year for those passengers who are not prepared with a compliant driver's license or other form of identification.



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U.S. airlines have been working closely with DHS and TSA to amplify their messaging and to direct travelers to the appropriate web sites to ensure they're educated about how to obtain a REAL ID compliant identification card. To that end, A4A participated in the TSA's press conference on October 1, along with other coalition partners, to highlight our public awareness campaigns.

Over the last year, we have undertaken a variety of activities to highlight this issue. For example, our coalition wrote the states' governors asking them to join us in making the public more aware of the upcoming deadline. Since consumers in many states still have the choice between a non-compliant ID, the states need to play a key role in ensuring that consumers understand that even some new IDs may not be compliant. We also asked the governors to consider revising communications to their residents to make clear the difference between REAL ID compliant and non-compliant IDs.

U.S. airlines also are employing a variety of methods to prominently share information such as posting notices of the upcoming change on their websites and social media, deploying videos on their in-flight entertainment systems in addition to putting the message in in-flight magazines.

Since DHS and TSA have not given any indication of a willingness to extend the deadline, we are committed to keeping up the momentum in educating the public in order to ensure that the 2.4 million people who travel every day will be able to flow through the system as seamlessly as possible.

**Insider Threats.** Insider threat continues to be of great concern to the aviation industry, and incidents in recent years are a reminder of the constant vigilance required to keep our skies safe. U.S. airlines are committed to working proactively with TSA, the Federal Aviation Administration and other industry partners to mitigate this continuing challenge. In fact, A4A along with many of our stakeholder partners hosted an event earlier this year that brought together subject matter experts from across the industry and government to solicit airport and aircraft security best practices. These practices were shared across U.S. aviation industry stakeholders. We are currently working with TSA and our other stakeholder partners to determine the best mechanism to continue such voluntary sharing of best practices, whether that be an insider threat information-sharing platform or an ongoing industry-wide working group.

A4A is also an avid supporter of and participant in the ASAC, including its Subcommittee on Insider Threat. We strongly believe the ASAC is the best venue in which to examine and produce recommendations on insider threats and other security matters. The ASAC includes representatives from across the aviation industry and is the traditional mechanism through which TSA and industry collaborate to develop the most effective aviation security measures. The ASAC is a tried, tested and proven mechanism to provide the TSA Administrator diverse stakeholder input and sound security recommendations that achieve the objective of enhanced security while maintaining respect for and flexibility that accommodates the complexity of the U.S. aviation system. This fact is recognized both by Congress through the numerous provisions of the *TSA Modernization Act* that require consultation with or recommendations from the ASAC as well as the TSA through their strong history of acceptance of ASAC recommendations and the recent establishment of a similar committee for surface transportation stakeholders.



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**Stop the annual practice of diverting passenger security fee revenue.** U.S. aviation and its customers are subject to 17 federal aviation taxes and ‘fees’. Included within those numbers are revenues that are intended to support activities at the TSA, including the September 11th TSA Passenger Security Fee. As this Subcommittee knows well, that ‘fee’ is \$5.60 imposed per one-way trip on passengers enplaning at U.S. airports with a limit of \$11.20 per round trip; the fee also applies to inbound international passengers making a U.S. connection.

However, starting in Fiscal Year 2014, Congress started diverting a portion of that fee toward general deficit reduction and is scheduled to continue diverting these critical resources through Fiscal Year 2027. From our perspective, this policy is simply unacceptable. Airlines and their customers now pay \$1.8 billion more in TSA security fees —\$4.1 billion (2018) vs. \$2.3 billion (2013)—for the exact same service. The concept of a ‘fee’ specifically charged to pay for a specific service has long been lost in our industry and they have all simply become taxes by another name. We would respectfully request this Committee do everything in its power to redirect TSA passenger security fee revenue back where it belongs: paying for aviation security. These diverted funds could go a long way to increase TSA capacity and capability to mitigate risk.

We appreciate Ranking Member Markey and Senator Blumenthal’s leadership on this issue through introduction of legislation to eliminate the diversion of security fees.

**TSA Funding.** I would be remiss not to mention and emphasize the importance of operational stability and predictability for the TSA during times of government shutdown caused by a lack of appropriation. The airline industry is reliant upon the TSA providing critical security services; simply, they are essential to our operations. Even minor variations in staffing levels can have dramatic impacts on wait times. Shutdowns come in various forms and circumstance. However, they all have one common thread in that they quickly expose the critical role our government professionals play in many aspects of our lives that we simply take for granted as standard operating procedure. We implore all involved to make sure budgetary contingency plans are in place to allow TSA to operate normally if a shutdown caused by lack of funding occurs. We welcome the Committee’s support in the development and implementation of practical and agreeable solutions that would mitigate or alleviate any future shutdown scenarios. We believe the traveling and shipping public deserve continuity.

Thank you, we appreciate the opportunity to testify and look forward to any questions.