

CONCEALED CARRY-ONS: CONFRONTING THE SURGE IN FIREARMS AT TSA CHECKPOINTS

HEARING

BEFORE THE

SUBCOMMITTEE ON TRANSPORTATION AND MARITIME SECURITY

OF THE

COMMITTEE ON HOMELAND SECURITY HOUSE OF REPRESENTATIVES

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CONCEALED CARRY-ONS: CONFRONTING THE SURGE IN FIREARMS AT TSA CHECKPOINTS

Tuesday, February 15, 2022

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON TRANSPORTATION
AND MARITIME SECURITY,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:02 p.m., via Webex, Hon. Bonnie Watson Coleman [Chairwoman of the subcommittee] presiding.

Present: Representatives Watson Coleman, Payne, Titus, Gimenez, and Miller-Meeks.

Also present: Representative Jackson Lee.

Chairwoman WATSON COLEMAN. The Subcommittee on Transportation and Maritime Security will come to order for today's hearing titled, "Concealed Carry-ons: Confronting the Surge in Firearms in TSA Checkpoints." Without objection, the Chair is authorized to declare the subcommittee in recess at any point.

Thank you to our witnesses for joining us today to discuss the surging number of firearms at TSA checkpoints. Unfortunately, this topic could not be more timely. Last year, TSA caught nearly 6,000 firearms at checkpoints Nation-wide. A new and unprecedented record. That is an average of 16 guns that TSA prevented from boarding a plane each day. Most disturbingly, 86 percent of those guns were loaded.

In 2020, TSA caught 10 firearms per million passengers screened, compared to 5 per million in 2019. On a per-passenger basis, that is a 100 percent increase in just 1 year. The good news is that TSA has a talented work force and top-notch technologies that are keeping us safe. But the bad news is that it only takes a single gun slipping through for tragedy to ensure—ensue—I am sorry. The deadly consequences of a hijacker bringing a loaded firearm on a plane are not difficult to imagine.

Even when TSA successfully interdicts a weapon, transportation workers and the traveling public face dangers. Just a few months ago in Atlanta, a passenger accidentally discharged his firearm at a checkpoint, resulting in chaos, injuries, and flight delays. Of course, we cannot forget the horrific incidences involving gunmen deliberately targeting airports.

We honor the memory of Gerardo Hernandez, who was a TSO in Los Angeles, who was shot for simply doing his job and died in the line of duty. We also remember 5 people who were killed standing at a baggage claim in Fort Lauderdale. This status quo is simply

unacceptable. The increase in unruly passenger incidents alongside the increase in firearms injected into the aviation environment make for a toxic combination. We need to explore a range of solutions to keep guns off planes and away from the TSA checkpoints.

An important piece of this conversation is raising awareness of the laws on the books. Responsible firearm owners follow the law. They know that if you want to fly with a firearm, you can declare it to the airline and ship it in your checked baggage. Yet time and again when TSA catches passengers with guns in their carry-on, most passengers say they forget their gun was even in their bag. In those cases, TSA and airports can play an important role in educating passengers. Prominent and consistent signage and expanded public awareness campaigns can very well ensure everyone knows the rules and that responsible firearm owners will follow established procedures.

TSA can and should also explore steps to increase deterrence. To that end, I am looking forward to hearing our witnesses' thoughts on the sufficiency of the current fines, the PreCheck suspensions, and other consequences TSA imposes on passengers bringing firearms to checkpoints. Bringing a firearm to a checkpoint is a Federal crime. If you intend to bring a gun on a plane, you can go to prison for it. But intent is very hard for prosecutors to prove, which is why it is so important that TSA use the regulatory tools at its disposal to make passengers think twice before packing that weapon in their carry-on.

This should not be a partisan issue. This is not about gun control, but about aviation security. We must all stand together in support of keeping loaded pistols off planes. TSA has an impressive record of catching firearms, but we have gone from approximately 1,000 firearms found at checkpoints in 2010 to nearly 6,000 last year. This is a six-fold increase in little more than a decade. If and when something unthinkable happens, we can hardly act surprised. It simply should not take a tragedy, whether it is a hijacking or an accidental discharge that claims a life, to trigger action.

I stand ready to work with my colleagues on both sides of the aisle, and for witnesses today to keep our aviation system secure. Our panel brings important perspectives to this conversation. The surge in firearms at TSA checkpoints disrupts airport operations, endangers the front-line work force and travelers, and diverts law enforcement resources from where they are needed. I look forward to hearing from our witnesses on how we can all work together to solve this challenge.

[The statement of Chairwoman Watson Coleman follows:]

STATEMENT OF CHAIRWOMAN BONNIE WATSON COLEMAN

Thank you to our witnesses for joining us today to discuss the surging number of firearms at TSA checkpoints. Unfortunately, this topic could not be more timely.

Last year, TSA caught nearly 6,000 firearms at checkpoints Nation-wide—a new and unprecedented record. That's an average of 16 guns that TSA prevented from boarding a plane each day. Most disturbingly, 86 percent of these guns were loaded.

In 2020, TSA caught 10 firearms per million passengers screened, compared to 5 per million in 2019. On a per-passenger basis, that's a 100 percent increase in just 1 year.

The good news is that TSA has a talented workforce and top-notch technologies that are keeping us safe. But the bad news is that it only takes a single gun slip-

ping through for tragedy to ensue. The deadly consequences of a hijacker bringing a loaded firearm on a plane are not difficult to imagine.

Even when TSA successfully interdicts a weapon, transportation workers and the traveling public face dangers. Just a few months ago in Atlanta, a passenger accidentally discharged his firearm at a checkpoint—resulting in chaos, injuries, and flight delays.

And of course, we cannot forget the horrific incidents involving gunmen deliberately targeting airports.

We honor the memory of Gerardo Hernandez, a TSO in Los Angeles who was shot for simply doing his job and died in the line of duty. We also remember the 5 people who were killed standing at a baggage claim in Fort Lauderdale.

The status quo is simply unacceptable. The increase in unruly passenger incidents alongside the increase in firearms injected into the aviation environment make for a toxic combination. We need to explore a range of solutions to keep guns off planes and away from TSA checkpoints.

An important piece of this conversation is raising awareness of the laws on the books. Responsible firearm owners follow the law. They know that if you want to fly with a firearm, you can declare it to the airline and ship it in your checked baggage.

Yet time and time again, when TSA catches passengers with guns in their carry-on, most passengers say they forgot their gun was in their bag.

In those cases, TSA and airports can play an important role in educating passengers. Prominent and consistent signage—and expanded public awareness campaigns—can ensure everyone knows the rules, and that responsible firearm owners follow established procedures.

TSA can and should also explore steps to increase deterrence. To that end, I am looking forward to hearing our witnesses' thoughts on the sufficiency of the current fines, PreCheck suspensions, and other consequences TSA imposes on passengers bringing firearms to checkpoints.

Bringing a firearm to a checkpoint is a Federal crime. If you intend to bring a gun on a plane, you can go to prison for it. But intent is very hard for prosecutors to prove, which is why it is so important that TSA use the regulatory tools at its disposal to make passengers think twice before packing that weapon in their carry-on.

This should not be a partisan issue. This is not about gun control, but about aviation security. We must all stand together in support of keeping loaded pistols off planes.

TSA has an impressive record of catching firearms, but we have gone from approximately 1,000 firearms found at checkpoints in 2010 to nearly 6,000 last year. That is a six-fold increase in little more than a decade. If and when something unthinkable happens, we can hardly act surprised.

And it simply should not take a tragedy—whether it's a hijacking or an accidental discharge that claims a life—to trigger action.

I stand ready to work with my colleagues on both sides of the aisle, and our witnesses today, to keep our aviation system secure.

Our panel brings important perspectives to this conversation. The surge in firearms at TSA checkpoints disrupts airport operations, endangers the front-line workforce and travelers, and diverts law enforcement resources from where they are needed. I look forward to hearing from our witnesses on how we can all work together to solve this challenge.

With that, I now recognize the Ranking Member of the subcommittee, the gentleman from Florida, for an opening statement.

Chairwoman WATSON COLEMAN. With that, I now recognize the Ranking Member of our subcommittee, the gentleman from Florida, for an opening statement, Mr. Gimenez.

Mr. GIMENEZ. Thank you. Thank you so much, Chairwoman Watson Coleman, for holding this hearing today.

There has been a concerning rise in the number of firearms that TSA officers have found in airport security checkpoints Nationwide. As we saw recently at the Atlanta airport, a passenger with a firearm accidentally discharged their gun at the checkpoint, injuring other travelers and creating mass chaos and confusion at the terminal. Passengers evacuated onto the tarmac. Flight arrivals and departures were grounded and the individual who fired the

weapon was able to escape the airport and remain on the run for over a week.

I look forward to hearing from the witnesses today on how a security incident like the one in Atlanta can be prevented in the future. It is important for us to learn so that we can and must improve the airport, TSA, and law enforcement responses. The recent incident in Atlanta and overall rise in the number of discovered firearms Nationally highlights the constantly-evolving threat to our aviation system. I agree with our Chairwoman this is not a gun control issue. This is an education issue. You know, we need to work, both sides need to work, to try to prevent this to make our airports safer.

TSA must ensure that its work force has what it needs in next generation computed tomography technology to accurately find firearms and other prohibited items in carry-on bags. TSA cannot continue to delay and slow walk this needed investment in airport checkpoints Nation-wide. Our dedicated transportation security officers continue to protect the traveling public day in and day out. They deserve better pay that is reflective of the immense value that they provide to our aviation system.

I thank all the witnesses for being here today, especially Ralph Cutié from Miami Dade County who runs my home airport, Miami International Airport. Pre-pandemic, the airport saw over 47 million passengers annually. I look forward to our business and international travel resuming to the 2019 levels in the very near future. Thank you, Madam Chairwoman, and I yield back the balance of my time.

[The statement of Ranking Member Gimenez follows:]

STATEMENT OF RANKING MEMBER CARLOS GIMENEZ

Thank you, Chairwoman Watson Coleman, for holding this hearing today.

There has been a concerning rise in the number of firearms that TSA officers have found at airport security checkpoints Nation-wide. As we saw recently at the Atlanta airport, a passenger with a firearm accidentally discharged their gun at the checkpoint, injuring other travelers and creating mass chaos and confusion in the terminal. Passengers evacuated onto the tarmac, flight arrivals and departures were grounded, and the individual who fired the weapon was able to escape the airport and remain on the run for over a week. I look forward to hearing from the witnesses today on how a security incident like the one in Atlanta can be prevented in the future. It is important for us to learn what can and must be improved in the airport, TSA, and law enforcement responses.

The recent incident in Atlanta and overall rise in the number of discovered firearms Nationally highlights the constantly-evolving threat to our aviation system. TSA must ensure that its workforce has what it needs in next-generation Computed Tomography technology to accurately find firearms and other prohibited items in carry-on bags. TSA cannot continue to delay and slow-walk this needed investment to airport checkpoints Nation-wide.

Our dedicated Transportation Security Officers continue protect the traveling public, day in and day out. They deserve better pay that is reflective of the immense value they provide to our aviation system.

I thank all the witnesses for being here today, especially Ralph Cutié, who runs my home airport of Miami. Pre-pandemic, the airport saw over 47 million passengers annually and I look forward to our business and international travel resuming to 2019 levels in the very near future.

Thank you, Madame Chairwoman, and I yield back the balance of my time.

Chairwoman WATSON COLEMAN. Thank you very much, Ranking Member Gimenez. The Chair would recognize the Chairman of the committee, Mr. Thompson, if he is on? Not seeing Mr. Thompson, we recognize the Ranking Member, Mr. Katko, if he is on? Not see-

ing Mr. Katko. Members are reminded that the committee will operate according to the guidelines laid out by the Chairman and the Ranking Member in their February 3, 2021, colloquy regarding remote procedures. Additional Member statements may be provided for the record.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

Thank you to Chairwoman Watson Coleman and Ranking Member Gimenez for holding this hearing today, and to each of our witnesses for sharing their expertise.

As front-line workers have put their health and lives on the line to protect our Nation during a global pandemic, it is our duty to ensure their safety from gun violence.

Even with significantly lower passenger volume due to the COVID-19 pandemic, TSA detected twice as many firearms per passenger screened at security checkpoints in 2020 compared to 2019.

These numbers continued to rise as Americans resumed traveling more, with nearly 6,000 firearms found in 2021. That is a shocking and alarming rise in dangerous weapons found at airports across the Nation.

While most passengers may have brought their firearm accidentally, these weapons nevertheless present a very real danger to transportation security officers, the traveling public, and our transportation system. Consistently, more than 80 percent of firearms found have been loaded.

At best, the presence of so many undeclared, unsecured guns creates serious disruptions at security checkpoints. At worst, these firearms could prove incredibly dangerous.

Just last November, at Hartsfield-Jackson International Airport—where I travel through regularly—a firearm was accidentally discharged during screening.

Thankfully, no one was hit with a bullet, but the incident created chaos throughout the terminal and exemplified the risks posed by the presence of so many guns at TSA checkpoints.

I am a hunter myself, and I recognize the right gun owners have to transport firearms. But passengers who wish to travel with a firearm must follow proper procedures for transporting them unloaded and locked away in their checked baggage.

Congress and TSA must do everything possible to make gun owners aware of the legal ways to transport firearms and deter them from bringing firearms to screening checkpoints.

We must all work together to curb the rise in firearm incidents, or there could be deadly consequences.

I look forward to learning more about actions Congress can take to reverse the dangerous rise in firearms at TSA checkpoints and ensure American passengers leave their firearms at home when they fly.

Chairwoman WATSON COLEMAN. I now welcome our panel of witnesses. Our first witness is Mr. Balram Bheodari. I do hope I did not bastardize that name. Please correct me when you get a chance to speak. Mr. Bheodari is the general manager of the Hartsfield-Jackson Atlanta International Airport. Previously, he was the chief operating officer for the Houston airport system, and he has served with distinction for 22 years in the U.S. Army. Thank you for your service, sir.

Next, we have Mr. Greg Regan who serves as president of the Transportation Trades Department of the AFL-CIO, a labor organization consisting of 33 unions across the transportation sector. Included among TTD's members are transportation and security officers, flight attendants, pilots, ticket agents, and other transportation workers. Mr. Regan previously served as TTD's secretary treasurer.

I would also like to welcome Mr. Jason Wallis, the president of ALEAN, the Airport Law Enforcement Agencies Network. He also serves as the chief of police for the Port of Portland, Oregon, where

he has worked to secure Portland International Airport for over 2 decades.

Finally, we will hear from Mr. Ralph Cutié. I hope I didn't mess that up too badly either. The director and chief executive officer of the Miami-Dade Aviation Department, where he has also served in a variety of other senior roles.

Without objection, the witnesses' full statements will be inserted in the record. I now recognize each witness to summarize his or her statement for 5 minutes, beginning with Mr. Bheodari.

**STATEMENT OF BALRAM BHEODARI, GENERAL MANAGER,
HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT**

Mr. BHEODARI. Good afternoon, Chairman Watson Coleman, Ranking Member Gimenez, Members of the subcommittee, Chairman Thompson, Ranking Member Katko, and Members of the full committee. Thank you for inviting me to speak today about this especially important issue. We appreciate the committee's support of Atlanta airport and your commitment to airport safety.

I am Balram Bheodari, general manager at Hartsfield-Jackson Atlanta International Airport, known as ATL. On behalf of Mayor Andre Dickens, I am honored to appear before this subcommittee to provide our perspective on reducing the number of firearms at our screening checkpoints.

The team at ATL knows first-hand just how serious this issue is. On Saturday, November 20, 2021, a passenger presented his carry-on bag for inspection at the main domestic security checkpoint. When his bag was selected for secondary screening, he reached into the bag and grabbed his weapon. The weapon discharged once. Passengers at the security queue understandably ran for cover. Social media posts described multiple gunshots and an active shooter. That was not the case.

Our law enforcement team responded immediately and very quickly secured the scene. Our response and ability to return operations to normal in a timely manner speaks volumes about ATL preparedness. However, it also reenforces the challenges posed by the increased presence of weapons at security screening locations.

In 2019, more than 824 million passengers were screened Nation-wide, and 4,400 weapons were found at TSA checkpoints that year. However, in 2021, TSA screened 585 million passengers and discovered a whopping 5,972 firearms at checkpoints. Some 86 percent of those guns were loaded. Five hundred seven of those guns were discovered in Atlanta in 2021.

Clearly, this is an issue that needs to be addressed Nation-wide. Why are so many guns retrieved at our checkpoints? The first answer reflects a bit of good news. It highlights the exceptional work of our dedicated TSA officers. It is their job to ensure the safety of the flying public, and through their diligence and advances in screening technology, they are doing precisely that.

The increase in firearms at checkpoints is a function of an individual gun owner's lack of responsibility be it forgetfulness or a misguided belief that weapons will not be discovered. We must continue to inform and educate the public about firearms rules and regulations.

In collaboration, we at ATL have taken substantial steps to bring attention to this issue. Partnering with the airlines and security and law enforcement agencies at the local, State, and Federal levels, we have amplified our messaging to increase public awareness that includes training our staff with appropriate instructions to passenger in queue and installing dynamic and static signage with increased message frequency. We also have shared gun restriction messaging with share ride operators and local media outlets to remind passengers that guns are not allowed at airport checkpoints.

What more can we do? There are 4 elements we recommend for further exploration. First, strengthen the penalty of violators by reviewing the existing fine structure. Next, have violators attend mandatory gun safety training. Third, consider the options of including violators on the No-Fly list until training is complete. Finally, assess the possible suspension of trusted travel privilege for violators.

In partnership, we are consistently examining ways to inform and educate and focus intently on reducing firearms brought to ATL's screening checkpoints. Again, we appreciate the subcommittee attention to this issue and your commitment to improving the safety of our Nation's airports. Thank you for your time.

[The prepared statement of Mr. Bheodari follows:]

PREPARED STATEMENT OF BALRAM BHEODARI

FEBRUARY 15, 2022

Chairwoman Coleman, Ranking Member Gimenez, Members of the subcommittee, Chairman Thompson, Ranking Member Katko, and Members of the full committee, thank you for inviting me to speak today about this especially important issue. We appreciate the committee's support of Atlanta's airport and your commitment to airport safety.

I am Balram Bheodari, general manager at Hartsfield-Jackson Atlanta International Airport (ATL). On behalf of Atlanta Mayor Andre Dickens, I am honored to appear before this subcommittee to provide ATL's perspective on reducing the number of firearms at our screening checkpoints.

The team at ATL knows first-hand just how serious this issue is.

On Saturday, November 20, 2021 at 1:22 p.m., a passenger presented his carry-on bag for inspection at the Main Domestic Security Checkpoint. His bag was selected for secondary screening, and during that process, he reached into the bag and grabbed his weapon. The weapon discharged—once—and passengers in the security queue understandably ran for cover. Social media posts of the incident began almost instantaneously, some of them describing multiple gunshots and an active shooter at the airport.

That was not the case.

Our law enforcement team responded immediately, and very quickly secured the scene. Our response to this incident and our ability to return operations to normal in a timely manner speaks volumes about ATL's preparedness. However, it also reinforces the challenges posed by the increased presence of weapons at security screening locations.

In 2019, more than 824 million passengers were screened Nation-wide, and 4,400 weapons were found at TSA checkpoints that year.

However, in 2021, TSA officers screened 585 million passengers and discovered 5,972 firearms at checkpoints. Some 86 percent of those guns were loaded.

Clearly, this is an issue that needs to be addressed Nation-wide.

The question must be asked—why are so many guns retrieved at our checkpoints? The first answer reflects a bit of good news. It highlights the exceptional work of our dedicated TSA officers. It is their job to ensure the safety of the flying public, and—through their diligence and advances in screening technology—they are doing precisely that.

We contend that the increase in firearm confiscation is a function of an individual gun owner's lack of responsibility. Be it forgetfulness or a misguided belief that

weapons will not be discovered. We must continue to inform and educate the public about applicable firearm rules and regulations.

In collaboration, we at ATL have taken substantial steps to bring attention to this issue.

- We have partnered with airlines and with security and law enforcement agencies at the local, State, and Federal levels to expand messaging and increase public awareness.
- We have expanded our own messaging in three different channels:
- First, staff have been trained on the growing issue of guns at checkpoints. Their scripted message to passengers in queue has been modified to include this reminder: “Please check your bag for any firearms.”
- Next, we have incorporated dynamic and static signage with increased message frequency.
- And finally, we have shared gun restriction messaging with rideshare operators and local media outlets, reminding passengers that guns are not allowed at airport checkpoints.

What more can be done?

There are 4 elements we recommend for further exploration:

- First, strengthen the penalties for violators by reviewing the existing fine structure.
- Next, have violators attend mandatory gun safety training.
- Third, consider the option of including violators on the “No Fly” list until training is complete.
- And finally, assess the possible suspension of trusted travel privileges for violators.

In partnership, we are consistently examining ways to inform and educate, and focus intently on reducing firearms brought to ATL’s screening checkpoints. We appreciate the subcommittee’s attention to this issue and your commitment to improving the safety of our Nation’s airports.

Thank you for your time.

Chairwoman WATSON COLEMAN. Thank you, Mr. Bheodari. Thank you for your thoughtful recommendations that we will take under consideration. We would now like to recognize Mr. Regan to summarize his statement for 5 minutes.

STATEMENT OF GREG REGAN, PRESIDENT, TRANSPORTATION TRADES DEPARTMENT, AFL-CIO

Mr. REGAN. Thank you and good afternoon Chair Watson Coleman and Ranking Member Gimenez. Thank you for inviting me to testify on the alarming increase in firearms confiscated at TSA security checkpoints.

I speak on behalf of 36 unions who represent America’s front-line transportation work force. Many of those unions represent passenger-facing workers across the entire aviation sector, including pilots, flight attendants, passenger service agents, and most critical for today’s hearing, transportation security officers who are responsible for ensuring the safety and security of our entire aviation system.

This hearing could not come at a more important time, both for the health and safety of front-line aviation workers and for the general public on-board aircraft and on the ground. As this committee is well aware, COVID has driven tension in airports and aboard airplanes to an all-time high. In 2021, the FAA reported a record 5,981 incidents of unruly passenger behavior. This behavior has been directed at TSOs themselves, as well as passenger service agents, flight crew, and other airline and airport workers. In many cases, these employees have been physically assaulted resulting in broken bones, lost teeth, and long-term injuries that have often prevented them from returning to work.

While this behavior is absolutely unacceptable on its own and Congress and the administration must do more to protect these employees, it is paramount that the current crisis of assaults does not escalate even further to the point of gun violence. As the Chair mentioned earlier, right now demonstrates just how real this threat is with 6,000 guns confiscated over the last year at security checkpoints. Eighty-six percent of those were loaded and many of them had a round in the chamber. That broke the previous confiscation record set in 2019 by approximately 1,500 weapons. It came at a time when domestic travel was still below what it was at pre-pandemic levels.

This spike in confiscated firearms underscores the essential role of TSOs in maintaining aviation safety. We support efforts by local law enforcement, airport authorities, and the Federal Government to remind passengers of their legal obligations concerning their firearms. But it ultimately falls on the shoulders of TSOs to identify and confiscate weapons at these checkpoints.

There is no action response or antidote to the current surge in illegal passenger-carried firearms more effective than a well-trained and well-treated TSO work force. To ensure we meet this goal, TTD and our affiliated unions make the following recommendations. First, we call for the passage of the Transportation Security Administration Workforce Act of 2021, which would put TSOs on equal footing with other Federal employees by providing workplace rights and protections under Title 5, access to the Merit Systems Protection Board, and GS pay scale with regular step increases.

TSOs currently report the second-lowest job satisfaction of any DHS subagency. Only 32 percent of TSOs are satisfied with their pay rate. Providing these critical security employees with basic Federal work force protections and a fair pay scale are important first steps toward improving morale, decreasing turnover rates, and strengthening our security work force. I want to thank the full committee Chairman Thompson for his long-standing leadership on this important bill and to those of you who are among the 227 bipartisan cosponsors during this Congress.

Congress must also ensure that TSA has the resources it needs to carry out its mission. That is why we call for passage of the FASTER Act, which would prevent the continued diversion of aviation security fee revenue for non-security purposes, and instead, ensure that these funds are used as intended, to strengthen the operational capabilities of TSA and its work force.

At the same time, Congress and TSA must not take steps backward. Efforts to privatize the TSA and hand over fundamentally Governmental duties to private operators is not a security-first solution. TSA was created after 9/11 when Congress and security experts alike recognized that the existing hodgepodge of private screening operations throughout the country created vulnerabilities in our system. Privatization efforts willfully ignore the painful lessons learned over 20 years ago.

We are also deeply concerned that TSA's recent announcement that it will introduce non-certified "security support assistance" into the security checkpoint may have the opposite of the intended effect on security and situational awareness. Given the influx of

firearms, the airport passenger screening work force must be at its most effective. Neither of those initiatives will contribute to this goal.

Finally, as TSA considers how to respond to the spike in firearms and other security threats, we call on the agency to involve representatives of airline and airport employees in the safety and security process. TSA has not permitted representatives of these employees to serve as “regulated parties” in certain TSA proceedings denying the agency of critical information from the front lines.

I, again, caution this committee not to take steps that undermine critical safety workers in this country, but to instead focus your efforts on providing TSOs with the training and the quality work environment that they need and deserve to protect themselves, other transportation workers, and the traveling public. Thank you and I look forward to your questions.

[The prepared statement of Mr. Regan follows:]

PREPARED STATEMENT OF GREG REGAN

FEBRUARY 15, 2022

On behalf of the Transportation Trades Department, AFL–CIO (TTD) and our 36 affiliated unions, I first want to thank Chairwoman Watson Coleman and Ranking Member Gimenez for inviting me to testify before the committee on this increasing threat to airport security. TTD member unions represent passenger-facing workers throughout the aviation environment, including pilots, flight attendants, passenger service agents, and Transportation Security Officers (TSOs). Our members rely on, and are responsible for enforcing, the protocol that passengers cannot access their firearms while in secure areas of the airport.

GUNS AT WORK: INCREASED FIREARM CONFISCATIONS

As the committee is well aware, the TSA reported the confiscation of 5,972 guns at checkpoints in 2021, of which approximately 86 percent were loaded, and “many of those had ammunition in the chamber.”¹ This broke the previous confiscation record set in 2019 by approximately 1,500 weapons, and came at a time in which domestic enplanements are still below pre-pandemic levels. Given today’s airport environment, in which assaults and interference against airport and airline staff are also at an all-time high, it is of the utmost importance that passengers are prevented from illicitly bringing firearms past TSA security checkpoints.

This spike in confiscated firearms underscores the essential role of Transportation Security Officers in maintaining aviation safety. While we certainly encourage efforts by local law enforcement, airport authorities, and the Federal Government to remind passengers of their legal obligations concerning their firearms, it ultimately falls on the shoulders of TSOs to identify and confiscate weapons at security checkpoints.

To be clear: There is no action, response, or antidote to the current surge in illegal passenger-carried firearms more effective than a well-trained and well-treated TSO workforce. Troublingly, in 2020 TSOs reported the second-lowest job satisfaction of any DHS subagency, and a meager 32 percent of TSOs reported satisfaction with their pay rate, compared to 67 percent of employees Government-wide.² In combination with chronic understaffing, rampant misconduct and retaliation from TSA managers, and a wave of unruly and violent passengers, TSOs today are asked to make critical safety decisions in difficult circumstances. TTD concurs with Administrator Pekoske’s view that the increase in confiscated firearms is likely correlated to increases in firearm ownership and purchases over the course of the pandemic, a phenomenon that the TSA has no control over.³ However, there are clear steps that the TSA and Congress can take to ensure that the TSO workforce is best prepared to

¹<https://www.wftv.com/news/local/orange-county/tsa-seizes-record-number-guns-2021-oia-ranks-top-10/OHYXJNCOZVCIJG22JD2TDZJK24/>.

²<https://www.dhs.gov/sites/default/files/publications/dhs-2020-fevs-agency-management-report-3.pdf>.

³<https://fortune.com/2022/01/13/airport-security-confiscated-5700-firearms-2021-record/>.

respond to security threats at checkpoints, including the increased presence of firearms in carry-on baggage.

THE NEED FOR CONGRESSIONAL ACTION

First, we call on Congress to expeditiously pass the Rights for the TSA Workforce Act of 2021 (H.R. 903/S. 1856). Since the creation of the TSA, TSOs have been unfairly denied the same bargaining rights, pay, and benefits enjoyed by other Federal workers, including their colleagues at DHS. The legislation would put an end to this unjust two-tier system by requiring the TSA to provide these workplace rights and protections under Title 5, granting TSOs access to the Merit Systems Protection Board, and would place TSOs on the general pay scale with regular step increases. These reforms would drastically improve working conditions, morale, and quality of life for TSOs, and are long overdue measures that would support the long-term health and success of the TSO workforce.

We also call on Congress to pass the FASTER Act (H.R. 1813/S. 2717). Since 2013, Congress has diverted billions of dollars in collected aviation security fees and spent these funds on items unrelated to aviation security. This committee has previously estimated that more than \$19 billion will be diverted by 2027 if no preventive action is taken. The FASTER Act would end this raiding of security fee dollars and guarantee that collected revenue goes toward its intended purposes—to the TSA personnel, training, and equipment that the agency requires to carry out its safety mission. We thank Chairwoman Watson Coleman and Ranking Member Gimenez for your support of this legislation, as well as additional Members of the committee who have cosponsored the bill. TTD looks forward to working with you to identify a path to passage of the legislation.

STEPS BACKWARD THREATEN SAFETY

It is equally important that neither Congress nor the TSA pursue measures which hamper the TSO workforce and/or degrade airport security. To that end, we strongly oppose efforts to privatize the TSA and its security responsibilities. Following 9/11, the TSA was created and mandated the unified Federal agency to oversee security operations at our airports. Now, as we confront the clear danger presented by the wave of firearms showing up at airport security lines, the TSA remains the best-suited entity to carry out this mission. Efforts to privatize the TSA whole-cloth, or piecemeal through the creeping expansion of the Screening Partnership Program, or by turning over certain security duties to unqualified private contractors with minimal oversight are unequivocally steps backward that place the traveling public and aviation employees at greater risk.

We thank Administrator Pekoske for his leadership in opposing one such scheme, the Registered Traveler Act of 2020, which he correctly noted “would place the critical transportation and National security function of ensuring passengers are appropriately screened in the hands of private firms that are not directly accountable to the U.S. Government”.⁴ This legislation is not the first, nor will it be the last, effort to devolve critical Federal security roles to private for-profit contractors, and we hope for the committee’s support in rejecting similar efforts going forward.

TTD similarly urges caution with regards to any efforts that would replace screenings performed by the TSA with screenings performed under the auspices of different international standards or authorities. A passenger’s ability to travel within the country while carrying dangerous goods, including weapons that the United States and the TSA have chosen to restrict or prohibit must not be contingent on differing requirements of other screening providers at international destinations.

Unfortunately, the agency has also pursued initiatives that would degrade the quality of its own workforce and its ability to identify and act on security threats like the presence of a firearm. For example, the TSA recently announced that it is hiring Security Support Assistants (SSA), a newly-minted position, at 18 pilot airports across the country.⁵ Unlike TSOs, this position will not require certifications on equipment and security procedures, and, according to the posted job description, will perform tasks like providing assistance to superiors in the monitoring and flow of individuals through security check lanes, providing information and assistance to passengers, and moving checked baggage to and from X-ray conveyor systems. Despite a lack of certifications, SSAs will somehow also be responsible for “taking ap-

⁴ Pekoske Letter to Chairman Wicker, 5/18/2020.

⁵ ATL, AUS, BOI, BOS, CVG, DEN, DTW, JFK, LIT, MSP, OAK, ORD, PDX, PHL, PHX, RSW, SEA, and SLC.

propriate steps to ensure all safety requirements are adhered to and suggest[ing] safety improvements as appropriate”.⁶

It should be noted that the TSA has deliberately crafted these positions as an end-around to existing union representation, determining that although SSAs are tasked with duties currently performed by TSOs, they will not be part of the bargaining unit. Furthermore, while the SSA position is advertised as supplementary to existing TSOs, the net result of the presence of an SSA may be one less authorized full-time equivalent (FTE) position for primary screening functions carried out by a TSO, given existing limitations on the totality of FTE positions to carry out screening functions. It is difficult to imagine how a decrease in the ranks of certified and qualified TSOs is likely to increase safety.

Additionally, a TSO’s ability to rotate to other points on the security line is a key element in maintaining situational awareness at checkpoints. Being aware and alert is essential for optimal performance, such as ensuring that a firearm is identified and proper security protocols are implemented. However, because an SSA is non-certified and they are not able to rotate into other positions, a TSO who would have rotated into those duties will not be able to do so. Decreased ability for rotation along the line may ultimately lead to less-alert TSOs at the most crucial points of the screening process. In light of these concerns, we call on the TSA to reconsider the SSA program.

We must ensure that the TSA workforce has the tools it needs to succeed, both in the long-term and in the immediate future. In 2021, the FAA reported a record 5,981 incidents of unruly passenger behavior.⁷ This behavior has been directed at TSOs themselves, as well as passenger service agents, flight crew, and other airline and airport workers. In many cases, these employees have been physically assaulted, resulting in broken bones, knocked-out teeth, and long-term injuries that have prevented a return to work. This behavior is unacceptable, and TTD and our affiliates have called for more effective actions from Congress and the Federal Government. We continue to demand that all available avenues are pursued to protect the employees that we represent from workplace violence and unruly behavior.

With that in mind, the incursion of firearms into the powder keg that is the current airport ecosystem could have deadly consequences for both employees and passengers. The TSA and its workforce should be commended for its efforts to date, and the 5,972 firearms it confiscated last year. However, if the ability and readiness of the TSA workforce is threatened or degraded, there is increased possibility of a firearm slipping through a checkpoint and ending up in the hands of an unruly passenger wishing to do harm to employees or other passengers. We are grateful that such an event has not yet occurred, but it is incumbent on Congress and the TSA to take actions as described here to further mitigate the likelihood of an incident involving a firearm.

In order to ensure that personnel are best-prepared to prevent future security incidents, including those involving firearms, it is necessary for TSA, or for Congress by statute, to ensure equity with regard to so-called regulated parties. The TSA has opaquely allowed these regulated parties access to security proposals for the purpose of inclusion and comment, including security directives, alterations to standard security programs, and changes to policy and rules. This division hamstringing our ability to participate in the process, understand the potential for upcoming changes to aviation security which directly affect our members, and to help provide critical security input to help best shape policy and advocate for creative security solutions. The TSA’s exclusion of labor parties has created an inequity in information and participation. Currently, regulated party status has only been provided to carriers, airports, and other entities with an, at times, narrow focus on economic matters. The rationale is that these parties are “regulated” by the agency. However, this argument is undermined by TSA’s decision to permit certain industry trade associations to have access and participate. We call on TSA to reverse course, and permit labor representatives of these employees, who have a great stake in airport and airline safety, to receive regulated party status.

We thank the committee for the opportunity to testify today about the serious aviation security concerns raised by a spike in firearm confiscations, and we look forward to working with you to ensuring the continued security of our Nation’s airports.

Chairwoman WATSON COLEMAN. Thank you, Mr. Regan, for your very considerate advocacy and testimony. Be assured that we rec-

⁶ USAJobs Posting Req #: ORD-22-000007-SSA-F, accessed 2/11/22.

⁷ https://www.faa.gov/data_research/passengers_cargo/unruly_passengers/2021_archive/.

ognize the importance of our TSO employees and the fact that they do deserve respect and decent pay and protection and opportunity. So, thank you very much. The Chair now recognizes Mr. Wallis to summarize his statement for 5 minutes.

**STATEMENT OF JASON WALLIS, CHIEF OF POLICE, PORT OF
PORTLAND**

Mr. WALLIS. Thank you and let me apologize for the construction that is surrounding me today. So, Chairwoman Watson Coleman, Ranking Member Gimenez, and Members of the subcommittee, thank you for the opportunity to speak with you today about the issue of firearms at the TSA checkpoints and the impacts on airport law enforcement.

I am the chief of police of the Portland International Airport and the president of ALEAN, Aviation Law Enforcement Agencies Network. I have been in law enforcement for 26 years and I have been the chief here at the port for the past 7 years. PDX is the largest commercial airport in Oregon and Southwest Washington. My No. 1 priority is to ensure the safety of everyone who utilizes airport facilities.

ALEAN has over 100-member airport police departments located at the Nation's largest airports. ALEAN supports airport police with annual training conferences and broad engagement on issues of civil aviation security.

The National growth in passengers over the past decade also came with an increase in the number of firearms at the TSA security checkpoints. In 2011, TSA detected 1,320 firearms at the checkpoints. As already mentioned, in 2021, that number grew to 6,000 firearms. Here at PDX, our growth in firearms at checkpoints mirrored the National trend. In 2011, we had 19 loaded mostly firearms detected at our checkpoints and 66 were found in 2019. Over 90 percent of those firearms were loaded. Even during the global pandemic and its impact on air travel, TSA saw a doubling in the per capita rate of passengers with firearms screened at the checkpoints. This steady growth is alarming to me as a chief of police and the president of ALEAN.

When the TSA identifies a firearm through the screening process, TSA and police staff immediately investigate. These investigations shut down the checkpoint lane during the encounter causing delays, as well as creating a very stressful situation for TSA staff and travelers. Firearm investigations are staff-intensive, thorough, and involve multiple steps to secure the firearm and conduct an owner interview. Ultimately, police must resolve the incident in accordance with each State's laws, and there might not be an appropriate State criminal charge. The varied State criminal enforcement statutes limit the options available to address the increase in firearms in airport terminals. Civil penalties may be imposed by TSA to travelers who bring firearms to the checkpoints.

Local jurisdictions are working to address the situation. Here at the port, we engaged the Oregon State policy makers over the course of several years about this issue. In 2021, the Oregon legislature passed Senate bill 554. The law added passenger terminal at PDX to the definition of a public building in Oregon, which prohibits intentional possession of a firearm within the terminal. Con-

cealed handgun license holders are also subject to a misdemeanor charge for bringing a firearm to the checkpoint. Firearms in checked bags consistent with Federal and airline policy are allowed. Law enforcement officers and a limited number of listed groups of persons may possess firearms in the terminal.

I believe the change has enhanced our ability to protect the traveling public and provide us with the authority to arrest or cite passengers and allow appropriate enforcement action to take place. However, the increase of firearms at checkpoints reduces the ability of TSA and airport police to focus on their primary duties in other sensitive areas of the checkpoint and securing those airports against threats.

I would ask the subcommittee to consider these actions to help bring increased awareness to the traveling public about the prohibition of firearms at checkpoints. So, I offer these following recommendations.

First, consistent and clear signage at the start of the checkpoint queue in airports. I believe this is an issue of such critical importance that there should be a standard sign at every single airport checkpoint prohibiting firearms through passenger screening and including the relevant penalties if found with a firearm. The signage should not be optional for local Federal security directors or airport operators.

Second, clear and consistent communication from airlines to passengers and an opportunity for TSA to work with the airlines regarding passenger firearm protocol at the checkpoint. Airlines should be part of the solution by communicating with passengers the checkpoint firearm rules and policy when check-in whether by phone, kiosk, or in person regarding the prohibition of firearms in carry-on bags and through the checkpoint.

Violations should come with increased fines. The Federal fines must act as a deterrent, an actual deterrent to folks who carry firearms. The current fines, as you know, range from \$1,500 to \$13,910. To my knowledge and my experience, the maximum fine is rarely, if ever, imposed and clearly not serving as a deterrent. I believe the TSA and Congress should consider significantly raising the civil penalties imposed to make an actual impact.

Enrollment in DHS Trusted Traveler programs is a privilege. Currently those who violate rules regarding firearms will have the Trusted Traveler benefits revoked for a period of time. I believe the program should be revised to allow and encourage DHS to permanently withdraw the status of any traveler who violates the firearms policy at the checkpoints.

I thank you for this opportunity to address you today about the increase in firearms at the airport checkpoints and I look forward to working with the subcommittee on solutions that will assist us in protecting airports. I am happy to answer any questions. Thank you.

[The prepared statement of Mr. Wallis follows:]

PREPARED STATEMENT OF JASON WALLIS

FEBRUARY 15, 2022

Chairwoman Watson Coleman, Ranking Member Gimenez, and Members of the subcommittee, thank you for the opportunity to speak with you today about the issue of firearms at TSA checkpoints and the impacts on airport law enforcement.

I am the chief of police of the Port of Portland (Port) and the current president of the Airport Law Enforcement Agencies Network (ALEAN). I have been in law enforcement for 26 years, 24 of those serving at the Port of Portland police department. I was named chief of police for the Port in 2015. My job—and the job of our police officers at the Port—is that of your typical police department: We are the law enforcement agency responsible for public safety at our properties. Most of our work is centered at PDX. My No. 1 priority is to ensure the safety of everyone who utilizes our facilities.

Located in Portland, Oregon, the Port owns 3 airports—Portland International (PDX), along with 2 general aviation airports, Hillsboro and Troutdale—4 marine terminals on the Columbia and Willamette Rivers, and we are the largest owner of industrial land in Oregon. Our mission is to build shared prosperity for the region through travel, trade, and economic development. Our core values are leadership, inclusion, and service.

PDX is the largest commercial airport in Oregon and Southwest Washington, serving nearly 20 million passengers annually in 2019, prior to the pandemic. On average, 55,000 passengers would travel through PDX on a daily basis. Today, travel volume at PDX is approximately 75 percent of pre-pandemic levels. We believe 2022 will continue to see steady increases in travel, and that we will ultimately return to our pre-pandemic growth in the years ahead. We are also in the midst of a significant expansion at PDX, a \$2 billion capital construction investment. Our goal is a PDX that can manage 34 million passengers annually by 2045.

ALEAN has over 100-member airport police departments located at our Nation's largest airports. As the ALEAN president I support airport police by bringing together agencies to work on similar issues, support annual training conferences and actively provide input in the formulation of public policy concerning matters of civil aviation security, through partnerships with Government agencies and industry stakeholders.

The National growth in passengers over the past decade also came with an increase in the number of firearms identified at the security checkpoints. In 2011, the TSA detected 1,320 firearms at checkpoints. A decade later, in 2021, there were nearly 6,000 firearms interdicted at the Nation's airport checkpoints. Between 2011 and 2019, the average annual rate of firearms detected at the checkpoint was 5 firearms per million passengers screened. In 2020 and 2021, that rate jumped to an average of 10.2 firearms per million passengers. In other words, in the midst of the global pandemic and its crushing impact on air travel, the TSA saw a doubling in the per capita rate of passengers with firearms screened at the security checkpoints. This steady growth is alarming to me as a chief of police and as ALEAN president.

When the TSA identifies a firearm through the screening process, TSA and police staff immediately conduct an investigation. These investigations shut down the checkpoint lane during the encounter, causing delays, as well as creating a stressful situation for TSA staff and travelers alike. The firearm investigations are staff-intensive, thorough, and involve multiple steps to secure the firearm and conduct an owner interview. Even though the TSA and airport police conduct an investigation on every firearm detected, police must resolve the incident in accordance with each State's laws. There may or may not be criminal charges. The varied State enforcement statutes limit the options available to address the increase in firearms in airport terminals. Civil penalties may be imposed by TSA for travelers who bring firearms to the checkpoint.

PDX's growth in firearms at the checkpoint mirrors the National trend. In 2011, there were 19 firearms detected at our checkpoints and 66 were found in 2019, over 90 percent of these firearms were loaded. I would like to share my journey in establishing a prohibition of firearms at TSA screening checkpoints in Oregon.

Both TSA and the Port were troubled by this increase in firearms, and as a result, the Port engaged Oregon State policy makers over the course of several years about the issue. In 2021, the Oregon legislature passed Senate Bill 554 which added the

passenger terminal at PDX to the definition of “public building” in Oregon.¹ This meant that existing State law, which makes intentional possession of a firearm in public buildings a felony, would be applicable at PDX. Individuals with a concealed handgun license are also subject to prosecution for bringing a firearm to the checkpoint but those cases are a misdemeanor, not felony.

What didn’t change under the new Oregon law: Passengers may continue to travel with firearms in checked baggage if they are unloaded, packed in a locked hard-sided container, and with ammunition packed separately, consistent with Federal and airline policy. Law enforcement officers, as well as a limited group of persons defined in State statute, may also have firearms in the terminal.

Ultimately, this change was about the safety of our passengers at PDX. I believe it has enhanced our ability to protect the traveling public and provided us with the authority to arrest or cite passengers and allow appropriate enforcement action to take place.

The increase of firearms at checkpoints reduces the ability of the TSA and airport police to focus on their primary duties of protecting and securing our airports against other threats. I would ask this subcommittee to consider actions to help bring increased awareness to the traveling public about the prohibition of firearms at checkpoints.

I offer the following recommendations:

Consistent and clear signage at the start of checkpoint queues in airports.—Every airport and TSA checkpoints have signs, and lots of them. And local airport operators—including the Port—retain significant authority over signage. I believe this is an issue of such critical importance that there should be standard signs at every single airport checkpoint prohibiting firearms through passenger screening and include the relevant penalties if found with a firearm. This signage should not be optional for local Federal Security Directors.

Clear consistent communication from airlines to passengers regarding firearms protocol.—When checking in for a flight, passengers must acknowledge prohibited hazardous material and prohibited items before finalizing check-in. But there is currently nothing specific highlighted about the prohibition of firearms at security checkpoints. I believe this notice should be revised to ensure passengers are provided clear information about checkpoint policy as well as the procedure for checking firearms.

Violations should come with increased fines.—Federal fines imposed by TSA must act as an actual deterrent to passengers who carry firearms. The current fines which can range from \$1,500 to \$13,910 are clearly not serving as that deterrent, and to my knowledge the maximum penalty is rarely if ever imposed. I believe TSA and Congress should consider significantly raising the civil penalties to make an actual impact.

TSA PreCheck/Trusted Traveler.—Enrollment in the Department of Homeland Security Trusted Traveler programs is a privilege. Currently those who violate rules regarding firearms will have Trusted Traveler benefits revoked for a period of time. I believe the program should be revised to allow and encourage DHS to permanently withdraw the status of any traveler who violates the firearms policy at the checkpoint.

In closing, more needs to be done to ensure that the traveling public is aware of the regulatory prohibition on carrying firearms into the checkpoint and increased penalties imposed for those who continue to do so.

Thank you for this opportunity to address you today about the increase of firearms at airport checkpoints. I look forward to working with the subcommittee on solutions that will assist us in protecting our airports.

Chairwoman WATSON COLEMAN. Thank you. I appreciate your perspective Mr. Wallis. The Chair now recognizes Mr. Cutié to summarize his statement for 5 minutes.

**STATEMENT OF RALPH CUTIÉ, DIRECTOR AND CHIEF
EXECUTIVE OFFICER, MIAMI INTERNATIONAL AIRPORT**

Mr. CUTIÉ. Good afternoon Chairwoman Watson Coleman, Ranking Member Gimenez, and distinguished Members of the subcommittee. Thank you for inviting me to testify before you today

¹ Specifically, the statute states, “Any person who intentionally possesses a loaded or unloaded firearm or any other instrument used as a dangerous weapon, while in or on a public building, shall upon conviction be guilty of a Class C felony.” ORS 166.370.

on this very important and alarming issue at our country's airports. My name is Ralph Cutié and I am the director and chief executive officer of Miami International Airport. If I may, Madam Chair, I would like to take a moment to especially extend a warm greeting, as we say here in Miami, to our hometown Congressman Ranking Chairman Gimenez—Ranking Member Gimenez—and thank him for his many years of service to Miami-Dade County and to our airport and the strong support that he has given our airport over the years.

Here some of the news here at MIA on the heels of 3 consecutive record-breaking years in passenger volume, you know, we went through a very difficult 2020 after COVID hit. We finished up 2019 with 47 million passengers as Ranking Member Gimenez mentioned. That translated after COVID to in 2020, where we had 18 million passengers come through our airport. A significant decrease in passenger volume.

Now, from that we have rebounded and had a very robust recovery over the last year. We finished off 2021 with a record-breaking year for us. In November and December, we had a significant increase in passenger volume. Of the top-10 days in MIA's history, he had 8 of those top-10 days in November and December of this year, including our No. 1 day of all time, December 19, when we moved almost 166,000 passengers through our airport.

So, the good news is that we have rebounded very well from the COVID pandemic. We are currently the No. 1 fastest-growing airport in the United States. We are the No. 2 airport for international passengers in the country. We are currently the fourth- or fifth-busiest airport in the United States depending on what day we look at those stats.

So, I guess the point there is that the news is very good from our end. But with that good news, comes very big challenges, not the least of which is the challenge that we are discussing today. So, as far as the issue of firearms at checkpoints is concerned, my colleagues have already mentioned the statistics which are alarming. Nearly 6,000 weapons confiscated at checkpoints Nation-wide. That is unacceptable. Here at MIA ourselves, we have had a rash of confiscated weapons. In 2020, during the pandemic, we set a record by TSA confiscating 60 weapons at our checkpoints. Unfortunately, we broke that record in 2021, which resulted in 75 arrests by our Miami-Dade police department at our checkpoints. Again, not a number that we are proud of and a very alarming number.

That combined with some of the statistics that one of my colleagues mentioned regarding unruly passengers is of great concern to us. I mean, 6,000 unruly passenger incidents throughout the country is not a good number. We had 607 here at Miami-Dade County at our airport. We essentially tripled the long-standing National average from pre-COVID, which is 150 to 200 unruly passenger incidents a year.

So, we are very concerned about those numbers but are we enthusiastic that we can take that paradigm? Absolutely. We have taken steps starting in Thanksgiving to try to curb those numbers. One of the things that we have done is working together in partnership with TSA, this Thanksgiving we implemented a program where we installed high-visibility signage at all of our security

checkpoints regarding firearm education and so passengers are aware that the firearms would not be allowed, obviously, at the checkpoint. We also worked with TSA to reach out to all of our partner airlines to make sure that they educate the traveling public when they go to the checkpoints either through direct engagement in conversation between their ticketing agents and the passengers, and also through high-visibility signage that the airlines can use to go ahead and deter those types of things happening at our checkpoints.

We are also exploring potentially messaging through our ride share services and going ahead and having our Uber and Lift services here at the airport have signage in the different vehicles and go ahead and advise passengers that we have a zero-tolerance policy when it comes to firearms being carried onto or through our checkpoints.

So, we have taken steps already in an effort to be proactive and try to curb that. So far, those efforts have been successful. Our numbers have come down from approximately an average of 2 to 3 confiscated firearms per week pre the implementation of these measures. We are now as of January, we had 3 in a month. So, in the month of January, we had 3. So, those numbers seem to be coming down. What we are doing seems to be working. But, obviously, we are open to other potential solutions and I am willing to listen to all of our colleagues. I mean, obviously, we could always use additional TSA staff. Nobody is going to argue with that. And additional funding in that regard. But, you know, we obviously take the problem extremely seriously and we look forward to the conversation. I thank you again for the opportunity to testify before you and look forward to working with all of you to get through this. Thank you very much.

[The prepared statement of Mr. Cutié follows:]

PREPARED STATEMENT OF RALPH CUTIÉ

FEBRUARY 15, 2022

Good afternoon Chairwoman Watson Coleman, Ranking Member Gimenez, and distinguished Members of the subcommittee. Thank you for inviting me to testify before you today along with this distinguished panel of aviation and law enforcement partners on this very important and alarming issue.

My name is Ralph Cutié, and I am the director and chief executive officer for the Miami-Dade County Aviation System which includes Miami International Airport (MIA), Miami-Opa Locka General Aviation Airport (OPF), Miami Executive General Aviation Airport (TMB), Homestead General Aviation Airport (X51), and the Training and Transition Airport (TNT).

BACKGROUND

For our discussion today, I will focus primarily on MIA but there is also some National context that I believe is important. MIA is operated by the Miami-Dade Aviation Department and is the property of Miami-Dade County government. MIA offers more flights to Latin America and the Caribbean than any other U.S. airport, is America's second-busiest airport for international passengers, boasts a lineup of over 90 air carriers and is the top U.S. airport for international freight. Prior to the COVID-19 pandemic, MIA handled over 47 million passengers. MIA is also the leading economic engine for Miami-Dade County and the State of Florida, generating business revenue of \$31.9 billion annually and approximately 60 percent of all international visitors to Florida. MIA's vision is to grow from a recognized hemispheric hub to a global airport of choice that offers customers a world-class experience and an expanded route network with direct passenger and cargo access to all world regions.

COVID-19 put an immediate halt to our vision. From a record-setting 47 million passengers in 2019, MIA experienced empty terminals and empty aircrafts. If not for the financial assistance provided by Congress, MIA along with every other airport in this country would not be in the position to restart our industry.

But with this restart, new and unexpected issues have arisen. Specifically, an increase of firearm confiscations at our passenger checkpoints.

Madam Chair, I applaud you and this committee for clearly recognizing the problem and putting together today's hearing in the effort to finding solutions to this problem which is critical to the continued safe and efficient operation of the Nation's aviation system.

According to the National Shooting Sports Foundation (NSSF), civilian firearm purchases in the United States in 2000 totaled about 7 million. By 2010 that number was approaching 10 million. In 2020, the first year of the pandemic, over 22 million guns were sold in this country and estimates range as high as 40 percent for the number of those sales that were to first-time gun buyers.

Now, I know that those facts raise a lot of questions that we are not here today to answer but I cite them because they give context to the discussion that we are having. These numbers tell us that there are significantly more guns in circulation today and a lot of people out there that are not experienced in owning a gun and the solemn responsibilities that go with it. Add to that the forgetful, careless, and clueless and you can see the results quite clearly.

The Transportation Security Administration (TSA) officers across the State of Florida have seen a surge in passengers bringing guns to airport checkpoints, breaking records at airports across the country.

According to TSA published data, TSA officers detected a record number of firearms at airport security checkpoints in 2021, establishing a new 20-year record—even with fewer passengers traveling due to the pandemic. By December 31, 2021, TSA officers stopped 5,972 firearms at our Nation's airport checkpoints. The number of firearms that TSA officers are stopping at airport checkpoints is alarming and Florida airports are certainly not immune. And we suffer the consequences. While the vast majority of passengers caught with firearms have no ill intent, the negative impact on the airport is undeniable. Screening is disrupted, lines get longer, TSA and local police resources are diverted, and everyone is inconvenienced.

At MIA, the numbers reflect the National trend. In 2021, the Miami-Dade Police Department (MDPD) made 75 arrests for firearms at our checkpoints breaking the previous record of 60 in 2020. Tampa International Airport (TPA), Southwest Florida International Airport in Fort Myers, Orlando International (MCO) and Fort Lauderdale International Airport (FLL) have similar increases. MIA, FLL, TPA, and MCO are typically in the top 10 or 11 airports across the country for passengers violating the Federal law.

MITIGATION EFFORTS AT MIA

So, what are the penalties and presumably the deterrents? Passengers who violate the firearms regulation face a civil penalty from the TSA that can reach as much as \$13,910 and that is up from \$10,000 just a few years ago. That fine is imposed regardless of whether the individual is cited or physically arrested and transported to jail by our law enforcement partners. If the traveler is in the TSA PreCheck® program, those privileges will be lost for a period. And repeat offenders may lose their privileges permanently.

RECOMMENDATIONS

Can we shift the paradigm? I believe the answer is yes. At MIA we began a simple passenger education effort last Thanksgiving. In partnership with TSA, we placed high-visibility signage at security checkpoints where passengers enter the queue. TSA has reached out to airlines here and encouraged them to make firearms awareness part of the ticketing transaction, either with signage or through agent-to-customer conversation. In the few months since this initiative began, we have seen guns at checkpoints go from the previous high of 2 to 3 per week to only 3 in the entire month of January. While the numbers may not yet be statistically important, they do give reason to be optimistic and to seek out additional partners to educate the public.

In closing, I am grateful for the opportunity to provide the views of MIA on this very important issue and how we can minimize operational impacts moving forward and appreciate your attention to this matter.

Thank you for your consideration and the opportunity to testify.

Chairwoman WATSON COLEMAN. Thank you so very much. I am having a bit of a problem with my camera. I can't see you. I hope you can see me. But in the mean time, I will try to figure this out. So, I need to thank every one of the witnesses for their testimony today. I am going to remind the Members of the subcommittee that each of us will have 5 minutes to question the panel.

Without objection, Members that are not on the subcommittee shall be permitted to sit and question the witness. As I indicated, I did see Congresswoman Sheila Jackson Lee. I don't know if there are any others on. But she will be recognized. I am now going to recognize myself for some questions.

I am really interested in talking about the ripple effect on the airport operations when a gun is found at a TSA checkpoint. So, I am going to start with you, Mr. Bheodari. When TSA identifies a gun in a passenger's carry-on luggage, please walk us through what happens operationally.

Mr. BHEODARI. Bheodari, Hartsfield-Jackson General Manager. When the TSA screened the bag, there was an anomaly that was not readily identified, and the TSA pulled that bag aside for a secondary screening unaware that there was a weapon in the bag. Had a passenger knowing that there was a weapon in his carry-on bag, reached in, grabbed the weapon, and in that scuffle, the weapon accidentally discharged.

Once the weapon discharged, the checkpoint had a number, several, couple of hundreds of passenger in queue waiting to go through security screening. You could imagine the confusion that occurred at that instantaneous moment where passengers started running. They just abandoned everything and started running for cover.

Our law enforcement officer that was at the security checkpoint, the minute he heard that sound, looking at CCTV video footage, he start moving toward the zone of fire. He called in for back-up and then from there, Atlanta police took over their response and very, very quickly ascertained that it was an accidental discharge. It was not intentional. They started a search for this individual throughout the airport public area. We were certain that he didn't make it into the secured area of the location. Then from there, once we ascertained that it was secure, it was unintentional and APD secured the scene for further investigation, we moved toward reopening the airport. The airport was closed for approximately 2½ hours.

So, talking about this incident itself, there were other rippling effects, and one of those is the financial impact. We estimate that for every hour because of the magnitude of our operations here that this airport is closed, it has a financial impact of nearly \$2.5 million to our stakeholder, to the airline, to the concessioner, parking revenue, and so on and so forth.

But again, we were fortunate that our skill was so well-honed. Just a day before, we conducted an active-shooter exercise. So, it was fresh in the mind of everyone and despite that exercise, our team is continually training because we know the chaos this could bring to an airport.

Chairwoman WATSON COLEMAN. Thank you, sir. Mr. Wallis, from the law enforcement perspective, what does your response entail?

Mr. WALLIS. Thank you, Madam Chairwoman, for the question. Much like described earlier, they are staff-intensive. So, a general response for a gun, a firearm in a bag at a checkpoint looks like this. Mandatory minimum of two officers. We know there is a firearm present. Here at PDX we have spent many years working with TSA on establishing an incident command system. So, we have a mini-incident command with our sergeant. So, that is a third police officer and their screening supervisor. One thing we also have that, I think, most airports have if the passenger reaches for the gun, or there is a discharge, we also have the alarms installed at the checkpoint.

But on an average gun in the bag, it is we have established a small area at each checkpoint where once we secure the firearm, determine that the person is not dangerous. Obviously, if the person is showing signs of being threatening, we would take him into custody. But, in general, the passenger is willing to come with us while we run the firearm to make sure it is not involved in any crimes, is not stolen, see if it is loaded, question the person.

Then at the end of the day, we have two ways to go. If the firearm is seized because it is evidence, it is extensive packaging and forensic evaluation of the firearm, along with criminal charges. But more often than not, as you have mentioned, and others as well, it is just a civil penalty. We do write full investigative reports on every gun at the checkpoint. We also forward those civil incidents to the FBI because as mentioned, there is a corresponding Federal felony charge that looks much like our State charges for the firearms. That is kind-of it. If we seize the firearm, there is a lot of ways it could go. But more often than not, we do not.

Chairwoman WATSON COLEMAN. Thank you. Thank you, Mr. Wallis. My time has run out. I did want to ask questions about the fines. I think that is something that you all address in everyone of your recommendations. So, if not one of my colleagues doesn't cover that, I will cover that in a second round. I will now recognize the Ranking Member, Mr. Gimenez.

Mr. GIMENEZ. Thank you, Madam Chairwoman. Question of somebody, maybe if somebody has the answer to this. What percentage of the folks that have a gun in their carry-on, how many of them, what percentage of that is on purpose? What percentage of it is, hey, I forgot, I didn't know, it is a mistake? What are the percentages there?

Mr. CUTIÉ. Congressman, I would say here in Miami, I would say the vast majority, probably more than 95 percent, are inadvertent carry-ons. In other words, it is not a purposeful, somebody with some kind of ill intent in the majority of the cases here. The vast majority of the cases, it is somebody that has forgotten. They were either they are used to carrying, and they had forgotten, and they go to the checkpoint and then that is where the situation goes south.

Mr. GIMENEZ. OK. Does anybody have a difference of opinion that it is not 95 percent that it is inadvertent?

Mr. BHEODARI. In Atlanta, a great majority, 90+ percent, oh, I forgot. The data is showing as that we don't—if they are caught with a gun, we don't have repeated offenders.

Mr. GIMENEZ. You don't. That is a great question, OK. That was a question, actually, I was going to ask. What is the percentage of repeat offenders? Which means to me that they really weren't trying to get something through.

So, if 90 to 95 percent of the people is inadvertent, I am not sure where heightened penalties are going to avert that because it was a mistake. I mean, you could charge me \$100,000, if I forgot that there was something in there, I am not sure that that is going to avert anything. So, there has to be, I think, the solution to this for 90 to 95 percent is greater signage and greater signage and greater signage all over the airport so that it is not just it doesn't happen just when you walk into the TSA checkpoint. That when you walk into the airport, there are no guns. Then maybe that will trigger, oh, my God, hey, I have a gun.

Then is there a place, I guess, where if you do have a gun in your carry-on, that you say, hey, if you have a gun in your carry-on, you need to go check that bag and there is a process for you to carry that gun so that basically you don't have to go back home, et cetera.

So, I think that is something that I would like to see, greater signage and options for an individual that may have forgotten that they have a gun in there. Or maybe their memory may be jogged.

Now, in terms of the Atlanta incident, what concerns me is that the individual was able to grab the gun. Now, did the person grab the gun before it went through the checkpoint or after it went through the checkpoint?

Mr. BHEODARI. Well, the protocol in Atlanta is if a gun is visible on the screening monitor, that gun is—and the way our checkpoint in our system the technology is designed, that gun—that bag will be diverted into a secure location and it will be handled. An APD, Atlanta police officer will call to handle that bag.

In this case here, the gun was not visible through the screening process. So, the gun was diverted just for a back search, a back screening by a TSO, a transportation security officer. That is where the difference in the split was in this incident versus a bag that has a gun where the gun is visible on the entry.

Mr. GIMENEZ. That now opens up a heck of a lot more questions. How in the world was the gun not visible on the X-ray? How was it that that gun got through and the X-ray operator didn't see that there was a gun there?

Mr. BHEODARI. So, Congressman, we could provide more additional information because I am not a technical expert to discuss why that gun was not visible through the X-ray screening process. But the expertise here at the airport could certainly provide and we could provide a written explanation to that question.

Mr. GIMENEZ. I guess you don't want to show why it wasn't. Maybe the individual packed it a certain way. But that is concerning in and of itself that somehow a gun got through without us knowing there was a gun there.

So, again, Madam Chairwoman, maybe that is something that we need to discuss with TSA about the technology they are using. What percentage of bags may have guns that we don't even detect, all right? That to me is much more concerning probably than this 95 percent of the people that are carrying a gun, you know, inad-

vertently. So, my time is just about up. Maybe I will have, if you indulge me in another round of questions after everybody is done. So, thank you very much and I yield back.

Chairwoman WATSON COLEMAN. Thank you, Mr. Gimenez. Following up on your concerns, I agree with you. We are trying to get a greater understanding of how a gun wasn't detected. But something alerted a TSO to put that baggage into a second tier of scrutiny, and I would like to understand what that was. If he didn't see a gun, what was it that alerted that TSO to move that bag to another location for additional scrutiny? Sir, would you know the answer to that off-hand, Mr. Bheodari?

Mr. BHEODARI. I think the TSA officials could better answer that question, Congresswoman, because I am not familiar with why—what they saw on the screen that caused the decision to be made for secondary screening versus diverting to the safe location for a weapon.

Chairwoman WATSON COLEMAN. Thank you. I recognize Ms. Titus.

Ms. TITUS. Thank you, Madam Chairman and thank you for holding this hearing. You know, it is really important here in Las Vegas because we have got the fifth-busiest airport and now that the economy is coming back, more and more people will be coming. Also, we have so many sporting events that we expect to see more people coming. We have had the same problem that has been mentioned by other airports, a record number of guns found last year, 83 by TSA. That is a considerable increase and we worry about it increasing more.

Just a couple of questions to whoever wants to answer it. One is a large number of the people who come through our airport speak a different language. They don't speak English. Last time I had a bill that was required TSA to put up signs in other languages. I wonder if they feel like that signage to explain you can't carry a gun in a different language might be adequate? Also, as more people pour through here, if you find a gun and it disrupts the whole process, how do you deal with the people who are behind you in the line and now want to go catch their plane and they got to stop because somebody has found a gun and it is causing confusion at the checkpoint? Finally, just briefly, what about these 3D-printed guns? How are we going to be dealing with those?

Mr. WALLIS. Madam Chairwoman Titus, thank you for the questions. This is Jason Wallis with ALEAN and the Port of Portland Police. There are a few layers to that. So, for the most part, that is the reason we require multiple staff on those calls is partly because of that crowd management. TSA actually does a really good job if the checkpoint lines are slowed or shut down of diverting and opening up different lines. That has been my experience in your airport and here at PDX. They do a really good job.

The 3D-printed gun question, you know, that has been on our radar for a few years and a concern. Obviously, the main concern is safety for everybody involved. The fact that it potentially violates, you know, regulations that are already set up on firearm production and distribution. It really would make it difficult for law enforcement after an incident on the forensic side to, you know, do our normal checks whether it is a barrel, how things work.

Then, obviously, we have concerns and as mentioned earlier, what technology is there to detect those? I know some of the TSA equipment is very good at detecting polymer-based constructed guns. I know it is improving and it is probably an area that needs to be funded and explored further. It is a concern for law enforcement.

Ms. TITUS. Would somebody address maybe the language problem if that is a problem?

Mr. CUTIÉ. Representative Titus, here in Miami in our case, all of our signs in that we have a very large Hispanic community, our signs are all in English. However, they are clearly illustrated so it is like a stop sign. You will see an illustration of a gun with a red line through it. So, I mean, it is very—it is very, very clear in our case. It is a universal type thing where, you know, it is clear that a firearm is not allowed. So, we are real clear on that.

When it comes to checkpoints, et cetera, I mean, our biggest issue is when a firearm is detected and confiscated, typically, one of our lanes in our checkpoints are closed down, which reduces our throughput by 25 percent, which is a major impact for us. If that period of time is extended, then, you know, that ends up in passengers missing flights, et cetera, schedules being disrupted. In some cases, some chaos at the terminals. Disruption of the resources that we have, assignment of police officers, et cetera. So, those are some of the impacts we deal with almost on a daily basis here.

Ms. TITUS. Thank you. So, you can use universal symbols if you don't have all the different languages—

Mr. CUTIÉ. That is correct.

Ms. TITUS [continuing]. That might be. That is good, OK.

Mr. CUTIÉ. That is correct.

Ms. TITUS. Well, there has just been so much hostility in airports with the virus and the masks and the spacing that I hate to see this—people get backed up and that contribute to it. So, appreciate the good work that you all do. I see you every week when I fly back and forth to Washington through the Las Vegas airport and appreciate what you do to keep us safe. Thank you, Madam Chairman. I yield back.

Chairwoman WATSON COLEMAN. Thank you, Ms. Titus. I just want to share with the group that there was a TSA statement. It said that the firearm we were talking about was detected as it passed through the scanner and then it was moved to secondary screening. Which is then I was also told usually if a gun is found, the bag is held inside the X-ray machine until the law enforcement arrives. So, there really is a good reason to speak with TSA and try to get the real skinny on this. Madam Miller-Meeks.

Mrs. MILLER-MEEKS. Thank you, Madam Chair, and I thank you to our witnesses who are here. This certainly is an important topic. I just want to follow up a little bit on what Representative Gimenez had asked in reference to how many times are firearms found or left in a bag and it is accidental? Then the follow-up question was that how many second offenders are there and I am sure this is something that you track and the answer was none. So, are there ways that TSA can proactively, i.e., at the airports you constantly hear messages where to park your car, are there messages

that can be relayed prior to going through security so that people get out of the line and remove their firearms if they in fact have firearms, and then check them?

Mr. BHEODARI. So, Congresswoman Miller-Meeks, if I understand it—

Mrs. MILLER-MEEKS. I am sorry?

Mr. BHEODARI [continuing]. This is Bheodari from Atlanta airport—correctly, how many of those weapons that they discover are deliberate or just forgetfulness? Based on what the police records show, most of those that are apprehended for a weapon in their carry-on luggage at the checkpoints claim that they forget the weapons. That is in high 90 percentile. Of repeat offender, last year I think we only had 1 repeat offender of the 507 weapons that were caught at the checkpoint. Messaging are done in a number of fashion. We have the mnemonic messaging, static messaging, pictorial, multi-language, local media, customer service standing in the queue line reminding passengers to check their luggage one more time to ensure that they don't have any guns in their luggage or any other prohibited items. So, it is done multiple times along the journey to include when you check in on either your app the airlines, there is a whole set of messaging by the airlines to talk about prohibited items.

Mrs. MILLER-MEEKS. Yes, I have seen the static messages on a message board, if you will. But I have not seen other messages in the numerous airports that I travel, at least not in the United States. That was why I was asking my question so that people are pulled out of the line if, in fact, it is accidental—

Mr. WALLIS. Congresswoman.

Chairwoman WATSON COLEMAN. Congresswoman, you are muted.

Mrs. MILLER-MEEKS. OK. My phone says I am unmuted so I am sorry.

Chairwoman WATSON COLEMAN. You are fine.

Mrs. MILLER-MEEKS. I will yield back my time.

Chairwoman WATSON COLEMAN. Thank you, Congresswoman. I recognize Mr. Payne.

Mr. PAYNE. Thank you, Madam Chair, and thank you for this timely hearing. This question is for all the witnesses. What challenges do firearms pose to the security of the public areas of an airport such as ticket counters and baggage claim and parts of the concourse before the security checkpoints? Anybody?

Mr. WALLIS. Congressman, I can take a stab at that question. Jason Wallis, ALEAN, chief of police of Portland International Airport.

Mr. PAYNE. Yes, sir.

Mr. WALLIS. So, you know, since September 11, and even before September 11, threat, scope, and concept has shifted as more active-shooter events and more dynamic, you know, threats or shooting events have occurred in public areas. So, that is an extreme priority for all of law enforcement in this country and also in others. Unfortunately, we have learned many lessons from other countries as well on the threat of explosives, firearms, and even edged weapons in the public area.

So, back to my original statement. That is one of my main concerns with the staff resource drain for these folks who say they for-

got their weapons because the weapon still is dangerous. It was originally in the public area and it could discharge. It is also a weakness in the system. I think we have clearly identified that over the last 3 years, regardless of fines and the current fines and the current messaging and the current signage, the number of loaded firearms in every airport has just blown it out of the water. It is at crazy levels.

So, it is a concern to me and I do think that we need to do something to prohibit those loaded weapons from coming into the front of the terminal and not making it to the checkpoint.

Mr. PAYNE. Thank you. Anyone else?

Mr. BHEODARI. Congressman, it is very alarming when the TSA discovered 5,972 weapons in 2021, when they screened 300 million less passengers. Eighty-six percent of those weapons had a round in the chamber or had a magazine, a loaded magazine in the weapon. Very, very alarming and as the chief said, just an accidental discharge as demonstrated in Atlanta in November, could cause mass panic.

Mr. PAYNE. Thank you.

Mr. CUTIÉ. Congressman.

Mr. PAYNE. Yes?

Mr. CUTIÉ. Congressman Payne, I would say to answer your question, yes, at least here in Miami, the threat that exists pre-security would be the same threat that would exist in any other venue that is not in the airport. That would be, obviously, accidental discharge, the potential of using a firearm in a crime, obviously, the worst scenario, which is the active-shooter scenario. So, all those threats exist at airport pre-security the same way they exist in any other venue here in Miami, whether it is a restaurant, a movie theater, a public park, et cetera. The threats are the same and we take them very seriously here. Obviously, we have more than 150 police officers that go through our terminals every day. We increase sweeps during holiday periods, et cetera, when we have increased passenger volumes. But I would say the threats are exactly the same here as they are in any other public venue whenever any of us go out to those venues.

Mr. PAYNE. Somebody needs to mute their phone. Mr. Regan, what have TTD members shared regarding their feelings of safety at work when open or concealed carry is permitted in airports? What about when guns are caught at checkpoints in the airports where they work?

Mr. REGAN. Well, thank you for that question. You know, I think honestly the biggest thing we get from TSOs and from members of AFGE who represent those workers, most of the complaints about their workplace have to do with their lack of workplace rights and work force rights that every other Federal employee has. So, whether it is at a, you know, a place where there is open carry or not, ultimately, you know, the day-to-day—their day-to-day ability to do their job is hampered by the fact that they are denied some of the basic rights that virtually all other Federal employees are granted.

Mr. PAYNE. Absolutely, thank you. Madam Chair, I will yield back. But we need to continue our work as I know you have and Chairman Thompson have to advocate for TSOs to be brought up

to the Federal standards that they deserve. They are on the front lines here of our security every single day and we need not let them not be compensated to those levels. I know you feel the same way. But thank you and I yield back.

Chairwoman WATSON COLEMAN. Thank you, Mr. Payne. As I go to our last figure in the first round, who will be Representative Sheila Jackson Lee, I just want to kind-of put it on the record my thought about this issue about folks forgetting that they had a gun in their check-in luggage in their luggage they were going to take onto the plane with them. That is the last bag you generally pack is the bag you are putting all your stuff in that you are going to take on the plane with you. It is hard for me to believe that everybody that gets caught and 90 percent of people that get caught with a gun in their bag forgot they had it. Even if they did forget they had it, it is still an illegal act. We need to be treating it as such. With that, I would like to recognize Representative Sheila Jackson Lee. Representative Sheila Jackson Lee.

Ms. JACKSON LEE. Can you hear me?

Chairwoman WATSON COLEMAN. Yes, you are being recognized, ma'am.

Ms. JACKSON LEE. Thank you very much to the Chair and to the Ranking Member for this hearing and to the witnesses that have been very provocative. I was certainly aware of the shooting of the TSO officer in California and the sadness and tragedy of that overwhelming tragedy. So, the issues that I want to discuss deal with how we get to a better place. First, I would like to ask Mr. Regan, you know that we have been working on legislation, H.R. 903, the rights of TSA work force. We know that there is morale issues, meager pay, low morale, lack of workplace bargaining rights. I would be interested in how you could expound on how making sure that TSOs are paid fairly, trained with extensive training, and have a better voice in the workplace that continues to impact on keeping the skies secure.

Mr. REGAN. Thank you so much, Congresswoman. Yes, that piece of legislation you mentioned is critical. If you look at the morale rates at the—among TSOs, it is really—it is really, you know, really distressing. The fact that we have people who we put our lives in their hands to make sure that our aviation system is secure and they are being treated on an unlevel and unequal playing field with the rest of the Federal work force is just a crime.

When you look at what happens, the results, frankly, for the Federal taxpayer, the fact that we have such high turnover rate. If you look at the 10-year period ending in 2018, you know, they replaced the entire TSA work force over that time. You cannot retain people that you are training at a very high level with high security responsibilities in a high-stress environment unless you are going to compensate them well and give them access to other Federal benefits that, frankly, their supervisors are granted. So, I just don't think it is a sustainable model that we currently have.

Ms. JACKSON LEE. I have a question of Mr. Wallis. Thank you very much for your answer, Mr. Regan. Mr. Wallis, can you walk me through what occurs at the checkpoint? Now, you deal with the law enforcement element of the TSA. Walk me through what happens when a passenger comes in and let me use this terminology

and I don't use it with disrespect, but feigns lack of knowledge about the gun that they forgot to put somewhere else. What and how do we handle that?

Mr. WALLIS. Congresswoman Jackson Lee, I appreciate the question and I appreciate your careful wording of the question as well. So, the good news is that TSA staff and law enforcement treat these incidents the same from beginning to end regardless of the statement or the stated mental culpability of the person in possession of the firearm. So, it is intensive and depending on area constraints, like we heard from Las Vegas, it can shut down up to 25 percent of their screening queue. Some airports have a little bit of a broader area in the back and you can actually move the person, within their rights, to do a further investigation.

But most airports are really constrained and the action is confined there at the screening checkpoint. So, we would conduct an interview. We would secure the firearm. Get statements from the person. What we do find more often than not, the person says they forgot it. We do look for things like how was the bag packed? Is the gun sitting in a particular area? There are a lot of different things law enforcement would look for. But you are right. Most of the time people say they forgot.

But I would just like to bring this up. After 26 years in law enforcement and dealing with multiple criminal justice issues, most people for most crimes investigated that I have spoken with say they didn't know or forgot that whatever prohibited item was in their possession. So, I might be a little more pessimistic than some. I don't always believe folks when they say they forgot it. Some I do. Some clearly it has happened. But, again, that is very, in my opinion, irresponsible gun ownership. To forget you have a loaded pistol in a bag that you are submitting to TSA for screening, to me, is an issue. Thank you.

Ms. JACKSON LEE. So, let me pursue my line of questioning with the time that I have left. You remove the firearm, you separate the firearm and the passenger, then what happens? The firearm remains in your possession? The person can leave the airport with a ticket or what is the circumstance? They want to make their plane? How does that—they go back to the checkpoint?

Mr. REGAN. So, yes—

Ms. JACKSON LEE. When I say the checkpoint, the counter to check it? Go ahead.

Mr. REGAN. So, I appreciate that. Yes, depending on the layout of the airport, many or all of those things could happen. But in general, the weapon is separated. I think even in States where it is hard to find an ultimate criminal charge for citation or arrest, all airport law enforcement have the ability to detain and investigate further to determine if there is a crime.

So, the firearm would be run, would be processed. At the point we decide we are done and the TSA has all their information for investigation, and I will take the lowest level, if we think all we have is a civil violation, to your point, it is a problem. We have to enact solutions to escort the person off, make sure their firearm is secured. We no longer, as a matter of course, just release them back into the public area with a firearm. So, that is a problem. What do you do with the firearm after you have—now they missed

their flight and now you have an armed person that should not be in your public area?

Ms. JACKSON LEE. Well, thank you. I see that my time has expired. Madam Chair and Ranking Member, this is a very important hearing and the probing, I could probe Mr. Wallis for a long period of time.

Chairwoman WATSON COLEMAN. Madam Jackson Lee, I am going to give you a second round if you just bear with us for a second.

Ms. JACKSON LEE. Well, thank you so very much.

Chairwoman WATSON COLEMAN. All right.

Ms. JACKSON LEE. Thank Mr. Wallis very much. Thank you.

Chairwoman WATSON COLEMAN. Thank you.

Ms. JACKSON LEE. All the witnesses, thank you.

Chairwoman WATSON COLEMAN. We have already concluded the 5-minute questions with each of our—with each of our Members. So, I am now going to offer a second round of questions. I am going to start with asking a question myself. Currently, TSA typically assesses the \$3,000 civil penalty for bringing a loaded firearm to a checkpoint or \$1,500 on unloaded firearm. But given the surging number of firearms at checkpoints, these fines are clearly not acting as sufficient deterrent. So, Mr. Wallis, I want to start with you as the law enforcement. Would increasing the civil penalties, in your mind, that would be assessed against passengers unlawfully carrying firearms, encourage travelers to be more vigilant?

Mr. WALLIS. Madam Chair, thank you for the question. I would say any general criminological theory starts with this question and the one thing that we know is if something is swift, meaning the application of whatever the penalty is, occurs quickly and not at a much, much later date, is severe, severe enough that the person does not want to do it or if they did commit a crime, they don't do it again, and certain. So, I would say out of those three factors, the ones that I question are the swiftness and, obviously, the severity, but the certainty. What I mean by that is although we have fines at \$1,500 to \$13,910, and I understand that many mitigating or aggravating factors could be applied, I am not aware that we routinely fine on the high end, and that is certain. I have heard that we—if people have a 30-day payment plan, the fines can get reduced or some other mitigating information. It really to me does not address those three factors.

Just from pragmatic and practical approach to law enforcement, we deal with this all the time. Take your areas of speeding where there are pedestrian issues and potential deaths. If we have a speeding problem, we cite speeders, OK? This to me seems fairly simple that if we have this problem, and I think we do, we issue citations at whatever level we can. Currently, the one consistent way people can be cited is the civil regulatory penalty.

Chairwoman WATSON COLEMAN. Thank you, Mr. Wallis. So, Mr. Regan, I have a question for you. There is a sharp rise in unruly passengers at the checkpoints and even aboard the airlines over the last few years. It has alarmed me greatly. In my opinion, the last thing we need is these situations and a gun in the mix. It seems to me that the possibility of a tragedy is difficult to overstate.

What sort of planning, if any, have you done to prepare for a potential situation that involves a hostile individual with a legally-carried firearm in the public area of an airport? On a broader topic, maybe that is for you, Mr. Wallis, but on a broader topic, Mr. Regan, I want to ask you, do you believe the cabin crews would benefit from additional defense training to deal with unarmed but very unruly and very dangerous passengers? So, Mr. Wallis, can you give us a quick run through of what I asked you and then Mr. Regan.

Mr. WALLIS. Yes, so, I know that all the TSA flight crew staff, everybody from door to ticket lobby back down to baggage claim, should receive some level of training and awareness level training. From what I have heard and we have participated in that, it has been received very well by flight crews and ground crews. So, yes, I think it can't hurt anything and we do here at PDX as part of our broader active-shooter training, roll all those groups into it at some level.

Chairwoman WATSON COLEMAN. Thank you. Mr. Regan, please.

Mr. REGAN. Yes, thank you. I agree. I think having additional training for flight crew members, for TSA agents, for passenger service assistants, all of them could benefit from some additional self-defense and de-escalation training. We have actually pursued over several years now legislative fixes to try to protect people better, airline workers especially, better at the airports. One of them involves requiring airports and airlines to have customer service agents' protection plans that are going to be approved by the FAA. That is something that was in the last FAA reauthorization bill in 2018, that we are still trying to make sure is fully implemented.

But all of these things and at every step of the passenger experience, whether it be through security or when they are getting ticketed or when they are boarding the plane or to the time they are on the plane itself, every person has a key role to play to making sure that that entire trip is safe. They all deserve every tool in their bag at their disposal to make sure that they can do their job safely and to make sure that there aren't threats to themselves or their passengers throughout that process.

Chairwoman WATSON COLEMAN. Thank you. Thank you very much, Mr. Regan and Mr. Wallis. I now recognize the Ranking Member, Mr. Gimenez.

Mr. GIMENEZ. Thank you, Madam Chair. Please, I didn't say that we shouldn't have penalties. I am just saying that if the majority of the people don't know they are carrying a gun and it is an honest mistake, then we need to have more signage so that they don't get to the point where they make that honest mistake so that it kind of reminds them, hey, you know, you may want to look in your bag before you go there. Then whatever penalties that we have, we have.

The people that have that made an honest mistake, you can charge \$1 million, it is not going to deter them. They made an honest mistake.

So, what we want at the end is to have less people, you know, come through with a loaded weapon and get on that plane with a loaded weapon. I am thinking if it is that most of them are making

an honest mistake, I think we need to use better signage and other ways to try to remind them, hey, you got to take a look at this.

Question, can you carry ammunition on carry-on without a gun? Can you carry ammunition?

Mr. WALLIS. Mr. Gimenez, thank you for the comments before subcommittee. Yes, I agree with everything you just said. We get called for ammunition. Ammunition is not supposed to be allowed on carry-on based on my understanding of the TSA screening rules.

Mr. GIMENEZ. Even these printed guns, they have to have ammo, right? It is not printed ammo, right? It is normal ammo that goes into these printed guns?

Mr. WALLIS. Correct.

Mr. GIMENEZ. OK. How good is our technology in finding this ammo on carry-ons?

Mr. WALLIS. In my experience, I think TSA is very proficient at detecting ammunition.

Mr. GIMENEZ. All right. Now, one other question. What percentage of flights have a weapon in the checked bags? Anybody know that?

Mr. WALLIS. I do not.

Mr. BHEODARI. I don't have the answer to that. But if you check a weapon in your checked bag, you have to declare that. If you fail to declare that weapon, then that bag once it goes through, that checked bag goes through screening, that weapon is detected and it is treated the same as an undeclared weapon, an illegal weapon. The passenger and bag is removed.

Mr. GIMENEZ. OK. I am getting to the Fort Lauderdale incident. So, that, OK, does the destination airport get a notification that there is a checked weapon coming in on flight 40 from Miami? Does the destination airport get that kind of notification?

Mr. BHEODARI. That weapon should never leave the airport of origination because it has to go through screening.

Mr. GIMENEZ. No, I am saying I checked it right, OK? I went through, got it checked. There is a checked weapon going to wherever I am going, right? It is legal. So, it is getting there, all right? Now, does the airport, does the originating airport tell the destination airport that on flight 47 from Miami there is a checked weapon in the bag?

Mr. CUTIE. Congressman, when a passenger legally checks his weapon with his checked luggage, it goes on the passenger's PNR, passenger name record, which then becomes part of the record that the airline that is transporting the passenger keeps. So, to answer your question, that information is available in the passenger name records, which identify.

Mr. GIMENEZ. OK. No, what I am getting to is do you—I don't know if I have any time left. OK. What I am getting to is—

Chairwoman WATSON COLEMAN. You have time to get an answer.

Mr. CUTIE. No, the information is not pushed.

Mr. GIMENEZ. OK. What I am asking is does the receiving airport know that there is a checked weapon in that bag and then do they then notify law enforcement that you need to go to this carousel because there is a weapon in one of those bags so that we avert what happened in Fort Lauderdale? Does that happen?

Mr. WALLIS. I can speak to that part of it, Ranking Member Gimenez. That is not the procedure. Here in the Pacific Northwest, we deal with more of the long guns. People are flying to Alaska. There is a hunting population. So, I can tell you that for oversized items, things packaged like a hardcase with rifle, there is a little bit of notification. But that is all within the airline. Unless there is some sort of criminal nexus or, you know, TSA or Federal air marshal notification because of the person, that really is not passed on to local law enforcement.

Mr. GIMENEZ. OK. You know, the reason I asked that is the reason why I asked how often does it happen? Because you could be overwhelmed. But if it is something which is rare, or not that usual, then you may be able to put a law enforcement officer there just to make sure that we don't have another Fort Lauderdale. That is all, OK? So, thank you. With that, I yield back. I yield back.

Chairwoman WATSON COLEMAN. Thank you, Ranking Member. I recognize Representative Sheila Jackson Lee as the last Member to question.

Ms. JACKSON LEE. Thank you, Madam Chair. Again, thank you for the questions. I am going to go to Mr. Wallis, please. Again, thank you. Mr. Wallis, we were in a line of questioning about just what happens with the process at the checkpoint. In spite of your very effective sort of narrative, what happens is that there are different laws that you deal with in different States. Is that not accurate, Mr. Wallis?

Mr. WALLIS. Yes. Yes, that is correct.

Ms. JACKSON LEE. So, you follow those State laws in terms of the individual that is there. So, let me try to go back to what has to happen with different TSOs. So, some of them—do most of them wind up with a gun in their possession? Do you escort the person out do you think with the gun if you, you know, view it as a civil and you are convinced that they really didn't know and had a mistake? I remember some of the incidences where the person ran and so it was more than that. And got lost inside in all the confusion and airports were literally they came to their knees, to be honest with you. There were not planes going in and out. The people couldn't move around. But let me yield to you for your response.

Mr. WALLIS. Yes, Congresswoman Jackson Lee, thank you for the question. Yes, and over the years, we have developed some procedures here locally, not every airport. We didn't used to do this originally. But now when we come into contact with a firearm, because we had such a problem with exactly what you are mentioning of just handing a firearm back to an owner and letting them walk back through the ticket lobby, what we do now is we break the gun down. We actually put it in the same kind of a box. It is a very unassuming cardboard box which is handed back to the owner and we do escort them out of the public area. It is a concern and it is the best we have come up with so far. But ultimately to your point, yes, we hand the firearm back and the person does receive it if there is no criminal charge.

Ms. JACKSON LEE. They walk themselves out, typically?

Mr. WALLIS. We usually walk them a minimum as far as the front of the terminal. Sometimes a little farther. But, yes, once

they get to the pedestrian areas of the airport, they are in possession of their item.

Ms. JACKSON LEE. So, maybe I didn't hear this. What about the individual that says, keep it, I have got to get on my flight. What happens with that person?

Mr. WALLIS. We have done that as well. We do have permission boxes on our evidence and property forms for destruction. But I would say a problem with that, and I am working with our local district attorney and this is a problem that comes up across the country, if somebody changes their mind, and it is not a piece of evidence, we have a problem. Then, since we are in possession of that firearm, even if we want to give it back, we have to follow the ATF rules for transfer of a firearm. So, we have had that happen quite frequently where someone changes their mind once they are back from their trip and we haven't already destroyed the weapon. They have consented. We process it. It is waiting for destruction. They changed their mind or their attorney calls us and says they have changed their mind. Or they can get a judge's order that says they have changed their mind. We wind up having to follow a pretty labor-intensive process of firearms transfer rules that dealers have to go through.

Ms. JACKSON LEE. So, it would be helpful if all airports had major signage as people even put their first foot into maybe in the parking garage as well as first foot into that open area as they come into check-in?

Mr. WALLIS. I do think consistent signage that lists the fine and have the firearm with the prohibited sign would be very effective. I am sensitive to airport property owners because I know there are a lot of signs. But, yes, signage, I think, would be helpful, if not for a deterrent, also if we do have somebody who is a bad actor and we can articulate signs were there, they were informed of the rules at check-in at the counter. There was another sign at the screening queue. It does potentially help with intent. If we do have a true bad actor, not just somebody who forgot, it does help us with resolution.

Ms. JACKSON LEE. Some penalties that might be more effective might be helpful as well.

Mr. WALLIS. I do believe so, yes.

Ms. JACKSON LEE. Thank you. May I quickly go to Mr. Bheodari and just to you in your airport work just tell us how we can enhance airports to encourage airports to really invest in signage because a weapon is so dangerous to the general public and those who are flying.

Mr. BHEODARI. So, thank you, Congresswoman. Signage have to be multilingual and it has to be dynamic and eye-catching. It has to draw the attention of the traveling public. That is what we are doing here in Atlanta is we are looking at an entire suite of packaged styling and dynamic signs of how we could draw their attention before they submit themselves to screening. That you know what? A gun is not permitted in the security screening checkpoint. I think Congress ought to discuss this issue with the TSA and have a National discussion on messaging this to the general traveling public.

Ms. JACKSON LEE. Thank you so very much. Thank you, Madam Chair and Ranking Member.

Chairwoman WATSON COLEMAN. You are welcome. You are welcome. With that I would like to—I notice that there are no more questions to be asked in the second round by any different new members. So, I would like to thank each and every one of the witnesses today. You have been very helpful. You certainly enlightened us and given us some current guidance on where things we need to look at and go in the next direction.

The Members of the subcommittee may have additional questions even after this quite exhaustive hearing that we have had. So, we would ask that you respond expeditiously in writing to those questions should you receive them. The Chair reminds the Members of the subcommittee that the committee's record will remain open for 10 days. Without objection, I pray that you all stay safe, stay well, and the subcommittee stands adjourned.

[Whereupon, at 3:26 p.m., the subcommittee was adjourned.]

