



G A O

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United States Government Accountability Office
Washington, DC 20548

February 6, 2009

The Honorable Robert C. Byrd
Chairman
The Honorable Thad Cochran
Ranking Member
Subcommittee on Homeland Security
Committee on Appropriations
United States Senate

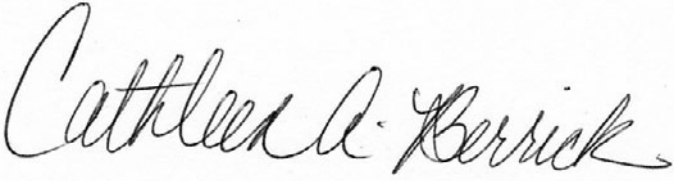
The Honorable David E. Price
Chairman
The Honorable Harold Rogers
Ranking Member
Subcommittee on Homeland Security
Committee on Appropriations
House of Representatives

Subject: Aviation Security: Status of Transportation Security Inspector Workforce

This report formally transmits the enclosed briefing in response to House Report 110-181, accompanying H.R. 2638, the Department of Homeland Security Appropriations Bill, 2008. In accordance with direction in that report, we are reporting on the operation of the transportation security inspector (TSI) program since it has been located at the Transportation Security Administration (TSA) within the Department of Homeland Security, including the size of the TSI workforce, the roles and responsibilities of TSIs, and the extent to which TSA has a reasonable basis for determining the size of the workforce needed to achieve inspection goals. For a summary of the results of our work, see slides 10 through 13.

We are sending copies of this report to the appropriate congressional committees. We are also sending copies to the Secretary of Homeland Security. This report will also be available at no charge on our Web site at <http://www.gao.gov>. Should you or your staff have any questions concerning this report, please contact me at (202) 512-8777 or berrickc@gao.gov. Contact points for our Offices of Congressional Relations and

Public Affairs may be found on the last page of this report. Key contributors to this report were William Crocker, Assistant Director; Ben Atwater; Scott Behen; Wendy Johnson; Deena Richart; Tom Lombardi; and Sally Williamson.

A handwritten signature in black ink that reads "Cathleen A. Berrick". The signature is written in a cursive style with a large initial 'C' and a small 'A'.

Cathleen A. Berrick
Managing Director, Homeland Security and Justice Issues

Enclosures



Aviation Security: Status of Transportation Security Inspector Workforce

**Briefing for Congressional Committees
February 6, 2009**



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Introduction

As of September 2008, the Transportation Security Administration (TSA) employed about 1,200 aviation and cargo transportation security inspectors (TSI)¹ to monitor and enforce regulated entities' compliance with security requirements through inspection and outreach programs. Regulated entities include

- domestic airports;
- aircraft operators and foreign air carriers (both passenger and cargo);
- indirect air carriers;²
- flight school operators; and
- aircraft repair stations.

Over the past several years, the size of the inspector workforce has fluctuated while TSI responsibilities have increased.

¹Aviation TSIs focus their efforts on airports and the passenger operations of air carriers, while cargo TSIs focus their efforts on air carriers' cargo operations as well as organizations involved in air cargo transportation such as indirect air carriers.

²An indirect air carrier (IAC) is any person or entity within the United States that engages passenger air carriers to transport property. Examples include United Parcel Service of America, Inc., and FedEx, but not the United States Postal Service (USPS) or an entity acting on behalf of USPS.



Introduction (continued)

In response to House Report 110-181, which accompanies H.R. 2638, the Department of Homeland Security (DHS) Appropriations Bill, 2008, we are reporting on the operation of the TSI program since 2003—when the program was moved with TSA from the Department of Transportation to DHS—including the size of the TSI workforce, the roles and responsibilities of TSIs, and the extent to which TSA has a reasonable basis for determining the size of the workforce needed to achieve inspection goals.



Objectives

What are the roles and responsibilities of TSIs, and to what extent have they changed since 2003?

What have been the staffing levels for the aviation and cargo TSI program since 2005?

To what extent does TSA have a reasonable basis for determining the size of the TSI workforce needed to achieve inspection goals?



Scope and Methodology

To satisfy our objectives, we:

- Reviewed relevant information and documents, including staffing levels, annual inspection plans, inspection manuals, security regulations, inspection results, and relevant legislative provisions to determine TSI roles and responsibilities, workforce size, and inspection goals.³ We also compared TSA’s program information with relevant guidance on effective workforce planning and project management.⁴
- Observed TSI activities at two airports. We visited these airports because of their large passenger and cargo operations. While

³Two categories of TSA inspectors—surface and international TSIs—were not included in this review. Surface TSIs inspect security programs associated with surface transportation, such as freight railroads. International TSIs conduct inspections for foreign airports and the international operations of both foreign and U.S.-based air carriers outside the United States.

⁴GAO, *Human Capital: Key Principles for Effective Strategic Workforce Planning*, GAO-04-39 (Washington, D.C.: Dec. 11, 2003); GAO, *Maritime Security: Coast Guard International Port Security Program Has Made Progress, but Additional Workforce Planning Is Needed*, GAO-08-335SU (Washington, D.C.: Apr. 4, 2008); GAO, *A Model of Strategic Human Capital Management (Exposure Draft)*, GAO-02-373SP (Washington, D.C.: March 15, 2002); and Project Management Institute, *A Guide to the Project Management Body of Knowledge, Third Edition* (2004).



Scope and Methodology (continued)

information gathered from these visits cannot be generalized to all airports, those we visited provided an overview and perspective on the general nature of TSI roles and responsibilities as well as the operation of the program.

- Interviewed program officials within TSA's Office of Security Operations to obtain information on the size of the TSI workforce, TSIs' roles and responsibilities, and their perspectives on the extent to which the current size of the TSI workforce was commensurate with TSA's needs to achieve inspection goals.

To evaluate the reliability of the data used in this review, we interviewed knowledgeable officials about the workload hours and related data elements in TSA's regulatory reporting system. Based on this work, we determined that the data were sufficiently reliable for our reporting purposes.⁵

⁵GAO found, and TSA acknowledged, that workload hours associated with certain activities may not be fully captured in the summary description of workload hours as reported by TSA. TSA reported that the agency is making improvements in how it collects these data.



Scope and Methodology (continued)

Limitations:

- TSA was unable to provide information on the size of the TSI workforce prior to fiscal year 2005.
 - TSA does not have a mechanism for tracking time TSIs spend on nonprogram activities. TSIs are to record the amount of time spent on duties related to conducting inspections, investigations, other regulated and operational activities, and outreach in TSA's regulatory reporting system. However, TSA does not have an activity-based time and attendance system that would allow officials to track time spent on other activities.
 - TSA was unable to provide data prior to fiscal year 2008 reflecting TSI inspections completed relative to TSA inspection requirements.
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Scope and Methodology (continued)

We conducted this performance audit from February 2008 through February 2009 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings based on our audit objectives.



Summary: Roles and Responsibilities

As of fiscal year 2003, aviation and cargo TSI roles and responsibilities included monitoring and enforcing compliance with security requirements through inspections, investigations, and outreach. The roles and responsibilities of TSIs grew since fiscal year 2006 because of the addition of regulated entities and the expansion of duties.⁶

- Newly regulated entities included flight schools,⁷ while expanded duties included participation in activities such as the Aviation Screening Assessment Program (ASAP).⁸
- According to fiscal year 2007 data (the most recent data provided by TSA officials), TSIs spent about one-third of their time conducting inspections.

⁶TSA could not provide information reflecting any changes to TSI roles and responsibilities from fiscal year 2003 through fiscal year 2006.

⁷In fiscal year 2006, TSA also determined that TSIs would be responsible for the inspection of aircraft repair stations. However, according to TSA officials, aircraft repair stations will not be inspected until TSA publishes an aircraft repair station final rule. TSA anticipates publishing a Notice of Proposed Rulemaking to this effect in fiscal year 2009.

⁸ASAP is a locally generated assessment at airports using inert bombs, bomb parts, and other threat items to identify weaknesses in the screening process in order to strengthen screening performance through training, procedures, or technology.



Summary: Staffing Levels

The number of on-board aviation TSIs has grown from 601 in fiscal year 2005 to 697 in fiscal year 2008 (an increase of about 16 percent), while the number of on-board cargo TSIs has grown from 160 in fiscal year 2005 to 475 in fiscal year 2008 (an increase of about 197 percent).

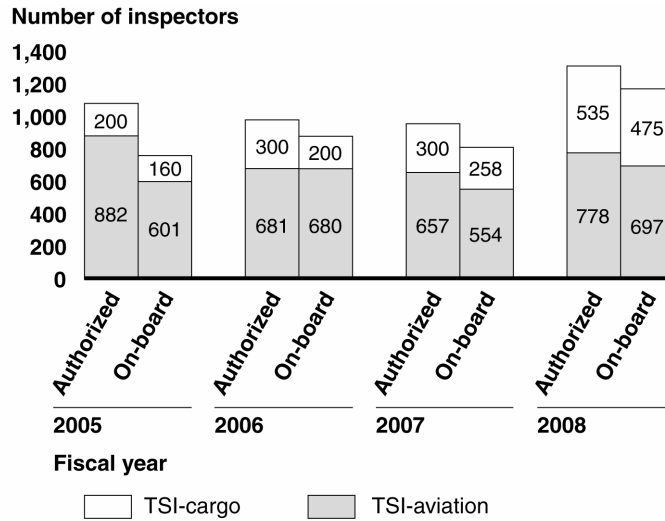
As shown in figure 1, the number of on-board aviation and cargo TSI positions remained below TSA-authorized levels in each fiscal year from 2005 through 2008.⁹ TSA officials were uncertain why authorized positions were not filled, but they cited attrition and transfers to other agencies within DHS as likely reasons.

⁹TSA-authorized levels denotes the number of TSI positions that TSA expected to fill based on anticipated funding levels each fiscal year.



Summary: Staffing Levels (continued)

Figure 1: TSA-Authorized and On-Board TSI Positions, Fiscal Years 2005 through 2008



Source: TSA.

Note: Levels of TSIs authorized by TSA denotes the number of inspector positions TSA anticipated filling in each fiscal year.



Summary: Achieving Inspection Goals

TSA does not have a reasonable basis for determining the workforce needed to achieve inspection goals, although it has plans to conduct a staffing study in fiscal year 2009 to identify the optimal workforce size to address its current and future program needs.

- According to TSA officials, planned aviation inspection goals were met in fiscal year 2007, but cargo inspection goals were not. In addition, some planned aviation and cargo inspection goals were not met in fiscal year 2008.
- TSA officials noted that cargo inspection goals were not met in fiscal year 2007 for several reasons, including that TSA did not fill all of its cargo TSI positions. For fiscal year 2008, officials could not explain why some goals were not met but speculated that poor planning or unplanned inspections were contributing factors.



Background

Originally, aviation and cargo security inspections were conducted by special agents within the Department of Transportation's (DOT) Federal Aviation Administration. These positions were later transferred to TSA upon its creation within DOT and then moved with TSA to DHS in 2003, where they were renamed aviation security inspectors.

In the latter half of fiscal year 2007, TSA renamed these positions transportation security inspectors. Since fiscal year 2005, TSI responsibilities have generally aligned with their given specialization in either aviation or cargo.

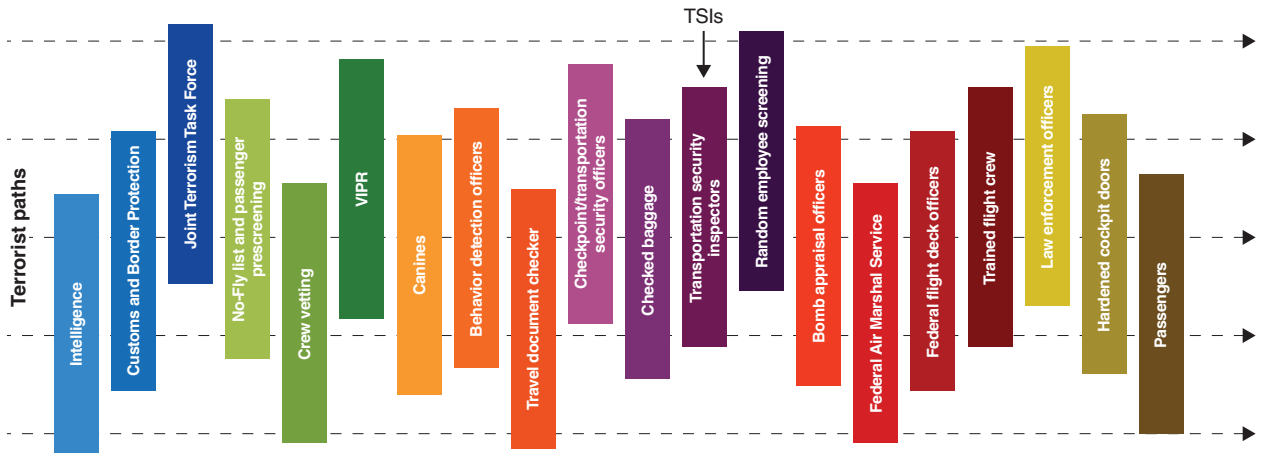


Background (continued)

As seen in figure 2, the TSI program is one aspect of TSA's layered approach to security. According to TSA, each individual layer is capable of stopping a terrorist attack, and in combination, their security value is multiplied, creating a stronger security system.

Background (continued)

Figure 2: TSA Layers of Security



Source: TSA.

Note: Visual Intermodal Prevention and Response (VIPPR) teams are interagency teams involving, among others, TSIs, transportation security officers, and federal air marshals, as well as a variety of federal and law enforcement components that supplement existing security resources, to provide deterrent presence and detection capabilities.



Background (continued)

TSA's Regulatory Activities Plan (RAP) serves as the annual baseline for the development of local inspection plans. It establishes the minimum number of inspections, depending on airport size and other factors, TSIs are to conduct for each type of regulated entity.

- According to TSA officials, since its introduction in fiscal year 2004, the RAP's development has been a collaborative effort between headquarters and field officials. For the fiscal year 2009 RAP, headquarters officials took the lead in developing the RAP in order to provide more national oversight of the TSI program, according to TSA. However, headquarters officials stated that they collaborated with field officials on the RAP's content.
- Prior to the fiscal year 2009 RAP, versions of this inspection plan focused on areas deemed to be highest risk. TSA refers to these as critical inspections. The focus of the fiscal year 2009 RAP is comprehensive inspections, which are to cover all areas of risk.



Background (continued)

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- TSA evaluates risk elements associated with an inspection area (e.g., access controls, employee training, and catering security), including whether the area has a single point of failure, is operational in nature, or involves human factors. Critical inspections involve the security areas deemed high risk.
 - Comprehensive inspections are in-depth inspections in which TSIs review all inspection areas, both high risk and otherwise.
 - According to TSA officials, TSA changed its inspection focus from critical to comprehensive inspections in the fiscal year 2009 RAP to provide a baseline assessment of regulated entities' compliance with all security regulations.
-



Background (continued)

As seen in table 1, TSA budgeted approximately \$147 million of its fiscal year 2008 appropriation for TSI-related activities.



Background (continued)

Table 1: Funding of TSI-Related Activities, Fiscal Year 2008

TSI activity	Fiscal year 2008 funds
Transportation Security Inspectors - Domestic	\$77,106,000
Proprietary Canine Teams - Aviation	4,903,000
International Inspectors (Aviation, Cargo, Repair Stations)	17,672,000
Air Cargo Transportation Security Inspectors	30,915,000
Surface Transportation Security Inspectors	16,628,000
Total	\$147,224,000

Source: TSA officials.

Notes: These amounts do not include fiscal year 2007 supplemental funding for 150 air cargo inspectors and 85 air cargo proprietary canine teams, which remained available to fund these activities in fiscal year 2008.

TSA could not provide information on appropriated funds available for TSI-related activities in fiscal years 2004 through 2007. TSA does not receive a specific appropriation for the TSI program, and there was not a separate budget line item for the program in fiscal years 2004 through 2009.



Results: Roles and Responsibilities

As of fiscal year 2003, TSI roles and responsibilities included monitoring and enforcing compliance with security requirements through inspections, investigations, and other duties, including regulatory and operational activities and outreach. (See app. I for a list of major TSI duties.)

Since fiscal year 2006, TSI roles and responsibilities expanded as TSA added regulated entities, such as flight schools, and expanded duties, such as participation in ASAP testing. As a result of this expansion of duties, inspections account for about one-third of time spent on all TSI activities, according to the latest available data.



Results: Roles and Responsibilities (continued)

Aviation and cargo TSIs are to conduct on-site inspections of all regulated entities to determine their compliance with federal requirements involving transportation security. For example, at airports, TSIs may check the integrity of access control systems, alarms, security lighting, and biometric devices used to restrict public access to secure areas.

In addition, TSIs are to investigate findings of noncompliance discovered during inspections or related to incidents arising from violations of TSA regulations, security directives, and security programs, and are to prepare any related enforcement actions for adjudication.



Results: Roles and Responsibilities (continued)

Both aviation and cargo TSIs are also responsible for participating in other regulatory and operational activities that may or may not be considered part of their inspection duties. Examples include participation in the following:

- Visual Intermodal Prevention and Response (VIPR) teams are interagency teams—involving, among others, TSIs, transportation security officers, and federal air marshals, as well as a variety of federal and law enforcement components—that supplement existing security resources to provide deterrent presence and detection capabilities.



Results: Roles and Responsibilities (continued)

- Aviation Screening Assessment Program (ASAP) is a locally generated assessment using inert bombs, bomb parts, and other threat items to identify weaknesses and to strengthen screening performance through training, procedures, or technology.
 - The Aviation Direct Access Screening Program (ADASP) involves the random and unpredictable screening of employees and contractors who work in secure areas of airports.
 - High visibility activities, which involve patrols by TSIs wearing clothing clearly marked "TSA Inspector," in both public and secure areas of the airport, provide a visible deterrent to potential terrorists.
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Results: Roles and Responsibilities (continued)

TSIs are also responsible for performing outreach activities, including encouraging regulated and nonregulated entities to adopt security best practices, as well as representing TSA at various transportation consortia and law enforcement agency meetings.

Both aviation and cargo TSIs are to conduct outreach in their areas of responsibility on an ongoing basis to provide guidance regarding transportation security to both regulated (e.g., airports, aircraft operators/air carriers, indirect air carriers, and flight schools) and nonregulated (e.g., general aviation airports, airline contract service providers, law enforcement agencies, and state and local governments) entities.



Results: Roles and Responsibilities (continued)

As of fiscal year 2003, TSIs were responsible for inspecting domestic airports, domestic and foreign air carrier station operations for both passenger and cargo operations, and indirect air carriers. Aviation and cargo TSI responsibilities increased from fiscal year 2006 through 2008 as additional entities came under regulation and as TSA expanded duties.

The types of regulated entities both aviation and cargo TSIs are required to inspect increased. In fiscal year 2006, TSIs also became responsible for inspecting flight schools.¹⁰

¹⁰In fiscal year 2006, TSA also determined that TSIs would be responsible for the inspection of aircraft repair stations. However, according to TSA officials, aircraft repair stations will not be inspected until TSA publishes an aircraft repair station final rule. TSA anticipates publishing a Notice of Proposed Rulemaking to this effect in fiscal year 2009.



Results: Roles and Responsibilities (continued)

- TSA assigned both aviation and cargo TSIs additional duties from fiscal year 2006 through fiscal year 2008. The following is a list of additional duties we identified based on documentation provided by TSA; however, it does not represent all additional duties.
 - Fiscal year 2006: Airport strikes¹¹ were added.

 - Fiscal year 2007: VIPR teams were added.

 - Fiscal year 2008: High visibility activities, ASAP testing, participation in ADASP, special emphasis assessments, and off-airport check-in operations oversight were added.

¹¹Airport strikes involve marshaling additional TSIs to perform localized inspections.



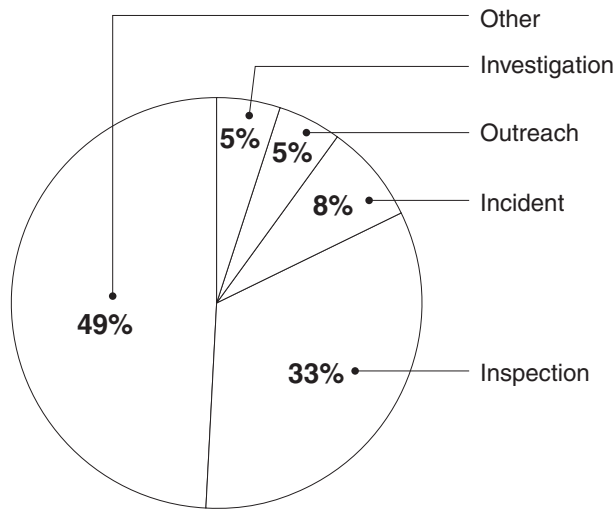
Results: Roles and Responsibilities (continued)

As a result of this expansion of duties, TSA officials noted that TSIs do not spend the majority of their time conducting inspections. As shown in figure 3, data from TSA's regulatory reporting system indicate that for fiscal year 2007, inspections accounted for about one-third of inspectors' time.



Results: Roles and Responsibilities (continued)

Figure 3: Summary of TSI Hours Spent on Inspection, Investigation, Incident, and Outreach Activity Compared to Other Available Inspector Hours, Fiscal Year 2007



Source: GAO analysis of TSA data.



Results: Roles and Responsibilities (continued)

TSA officials could not provide documentation identifying how TSIs spend their time on activities that are not captured in TSA’s regulatory reporting system. TSA officials noted that those duties, constituting the “Other” category in figure 3, may include the following:

- Local budget/finance monitoring
- Support of the screener workforce
- Hiring and associated human resource activities
- Internal/external meetings and briefings
- Daily intelligence and operational reporting review
- Support of special activities – for example, disaster preparedness and hurricane response
- On-the-job instruction (providing or receiving)



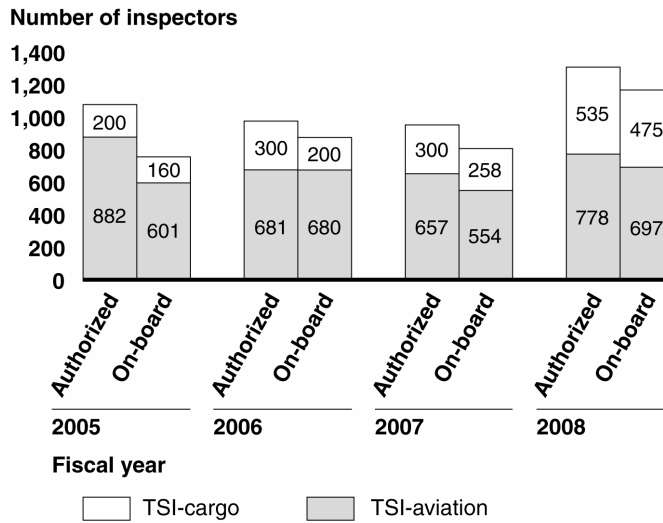
Results: Staffing Levels

Staffing levels for the TSI program from fiscal year 2005 through fiscal year 2008 showed little change in the number of aviation inspectors but growth in the number of cargo inspectors.

As shown in figure 4, the number of on-board aviation TSIs in fiscal year 2008 was 697, more than the 601 on-board in fiscal year 2005 and more than the 680 on-board in fiscal year 2006. However, the number of on-board cargo TSIs had grown from 160 in fiscal year 2005 to 475 in fiscal year 2008.

Results: Staffing Levels (continued)

Figure 4: TSA-Authorized and On-Board TSI Positions, Fiscal Years 2005 through 2008



Source: TSA.

Note: Levels of TSIs authorized by TSA denotes the number of inspector positions TSA anticipated filling in each fiscal year.



Results: Staffing Levels (continued)

According to TSA officials, the reasons why the number of on-board aviation and cargo inspectors varied from fiscal years 2005 through 2008 are uncertain.

- Officials attributed some of the variation in on-board aviation inspectors, from 680 in fiscal year 2006 to 554 in fiscal year 2007, to inspectors switching to cargo TSI positions; transfers to other agencies within DHS, such as U.S. Customs and Border Protection; and attrition.
- Officials noted that because they did not track the reasons why inspectors have left aviation or cargo TSI positions, they could not provide documentation of these reasons.



Results: Staffing Levels (continued)

On-board numbers of both aviation and cargo TSIs remained below levels authorized by TSA in each fiscal year from 2005 through 2008. TSA officials noted that the agency is still actively recruiting to fill vacant positions. The officials could not provide data or documentation explaining why vacant positions remained unfilled.



Results: Staffing Levels (continued)

Regarding TSA-authorized positions, TSA officials noted that the number of aviation TSI positions that TSA authorized has varied because TSA management's views about the number of TSIs needed for the program have changed each year. For example, TSA officials told us the following:¹²

- For fiscal year 2006, TSA decreased its number of authorized aviation TSIs from 882 to 681 positions. TSA officials noted that the agency was able to operate the program in fiscal year 2005 with 601 inspectors, but that an authorized number of 681 positions in fiscal year 2006 would leave room for some growth in the program.
- For fiscal year 2007, TSA dropped its number of TSA-authorized aviation TSIs slightly to 657 positions to reflect management perceptions about the need for more cargo versus aviation TSIs.

¹²TSA officials could not provide documentation to support how these staffing determinations were made.



Results: Staffing Levels (continued)

According to TSA, the number of cargo TSI positions it has authorized has increased primarily because of congressional direction. Around 2005, cargo began moving to the forefront of aviation security concerns as it was a largely unscreened sector of aviation security (as opposed to passengers and baggage, for which TSA had basically completed its screening mandates). As a result of these concerns, TSA authorized 300 cargo TSI positions in fiscal year 2006, an increase of 50 percent from fiscal year 2005.¹³

¹³TSA officials could not provide any documentation to support how its authorized staffing determinations were made for cargo TSI positions.



Results: Achieving Required Inspection Objectives

TSA does not have a reasonable basis for determining the TSI workforce needed to achieve inspection goals. According to TSA officials, TSA does not have a human capital or other workforce plan for the TSI program, but the agency has plans to conduct a staffing study in fiscal year 2009 to identify the optimal workforce size to address its current and future program needs. In addition, not all inspection goals have been achieved.



Results: Achieving Required Inspection Objectives (continued)

According to TSA officials, the TSI staffing study is to be conducted as part of a larger human capital contract awarded in July 2008 to Lockheed Martin. In response to a draft of this report, TSA noted that the study

- will include a full workforce analysis, including TSI management and classification;
- will determine the number of TSIs needed and effective TSI placement; and
- is scheduled to be conducted in the second quarter of fiscal year 2009 with the results due to the agency in the third quarter of fiscal year 2009.¹⁴

¹⁴TSA did not provide any additional details such as a project statement or other documentation identifying which entities are to perform these tasks and the related time frames. TSA officials noted that Lockheed Martin is preparing a draft project statement to support its contribution to the TSI workforce planning study, and that TSA's Office of Human Capital is to prepare an additional project statement for another of TSA's onboard contractors to conduct a job analysis of the TSI position.



Results: Achieving Required Inspection Objectives (continued)

Our discussions with airport officials during our two site visits and with TSA's Office of Compliance officials provide examples that support the need for TSA to examine workforce planning issues.

- According to officials at both airports, each experienced workforce planning-related challenges in meeting inspection goals, in part because of increased TSI responsibilities and low numbers of TSIs. TSA officials at these airports told us that to overcome these challenges, at times the airports shifted cargo TSIs to assist aviation work or requested overtime from TSA headquarters.
 - According to officials from the Office of Compliance, some airports used inspections conducted as part of VIPR and cargo strikes in addition to routine inspections in order meet inspection goals. They also said that some airports utilized TSIs from nearby airports to meet their RAP inspection goals.
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Results: Achieving Required Inspection Objectives (continued)

Future TSI workforce needs will also be affected by additional responsibilities in the cargo area.

- TSIs will be responsible for inspections as part of the Implementing Recommendations of the 9/11 Commission Act of 2007 requirement that TSA implement a system to physically screen 50 percent of cargo on passenger aircraft by February 2009 and 100 percent of such cargo by August 2010.¹⁵
- TSA officials stated that there may not be enough inspectors to conduct compliance inspections of all entities, which TSA officials stated could number in the thousands, once the 100 percent screening requirement is fully implemented by August 2010.¹⁶

¹⁵See Pub. L. No. 110-53, § 1602, 121 Stat. 266, 477-80 (2007) (codified at 49 U.S.C. § 44901(g)) (mandating the screening of all cargo transported on passenger aircraft and defining "screening" for purposes of satisfying the mandate).

¹⁶GAO, *Aviation Security: Transportation Security Administration May Face Resource and Other Challenges in Developing a System to Screen All Cargo Transported on Passenger Aircraft*, GAO-08-959T (Washington, D.C.: July 15, 2008).



Results: Achieving Required Inspection Objectives (continued)

As a result, in July 2008 TSA anticipated requesting funds for an additional 150 cargo TSIs for fiscal year 2010 to supplement its existing allocation. However, in commenting on a draft of this report, TSA officials told us that they have not yet quantified cargo TSI requirements for fiscal year 2010.



Results: Achieving Required Inspection Objectives (continued)

According to TSA officials, planned inspection goals for aviation inspections were achieved in fiscal year 2007. However, these officials noted that TSA did not achieve its planned cargo inspection goals because, among other reasons, it had not filled all of its TSI cargo positions. For example, in fiscal year 2007, of the approximately 30,000 inspections planned, about 3,000 were not conducted.

Cargo inspection goals were not met in fiscal year 2007 for several reasons, according to TSA officials. These include

- authorized cargo TSI positions were not all filled—12 to 15 cargo TSI positions were vacant throughout 2007;
- new supervisory cargo TSIs were unable to conduct assigned inspections while also performing supervisory duties;



Results: Achieving Required Inspection Objectives (continued)

- vacancies existed in the Cargo Inspection and Program Oversight Office at the headquarters level—between four and eight cargo TSIs could not complete inspections because they were detailed to TSA headquarters during 2007; and
- several enforcement cases against cargo entities took time away from inspection duties.

TSA could not provide documentation identifying the extent to which the agency met its aviation and cargo inspection goals for fiscal year 2007 or the reasons why goals were not met.



Results: Achieving Required Inspection Objectives (continued)

Some planned aviation and cargo inspection goals were not met in fiscal year 2008 while others were exceeded. TSA officials speculated that poor planning or unplanned inspections contributed to this situation.

TSA officials stated that they are currently reviewing the fiscal year 2008 data and plan to meet with program managers to determine the underlying reasons why goals were not met. For fiscal year 2009, TSA officials told us that headquarters officials are to review inspection activity at 4-week intervals for any trends that may indicate problems meeting inspection goals.



Results: Achieving Required Inspection Objectives (continued)

TSA officials attributed some inspection goals being exceeded in fiscal year 2008 to changes during the year in inspection emphasis at the local or national level that were not anticipated when the RAP was developed. For example, presidential nomination conventions may have led to an emphasis on additional airport inspections and outreach to aviation organizations, resulting in some other areas receiving fewer inspections.



Agency Comments

We provided a draft of this report to DHS for comment. In response to this draft, we received written comments (see enc. II). DHS provided additional information related to its planned workforce study and some technical comments, which have been incorporated as appropriate.



GAO Contact

Should you or your staff have any questions on the matters discussed in this briefing, please contact Cathleen A. Berrick at (202) 512-8777 or berrickc@gao.gov.



Appendix I: Aviation and Cargo TSI Major Duties, as of September 2008

The following duties apply to both aviation and cargo TSIs:

- Conducts comprehensive inspections of all parties, airports and aircraft operators and indirect air carriers, subject to federal regulations involving transportation security.
 - Performs complex and technical inspections of all regulated parties to determine overall security posture and compliance.
 - Monitors compliance with applicable security policies, regulations, and agreements to identify potential problem areas or deviations from prescribed standards. Ensures overall adequacy, effectiveness, and efficiency of security posture and TSA-approved security programs. Identifies and responds to security violations or potential violations.
 - Responds to transportation security incidents and other incidents as defined by the National Incident Management Systems or as directed by the Federal Security Director.
 - Performs technical reviews and analyzes and makes appropriate recommendations concerning security measures implemented through TSA-approved security programs.
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Appendix I: Aviation and Cargo TSI Major Duties, as of September 2008 (continued)

- Conducts outreach to encourage best security practices by regulated and nonregulated entities.
 - Performs tests and audits and validates and inspects security processes, procedures, systems, and equipment in connection with compliance inspections and vulnerability assessments.
 - Prepares written analyses of inspections and assessments, and determines the adequacy of corrective measures required to improve security posture or to restore compliance.
 - Conducts civil investigations related to alleged or suspected security violations.
 - Identifies, collects, and preserves evidence used to support enforcement actions.
 - Determines when enforcement action should be initiated, prepares enforcement investigation reports and recommends to TSA counsel the type of action and level of penalty commensurate with the nature and severity of the violation.
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Appendix I: Aviation and Cargo TSI Major Duties, as of September 2008 (continued)

- Provides testimony and participates in enforcement proceedings.
 - Enters data pertinent to investigations, inspections and incidents into the national database, Performance and Results Information System.
 - Reviews and analyzes assessment reports and testing results, paying specific attention to identifying unusual trends or actions that appear to have the potential for developing a security/safety problem.
 - Formulates recommended or alternative courses of action to be pursued by regulated parties in order to satisfy security requirements.
 - Evaluates the integration of new technology, traditional measures, and human factors to ensure operational effectiveness and efficiency of the overall security system.
 - Develops and authors circulars and letters of instruction to airports and air carriers.
-

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

February 2, 2009

Ms. Cathleen A. Berrick
Managing Director, Homeland Security and Justice
Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Berrick:

The Department of Homeland Security (DHS) appreciates the opportunity to review and provide comments on the Government Accountability Office's (GAO) draft report GAO-09-123SU titled *Aviation Security: Status of Transportation Security Inspector Workforce*. Your reported findings will be useful in guiding the Department's future Transportation Security Inspector (TSI) staffing decisions.

As you report, the TSI workforce is a crucial element of our Nation's layered transportation security effort. Consequently, it is important that TSIs are deployed in numbers and to locations that optimize their effectiveness in thwarting terrorist attacks. Not only has the Department, specifically the Transportation Security Administration (TSA), hired, trained, and fielded a robust national TSI workforce over the past 5 years, but our TSI cadre's performance has been, and continues to be, exemplary. Though we have gone to great lengths in developing a vital TSI program, we welcome your suggestions for improvement.

Your report suggested that to correct a shortfall in the number of inspections we targeted for TSIs in 2007 and 2008, we undertake a TSI staffing study having a defined scope and timeframe. As you are aware, TSA has contracted with Lockheed Martin to complete a comprehensive TSI staffing study in 2009. The study will have two prongs: (1) a full workforce analysis, including TSI management and classification; and (2) a determination of the number of TSIs needed and effective TSI placement. The study is scheduled to be conducted in the second quarter of fiscal year (FY) 2009, with the results made available to TSA in the third quarter of FY 2009. We look forward to reviewing the study's results.

As you acknowledge in your report, however, the shortfall in TSI inspections is attributable to our Nation's shifting transportation security landscape. Our risk-based approach to transportation security emphasizes TSI flexibility and mobility. TSIs often are deployed when and where intelligence and other sources determine they are most needed, even if those deployments deviate from the annual inspection goals projected for them. For example, TSA assigned numerous TSIs to the 2008 Presidential conventions, resulting in a shift from inspections in other areas.

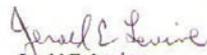
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We would like to clarify the following facts listed in your report:

- Contrary to the report's findings, TSIs are not yet responsible for monitoring and enforcing aircraft repair stations' compliance with transportation security requirements. A notice of proposed rulemaking to establish security regulations for aircraft repair stations is under review.
- The report states that in 2007, TSIs were assigned the additional duty of testing airport compliance with the transportation security regulations. Airport testing has always been an element of our inspections.
- TSA has not projected that it will submit a budget request for 150 additional Cargo TSIs for FY 2010, contrary to the report's findings. Our TSI-Cargo requirements for FY 2010 are being considered under the budget process.

The Department of Homeland Security is committed to staffing the most effective TSI workforce possible and will carefully consider any GAO recommendation designed to assist us in meeting that commitment. We appreciate the opportunity to provide comments on this draft report and look forward to working with you on future homeland security issues.

Sincerely,



Jerald E. Levine
Director
Departmental GAO/OIG Liaison Office

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