



FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION  
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*Representing Members Of:*

AGENCY for INTERNATIONAL DEVELOPMENT  
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Food & Drug Administration & OIG

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October 29, 2007

Honorable Sheila Jackson-Lee, Chairwoman  
Subcommittee on Transportation Security and Infrastructure Protection  
US House of Representatives  
Washington, DC

Dear Chairwoman Jackson-Lee:

On behalf of the 26,000 members of the Federal Law Enforcement Officers Association (FLEOA), I ask that you immediately hold hearings on TSA's recent high failure rate in detecting bombs and bomb components at airport checkpoints. We believe that this current situation places the flying public and our Federal Air Marshal members in grave danger.

A recent news report showed that 75% of fake bombs or bomb parts got past TSA screeners at Los Angeles International Airport and 60% got past TSA screeners at Chicago's O'Hare. These are two of the busiest airports in the world and they are prime terrorist targets. Now the terrorists know they have a 75% chance of success.

A TSA spokesperson said, "The increased difficulty explains why screeners at Los Angeles and Chicago O'Hare airports failed to find more than 60% of fake explosives that TSA agents tried to get through checkpoints last year". "We want to have higher failure rates because it shows that we're raising the bar and the tests are harder," TSA spokesperson Howe said.

Using a basketball analogy, she added, "You might score more points against a high-school team, but your skills are going to be improved if you're playing against an NBA team." We find this analogy totally absurd. We're talking about the safety of Federal Air Marshals and the flying public, not high school basketball.

We believe that these high failure rates may encourage terrorists to try to bring bombs on airplanes. The terrorist will think they have a very small chance of getting caught.

We believe that the following factors have led to TSA's inability to successfully focus on its primary mission:

1. The failure of TSA leadership to recognize the need for a strong and diverse law enforcement component within TSA and the need for criminal investigator training for Federal Air Marshals (FAMS).

2. The recent termination by TSA leadership of over 100 highly experienced criminal investigators (Rehired Annuitants) within the agency during the past year.
3. The continual diversion of TSA screeners by TSA leadership, from their primary mission of screening passengers and other persons before they enter the sterile area of an airport or board an aircraft.
4. The decision by TSA leadership to place hundreds of TSA screeners in uniform in TSAVIPR Operations outside of airports and train stations throughout the nation to act as a visible deterrent. This dilutes the regular screening workforce at each airport and diverts them from their primary mission.
5. The decision by TSA leadership to place hundreds of TSA screeners as Behavioral Detection Officers at airports throughout the nation to observe millions of passengers each day in hopes of identifying people acting suspiciously. This dilutes the regular screening workforce at each airport and diverts them from their primary mission.

The Phoenix Sky Harbor Airport incident filmed by a television news crew and the Orlando International Airport firearms smuggling incident which was also widely publicized, are indicative of TSA leadership's failure to focus its personnel on its primary mission of screening individuals and their accessible property before they enter the sterile area of an airport or board an aircraft. In both of these instances, if terrorists had been involved the consequences for our nation would have been far greater than that of the September 11<sup>th</sup>, 2001 terrorist attacks.

This clearly should have been a wake up call for TSA leadership and the Department of Homeland Security, but unfortunately it wasn't. Will this latest revelation of TSA's failure 75% of the time to detect bombs or bomb components at one of our nation's busiest airports be the final wake up call for TSA and DHS?

We believe that TSA leadership has lost its focus and diluted its workforce from its primary mission of screening passengers and other individuals for prohibited and dangerous items before they enter the sterile area of an airport or board an aircraft. Sooner, rather than later we are going to suffer the consequences of these TSA missteps. This is indicative of a systemic failure of leadership within TSA. Failure is not an option, when millions of people depend on TSA each day to keep them safe. This is clearly a public safety issue.

Sincerely,

Art Gordon  
National President

**FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION**

