

United States Senate
WASHINGTON, DC 20510

August 18, 2023

Administrator David Pekoske
Transportation Security Administration
6595 Springfield Center Drive
Springfield, VA, 22150

Dear Administrator Pekoske:

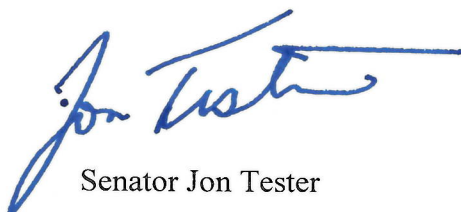
We write to reiterate concerns recently raised by the Senate Appropriations Committee about the new Airport Security Program (ASP) amendment (TSA-NA-23-02, "National Amendment") that requires airport operators to implement physical screenings of airport employees and ask that you delay and reconsider implementation. We appreciate the critical role that the Transportation Security Administration (TSA) plays in protecting our nation's airports and ensuring that any internal threats are mitigated.

We share your commitment to enhancing the safety and security of air travel, and understand that unscreened airport employees represent a potential security risk. This risk must be addressed, but we have serious concerns about the National Amendment's implementation, effectiveness, and cost to operators in its current form. We are especially concerned about the National Amendment's impacts on smaller, rural airports like those located in our states. These airports are essential to travel nationwide and serve as critical parts of America's economic engine.

As the Senate Appropriations Committee noted in language in the fiscal year (FY) 2024 Homeland Security Appropriations bill, the National Amendment appears to be being implemented "in a manner that imposes undue burdens on airport operators." The Committee also expressed concern that the National Amendment "may place requirements on non-TSA security screeners that exceed their legal authority" and that it is being "implemented prior to a thorough cost benefit analysis or risk assessment." Due to these serious concerns, the Committee urged TSA to delay implementation of the National Amendment for at least one year and to reassess the security benefits of the amendment as well as its "full financial and operational impacts" on the airports impacted by these requirements. The House of Representatives Appropriations Committee raised similar concerns in their FY24 Homeland Security Appropriations bill.

We request that TSA heed the concerns raised by Congress and airport operators regarding the National Amendment and immediately delay its implementation. Safety is paramount, and so TSA, airport operators, and Congress must continue to work together to ensure the safety and reliability of air travel and the traveling public. We stand ready to work with TSA to ensure our airports have the resources they need to ensure the security and freedom of our nation's skies, and look forward to your prompt response.

Sincerely,



Senator Jon Tester



Senator John Hoeven