



# SURFACE TRANSPORTATION SECURITY

## TSA Has Taken Steps to Improve its Surface Inspector Program, but Lacks Performance Targets

Accessible Version

July 2020

# GAO Highlights

Highlights of [GAO-20-558](#), a report to congressional committees

## Why GAO Did This Study

Surface transportation—freight and passenger rail, mass transit, highway, maritime and pipeline systems—is vulnerable to global terrorism and other threats. TSA is the federal agency primarily responsible for securing surface transportation systems.

The FAA Reauthorization Act of 2018 requires TSA to submit a plan to guide its Surface Transportation Security Inspectors Program. The Act includes a provision for GAO to review TSA's plan. This report examines the extent to which TSA's plan and its implementation: (1) address known data limitations related to tracking surface inspector activities among non-surface modes, (2) align surface operations with risk assessments, and how, if at all, TSA ensures inspectors prioritize activities in high-risk modes and locations, and (3) establish performance targets for the surface inspector program. GAO reviewed TSA's June 2019 plan and analyzed data on inspector activities for fiscal years 2017 through 2019. GAO interviewed officials in headquarters and a non-generalizable sample of 7 field offices selected based on geographical location and the presence of high-risk urban areas.

## What GAO Recommends

GAO recommends that TSA establish quantifiable performance targets for the surface inspector program's activity-level performance measures. DHS concurred with our recommendation.

View [GAO-20-558](#). For more information, contact Triana McNeil at (202) 512-8777 or [McNeilT@gao.gov](mailto:McNeilT@gao.gov)

July 2020

## SURFACE TRANSPORTATION SECURITY

### TSA Has Taken Steps to Improve its Surface Inspector Program, but Lacks Performance Targets

## What GAO Found

According to the *Transportation Security Administration (TSA) Surface Transportation Security Inspector Operations Plan* (TSA's plan), surface transportation security inspectors—known as surface inspectors—are to enter key details for program activities in the Performance and Results Information System (PARIS)—TSA's system of record for all surface inspector activities. In December 2017, GAO reported that TSA was unable to fully account for surface inspector time spent assisting with non-surface transportation modes, including aviation, due to data limitations in PARIS, and recommended TSA address these limitations. Since GAO's report, TSA updated PARIS to better track surface inspector activities in non-surface transportation modes.

#### Transportation Security Administration Surface Inspectors Assess Security of a Bus System



Source: GAO. | GAO-20-558

TSA's plan outlines steps to align work plan activities with risk assessment findings. However, TSA cannot comprehensively ensure surface inspectors are targeting program resources to high-risk modes and locations because it does not consistently collect information on entity mode or location in PARIS. According to officials, TSA plans to update PARIS and program guidance to require inspectors to include this information in the system by the end of fiscal year 2020.

TSA's plan outlines performance measures for the surface inspector program, but does not establish quantifiable performance targets for all activities. Targets indicate how well an agency aspires to perform and could include, for example, entity scores on TSA security assessments, among others. By developing targets, TSA would be better positioned to assess the surface inspector program's progress in achieving its objective of increasing security among surface transportation entities.

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## Abbreviations

BASE	Baseline Assessment for Security Enhancement
DHS	Department of Homeland Security
EXIS	Exercise Information System
HTUA	High-Threat Urban Area
MTSA	Maritime Transportation Security Act
PARIS	Performance and Results Information System
RMAST	Risk Mitigation Activities for Surface Transportation
RRS	Risk Reduction Survey
SAI	Security Action Items
SETA	Security Enhancement Through Assessment
TIH	Toxic Inhalation Hazard
TSA	Transportation Security Administration
TWIC	Transportation Worker Identification Credential

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July 27, 2020

Congressional Committees

Surface transportation—freight and passenger rail, mass transit, highway, maritime, and pipeline—is vulnerable to global terrorism and other threats.<sup>1</sup> Surface transportation systems generally rely on an open infrastructure that can be difficult to monitor and secure due to its multiple access points and lack of access barriers. Securing these transportation modes can be further complicated by the number of private and public stakeholders involved in operating and protecting them and the need to balance security with the expeditious flow of people and goods.

Within the federal government, the Department of Homeland Security’s (DHS) Transportation Security Administration (TSA) is the entity primarily responsible for securing surface transportation modes. TSA’s Surface Transportation Security Inspectors Program (surface inspector program) implements the agency’s mission by deploying surface transportation security inspectors, known as surface inspectors, throughout the country to enforce regulations and assist surface transportation entities with security-related matters. In 2017, we reported that TSA’s domain included nearly 140,000 miles of railroad track, over 2.5 million miles of pipeline, and 4 million miles of roads. We also reported that there were 10 billion annual passenger trips on mass transit systems, including 24 million students on school buses each day. TSA’s domain also included nearly 800,000 daily shipments of hazardous materials. According to TSA headquarters and field officials, in addition to surface inspection activities, surface inspectors may also be tasked, to varying degrees, with aviation activities, including aviation inspections and investigations.

Section 1975 of the FAA Reauthorization Act of 2018 requires TSA to submit to the appropriate congressional committees and the Comptroller General of the United States a strategy to guide operations of surface inspectors. Specifically, the act requires that the strategy address the following: (1) any limitations in data systems used by surface inspectors,

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<sup>1</sup>There have been multiple thwarted attacks against mass transit, including undetonated explosives that were found in a trash receptacle near a mass transit station in Elizabeth, New Jersey on September 18, 2016. Vehicle attacks occurred in London, England in the United Kingdom on March 22 and June 3, 2017.

as identified by the Comptroller General; (2) alignment of operations with risk assessment findings, including an approach to identifying and prioritizing entities and locations for inspection; and, (3) measurable objectives for the surface inspector program.<sup>2</sup> TSA submitted to Congress the *TSA Surface Transportation Security Inspector Operations Plan* (“TSA’s plan”) in June 2019.<sup>3</sup> This plan addressed the three elements listed in the law, outlining TSA’s strategy for addressing known data limitations, aligning surface operations with risk assessment findings, and measurable objectives for the surface inspector program.

The Act also includes a provision for GAO to review the strategy and issue recommendations as appropriate. In response to the Act, we reviewed TSA’s plan and provided our preliminary observations on the plan to relevant committees on December 11, 2019. This report summarizes our observations on the plan and includes additional analysis of TSA’s plan and its implementation. Specifically, this report examines the extent to which:

1. TSA’s plan and its implementation address previously identified data limitations related to tracking surface inspector activities among non-surface transportation modes;
2. TSA’s plan and its implementation aligns surface operations with risk assessments on surface transportation security, and how, if at all, TSA ensures surface inspectors prioritize high-risk modes and locations for surface inspector activities; and
3. TSA’s plan and its implementation establishes performance targets for the Surface Transportation Security Inspectors Program.

To address these objectives, we reviewed our prior work that examined TSA’s surface inspector program.<sup>4</sup> Specifically, in December 2017, we reported on data limitations related to TSA’s Performance and Results Information System (PARIS)—TSA’s data system of record for the

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<sup>2</sup>Pub. L. No. 115-254, § 1975, 132 Stat. 3186, 3615.

<sup>3</sup>*Transportation Security Administration, TSA Surface Transportation Security Inspector Operations Plan*, (Washington, D.C.: June 14, 2019). According to TSA, it submitted the plan to fulfill the requirement for a strategy required by the Act.

<sup>4</sup>GAO, *Transportation Security Administration: Surface Transportation Inspector Activities Should Align More Closely With Identified Risks*, [GAO-18-180](#) (Washington, D.C.: Dec. 14, 2017).

surface inspector program related to tracking the amount of time surface inspectors spend assisting with other modes; opportunities to better align surface transportation operations with risk assessment findings; and the need for additional measurable objectives for the surface inspector program. We made four recommendations to TSA to help address these issues and, as of November 2018, TSA had taken action to address all of them, as discussed later in the report.

To determine the extent to which TSA's plan and its implementation address known data limitations, we reviewed the plan and interviewed TSA headquarters officials about the steps they have taken to address issues. To verify that TSA can track surface inspector activities performed in non-surface modes, including aviation and cargo, we obtained and analyzed PARIS data for fiscal years 2017 through 2019—the most recent available data at the time of our review. To assess the reliability of these data, we met with officials to discuss TSA's data quality assurance measures and reviewed related documentation, among other steps. We determined the data were sufficiently reliable for the purposes of assessing whether TSA can track surface inspector activities across all modes.

To determine the extent to which the plan and its implementation aligns with TSA's risk assessments on surface transportation security and how, if at all, TSA ensures surface inspectors prioritize high-risk modes and locations for surface inspector activities, we reviewed the plan and interviewed TSA headquarters and field officials. We also reviewed TSA documents, including TSA's annual compliance work plans for fiscal years 2017 through 2020, to identify the extent to which TSA has made work plan adjustments in accordance with risk information.

In addition, we selected a non-generalizable sample of seven TSA field offices for telephone interviews based on geographic location and the presence of High-Threat Urban Areas.<sup>5</sup> During these interviews, which we conducted in late 2019, we discussed each field office's approach for identifying and prioritizing high-risk modes and locations for surface inspector activities. We also observed surface inspector activities

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<sup>5</sup>A High Threat Urban Area (HTUA) is defined as an area comprising one or more cities and surrounding areas including a 10-mile buffer zone. See 49 C.F.R. § 1580.3; 49 C.F.R. pt. 1580 app. A. We selected a non-generalizable sample of seven TSA field offices based on the presence of HTUAs and geographic location.

conducted with highway and mass transit entities in Washington, D.C., and Virginia in late 2019 and early 2020.

To identify the extent to which the plan identifies performance targets for TSA's surface inspector program, we reviewed the plan, interviewed TSA headquarters and field officials, and reviewed TSA documents. During headquarters interviews, we discussed the extent to which TSA has performance measures and targets for the surface inspector program. We also analyzed surface inspector program guidance, including TSA's Compliance Program Manual, and documents containing performance information to identify measurable objectives for the program, including the National Strategy for Transportation Security and TSA's 2018-2020 Strategy, and the Administrator's Intent. Lastly, we reviewed weekly performance reports that TSA headquarters officials use to assess progress in completing annual work plan requirements nationwide.

We conducted this performance audit from July 2019 to July 2020 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 and conclusions based on our audit objectives.

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## Background

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### Roles and Responsibilities for Surface Security

TSA's surface inspector program conducts a variety of inspector activities to implement the agency's surface security mission, including regulatory inspections of freight, passenger rail, and maritime modes and voluntary outreach among freight rail, passenger rail, mass transit, highway, and pipeline transportation modes. For the purpose of this report, we refer to both regulatory inspections and outreach as surface "inspector activities."<sup>6</sup>

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<sup>6</sup>TSA received approximately \$141 million in appropriations to support surface programs in fiscal year 2020. This constituted approximately 1.8 percent of TSA's fiscal year 2020 budget.

TSA’s regulatory inspections aim to help enforce regulatory requirements and primarily examine freight rail operations. Regulated transportation entities’ participation in TSA’s regulatory inspections is mandatory.<sup>7</sup> Conversely, transportation entities’ participation in TSA outreach activities is not mandatory and entities may choose to participate on a voluntary basis. These outreach activities include security assessments and trainings and generally focus on mass transit and highway operations, which TSA considers higher-risk transportation modes, according to officials. Appendix I describes TSA’s mandatory, regulatory inspections and voluntary outreach activities. Each mode may include multiple surface transportation entities. Figure 1 lists examples of surface transportation entities, by mode.

**Figure 1: Examples of Surface Transportation Entities by Mode**



Source: GAO analysis of Transportation Security Administration documents; Art Explosion (photos). | GAO-20-558

Note: A single mode may include multiple transportation entities. Passenger Rail/Mass Transit includes commuter rail, heavy rail, inter-city rail and light rail; As of May 2019, Class I railroads had annual carrier operating revenues of \$447.6 million or more. An Over-the-Road Motor Coach is defined as a motor vehicle with an elevated passenger deck designed to seat more than 30 passengers atop a separate baggage area engaged in the transportation of passengers for inter-city, tour, and commuter services. An Over-the-Road Motor Coach excludes school and urban mass transit buses.

<sup>7</sup>TSA surface inspectors conduct regulatory inspections related to 49 C.F.R. part 1580, which covers most freight and passenger rail operations. The regulations relate to rail security coordinators, reporting significant security concerns, and chain of custody transfers of certain types of hazardous materials. Surface inspectors also work with the Coast Guard to conduct inspections of credentials required for certain workers in regulated maritime facilities.

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<sup>a</sup>The Transportation Worker Identification Credential (TWIC) program requires maritime workers to complete background checks and obtain biometric identification cards to gain unescorted access to secure areas of Maritime Transportation Security Act of 2002 (MTSA)-regulated facilities. See U.S.C. § 70105.

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## Surface Inspector Activity Data

Upon completing an inspector activity, TSA surface inspectors enter key details, including activity start and completion dates, total hours invested, entity name, and activity type, among others, in PARIS—TSA’s single, standardized database of record for all surface inspector activities including inspections and outreach. TSA uses these PARIS data to measure security objectives for the surface inspector program, evaluate progress in meeting security goals, and help ensure annual work plan requirements and security objectives are met. In addition to PARIS, surface program officials also may enter additional information for some activity types in separate Excel tracking spreadsheets. These tracking spreadsheets may include information on entity daily ridership, mode, and the results of TSA security assessments and are generally used as a companion to PARIS data to assess program performance.

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## Prior GAO Work on TSA’s Surface Transportation Security Inspectors Program

In December 2017, we reported on TSA’s surface inspector program. The report examined (1) how TSA surface inspectors implemented the agency’s surface transportation security mission, and (2) the extent to which TSA used a risk-based approach to prioritize and implement surface inspector activities.<sup>8</sup> As a result of our work, we identified several weaknesses in TSA’s management of its surface inspection program. Among other things, we reported the following:

- TSA’s PARIS database did not track surface inspector activities across transportation modes. As a result, TSA did not have complete information on how surface inspector program resources were used or the extent to which surface inspectors assisted with

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<sup>8</sup>GAO-18-180. In addition, we found that TSA did not have performance goals for its Risk Mitigation Activities for Surface Transportation (RMAST) activity. We recommended that TSA define clear and measurable performance goals for its RMAST activity. TSA concurred with this recommendation and developed a performance measure using the results of covert testing. TSA also demonstrated it is collecting and assessing performance data for some surface inspector activities.

non-surface activities. *Standards for Internal Control in the Federal Government* states that agencies should use complete information to make informed decisions, evaluate the agency's performance in achieving key objectives, and clearly document all activities in a manner that allows the documentation to be readily available for examination.<sup>9</sup> We concluded that without having access to complete information on all inspector activities, including aviation activities, TSA could not monitor how frequently surface inspectors were being used to support aviation activities and was therefore limited in its ability to make informed future decisions on annual resource needs for surface inspectors. We recommended in December 2017 that TSA address this limitation to ensure it has complete information to inform decisions on annual resource needs for surface inspectors. TSA concurred with our recommendation and subsequently added this functionality to PARIS.

- TSA's surface operations did not align with risk assessment findings. Specifically, as we reported in December 2017, our analysis of TSA's surface inspector work plans for fiscal years 2013 through 2017 showed that TSA consistently targeted inspection activities to the freight rail mode over activities in other surface modes, despite freight rail's low risk when compared to other modes. For example, in fiscal year 2016, 97 percent of surface inspector activities required in the work plan were in the freight rail mode. The National Infrastructure Protection Plan risk management framework and the DHS Risk Management Fundamentals Doctrine, which TSA officials told us at that time were are TSA's primary risk management guidance documents, state that entities should systematically prioritize and implement activities and resources to mitigate and manage risks identified in risk assessments.<sup>10</sup> We recommended that TSA ensure that surface inspector activities more closely align with higher-risk modes by incorporating the results of TSA risk assessments, such as the Transportation Sector Security Risk Assessment. TSA concurred with our recommendation and updated guidance in 2018 to require that surface inspectors consult risk assessment

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<sup>9</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014)

<sup>10</sup>Department of Homeland Security, *National Infrastructure Protection Plan 2013: Partnering for Critical Infrastructure Security and Resilience* (Washington, D.C.: 2013); Department of Homeland Security, *Risk Management Fundamentals: Homeland Security Risk Management Doctrine* (Washington, D.C., April 2011).

information when prioritizing modes for surface inspector activities.

- TSA did not have a process for identifying high-risk entities and locations for some surface inspector activities. As previously discussed, the National Infrastructure Protection Plan risk management framework and the DHS Risk Management Fundamentals Doctrine both state that entities should identify and assess risks and prioritize resources to mitigate those risks. If TSA identified and prioritized the types of high-risk entities and locations it intends surface inspector activities to reach, surface inspectors would have information that would enable them to implement these activities in a more risk-based manner. We recommended in December 2017 that TSA develop a process to identify high-risk entities and locations. TSA concurred with this recommendation and updated program guidance to require surface inspectors to identify and prioritize high-risk entities and locations using TSA risk assessment information, modal threat assessments, and High Threat Urban Area information. TSA finalized these updates in program guidance in 2018.

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## TSA's Plan and Other Actions Address Previously Identified Data Limitations Related to Tracking Surface Inspector Activities among Non-Surface Transportation Modes

TSA's plan states that TSA updated PARIS to track all surface and non-surface activities performed by surface inspectors by modifying internal reporting and staffing tools within the system. In December 2017, we identified that surface inspectors may spend a substantial amount of time assisting with non-surface activities, including aviation and cargo inspections, among others.<sup>11</sup> We also reported that TSA was unable to fully account for the time surface inspectors spent assisting with non-surface transportation modes in PARIS or through other means. As a result, we recommended that TSA address this limitation. In November, 2018 TSA added this functionality to PARIS.

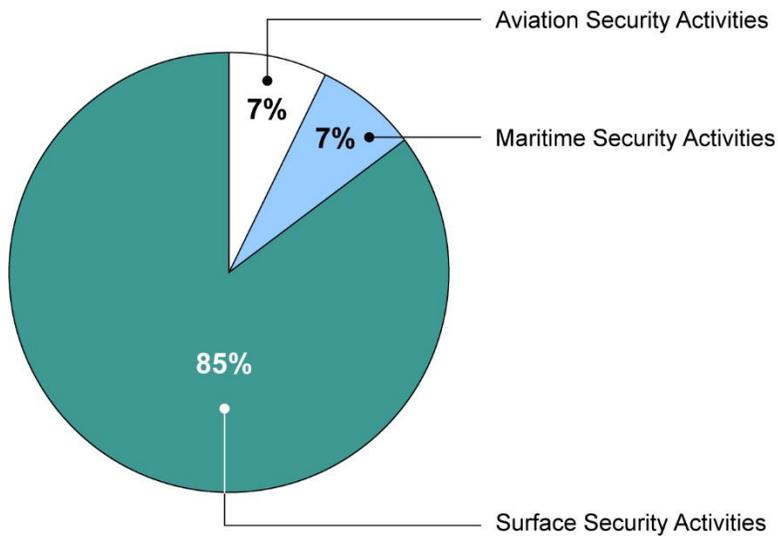
To verify that TSA can track surface inspector activities in non-surface transportation modes in PARIS—which TSA was unable to do at the time

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<sup>11</sup>[GAO-18-180](#).

of our reporting in 2017—we obtained and analyzed PARIS data for fiscal years 2017 through 2019 and determined that PARIS identifies and tracks surface inspector activities across modes. As a result, TSA can more reliably access complete information on all inspector activities and has information to make more informed decisions about surface inspector resources and activities. Figure 2 identifies the percentage of time surface inspectors collectively spent on activities within the aviation, maritime, and surface transportation modes in fiscal years 2017 through 2019, according to PARIS data.

**Figure 2: Transportation Security Administration (TSA) Surface Inspector Time Spent on Activities, by Mode, in Fiscal Years 2017 through 2019**



Source: GAO analysis of TSA data. | GAO-20-558

Note: Aviation Security Activities consist of activities implemented by surface inspectors within the aviation mode. Maritime Security Activities largely consist of Transportation Worker Identification Credential (TWIC) inspections at maritime facilities. TSA includes TWIC inspections in the surface program’s annual Compliance Work Plan. Surface Security Activities include regulatory inspections and voluntary outreach activities within surface modes. In our prior work, some surface inspectors reported spending as much as 50 percent of their time assisting with aviation activities.

## TSA’s Plan Aligns Surface Operations with Risk Assessment Findings; TSA is Taking Steps to

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## Ensure Surface Inspectors Prioritize High-risk Modes and Locations

TSA's plan states that it aligns surface operations with risk assessment findings and prioritizes transportation modes and locations for surface inspector activities through its annual Compliance Work Plan. TSA program officials at headquarters develop the annual work plan, which establishes core inspector activities and minimum requirements for each field office to accomplish each fiscal year. According to TSA's plan, surface inspectors implement the work plan using federal regulations, TSA risk assessments, intelligence reports, and High-Threat Urban Area designations to plan and prioritize modes and locations for surface inspector activities in their areas of responsibility.<sup>12</sup> According to the TSA surface inspectors we spoke with at seven field offices, surface inspectors may identify and prioritize entities and locations for surface inspector activities differently, but generally focus on higher-risk modes operating in high-risk locations.

As previously mentioned, we reported in 2017 that TSA's annual work plan did not align surface inspector activities with identified risks for surface transportation modes. We recommended that TSA ensure that surface inspector activities more closely align with higher-risk modes by incorporating the results of TSA risk assessments. TSA concurred with our recommendation and updated guidance in 2018 to require that surface inspectors consult risk assessment information when prioritizing modes for surface inspector activities.

To assess the extent to which TSA has implemented the steps outlined in its plan and aligned surface inspector activities in the work plan with risk assessment information for this review, we analyzed TSA work plans for fiscal years 2017 through 2020. When comparing the annual work plans for fiscal years 2017 through 2020, we found that TSA decreased inspector activities in its annual work plans involving lower-risk surface transportation modes and increased inspector activities targeted to higher-risk surface transportation modes, according to TSA risk assessments. TSA also introduced two additional surface transportation security activities in its fiscal year 2019 and 2020 work plans directed to higher-risk surface transportation modes.

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<sup>12</sup>TSA risk assessments include TSA's Transportation Sector Security Risk Assessment and modal threat assessments.

TSA's plan requires surface inspectors to prioritize high-risk modes and locations for surface security inspector activities. However, TSA cannot comprehensively assess the extent to which surface inspectors do so because, according to program officials, as of March 2020, TSA did not collect all of the information necessary for such an assessment. Upon completing a surface activity, surface inspectors are to enter key details, including activity start and completion dates, entity name, and activity type, among others, in PARIS. Surface program officials also may enter additional information for some activity types in separate Excel tracking spreadsheets. These tracking spreadsheets may include information on entity daily ridership, mode, and the results of TSA security assessments and are generally used to assess activity performance.<sup>13</sup> While data in PARIS and activity tracking spreadsheets may help TSA monitor surface security inspector activities, they do not consistently include information on both mode and location. Therefore, TSA does not have a comprehensive view of TSA's effectiveness in targeting high-risk modes and locations.

According to officials, TSA plans to standardize its collection and assessment of mode and location information across all activity types. To do so, as of March 2020, TSA is updating PARIS to include fields for surface inspectors to enter this information into the system. According to officials, TSA plans to finalize this update and issue new guidance to ensure that surface inspectors enter information on mode and location in the system correctly by the end of fiscal year 2020.<sup>14</sup> Officials explained that these actions would help TSA assess the extent to which surface inspectors are targeting program resources to high-risk modes and high-risk locations. This information would also enable TSA to make program adjustments, as needed, to ensure that TSA is achieving the greatest risk mitigation value per dollar spent. Going forward, TSA officials told us they will use these data to ensure its operations align with risk assessment information.

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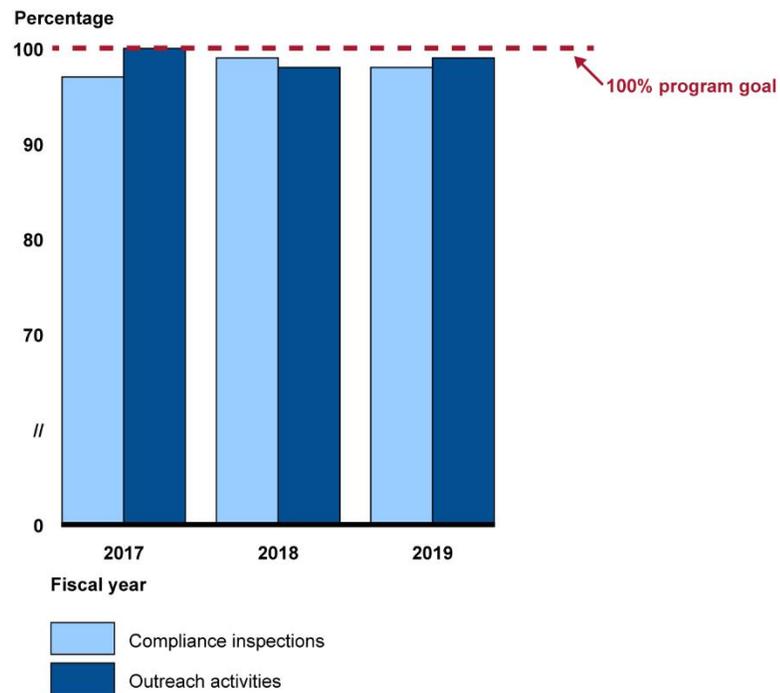
<sup>13</sup>According to TSA officials, some program managers may track the extent to which surface inspector activities occur among high-risk modes and locations. However, the methods employed are dependent on the program manager of each respective surface activity and are not comprehensive across all surface inspector activities within the surface program.

<sup>14</sup>We reviewed PARIS screenshots identifying fields for surface inspectors to enter mode and location information. We also reviewed PARIS reports for surface inspector activities conducted in January 2020 and verified that data on mode and location were present. Lastly, we spoke with surface inspectors from one field office that confirmed that TSA added fields for mode and location in PARIS.

## TSA’s Plan Identifies Performance Measures for its Surface Security Inspector Program, but Lacks Performance Targets for All Activities

TSA’s plan establishes two objectives for the surface inspector program: (1) increasing security through risk-based outreach and (2) increasing security through compliance inspections. TSA measures its progress in meeting these objectives through its annual compliance work plan, which establishes the minimum number of inspections and outreach activities that each field office is to complete each fiscal year. TSA’s goal is to complete all work plan inspector activities and it measures work plan completion to assess progress in meeting this goal. Figure 3 identifies the completion rates for compliance inspections and outreach activities across all field offices from fiscal year 2017 through fiscal year 2019.

**Figure 3: Transportation Security Administration (TSA) Surface Inspector Program Annual Work Plan Completion Rates for Fiscal Years 2017 through 2019**



Source: GAO analysis of TSA data. | GAO-20-558

TSA headquarters officials monitor work plan completion on a weekly basis and, at their discretion, may assist individual field offices if it appears they are at risk of not completing all work plan requirements by the end of the fiscal year. For example, while each field office is required to complete a specific number of outreach activities established in the annual work plan, transportation entities' participation in outreach activities is voluntary. As a result, TSA officials stated that some field offices may have difficulty finding a willing participant among the surface transportation entities in their area of responsibility. In response, TSA may dispatch surface inspectors from other field offices who have successfully engaged entities in voluntary outreach activities to provide extra support.

In addition to measuring work plan completion to assess progress in achieving stated objectives, TSA measures the performance of most regulatory inspections and outreach activities identified in the annual work plan.<sup>15</sup> These activity-level measures generally assess the results of security assessments over time and industry compliance with TSA-enforced surface security regulations. According to officials, surface program managers collect data for these measures and monitor performance using Excel tracking spreadsheets and PARIS. In reviewing TSA's use of its performance data, we identified instances in which TSA used performance information to make program management decisions in a manner that reflects leading practices we identified in our past work.<sup>16</sup> For example, we previously found that agencies can encourage greater use of performance information by aligning performance measures with agency-wide goals and objectives. In the fiscal year 2020 compliance work plan, TSA updated one of its surface security inspector activities to better align with the program's goals and agency-wide priorities thereby

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<sup>15</sup>TSA has performance measures for regulatory inspections and five of six outreach activities. TSA does not currently have a measure for one of its outreach activities because it is a new work plan requirement in fiscal year 2020. According to officials, TSA plans to develop a performance measure for this activity in the future.

<sup>16</sup>GAO, *Managing for Results: Enhancing Agency Use of Performance Information for Management Decision Making*, [GAO-05-927](#) (Washington, D.C.: Sept. 9, 2005). To identify these practices, we reviewed relevant literature including previous GAO reports, spoke to experts in using performance information, and held group discussions with federal program managers. We also interviewed individuals within five federal agencies and reviewed documentation to illustrate how program managers have used performance information to make decisions. See [GAO-05-927](#) for additional details on our scope and methodology for identifying these practices.

improving the usefulness of performance data for this particular activity as it relates to broader program and agency goals.

While TSA attempts to complete all work plan requirements each year and measures the performance of most surface inspector activities, it has not established performance targets for activity-level measures within the surface inspector program. Office of Management and Budget guidance defines a performance target as a measurable characteristic that indicates how well or at what level an agency aspires to perform.<sup>17</sup> However, TSA officials stated that TSA does not establish a desired level of performance for each individual surface inspector activity. For example, TSA's surface security inspector activities include, among other things, security assessments that score entities' security posture across multiple areas, such as security planning and background investigations. However, while TSA measures entities' score, it has not established a performance target, such as a desired score or a specific increase in security assessment scores each year. Rather, officials explained that the program seeks to engage with surface transportation entities on an ongoing basis to improve their security posture over time. While working toward improving entities' security posture over time is a positive step, officials told us they are concerned that entities may choose to disengage with TSA once they achieve a target score.

We have previously reported that, where appropriate, performance targets should be quantifiable and numerical.<sup>18</sup> Additionally, establishing performance targets to achieve and timelines in which to achieve those targets enables agencies to report on performance toward achieving objectives.<sup>19</sup> However, TSA has not established performance targets for its activity-level measures. For example, TSA has not established a desired security assessment score or percent increase in scores it would like to achieve each year. By developing targets for its activity-level performance measures within the surface inspection program, TSA would be better positioned to assess the program's progress in achieving stated

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<sup>17</sup>Office of Management and Budget, *Preparation, Submission, and Execution of the Budget*, OMB Circular A-11 (Washington, D.C.: December 2019).

<sup>18</sup>GAO, *Tax Administration: IRS Needs to Further Refine Its Tax Filing Season Performance Measures*, [GAO-03-143](#) (Washington, D.C.: Nov. 22, 2002). In this report, we developed attributes of performance targets and measures based on leading practices.

<sup>19</sup>[GAO-14-704G](#); and Department of Homeland Security, *Risk Management Fundamentals: Homeland Security Risk Management Doctrine* (Washington, D.C., April 2011).

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objectives. TSA could also use these targets to better identify areas of improvement if targets are not met.

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## Conclusions

Securing surface transportation systems is a challenging national security related undertaking that requires risk-based prioritization of resources and effective monitoring to mitigate risk. TSA has increased surface inspector work plan activities for higher risk modes. However, the data system that tracks these inspector activities does not currently collect, and TSA does not comprehensively assess, information on all modes and locations as they relate to risk. TSA is taking action to address this issue and expects to complete this effort by the end of fiscal year 2020. TSA is also attempting to complete all annual work plan requirements each year while measuring the performance of most individual surface security inspector activities. However, TSA has not established targets for these measures. By establishing targets for its existing activity-level performance measures, TSA would be better positioned to report the surface inspection program's progress in achieving stated objectives and identify areas of improvement.

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## Recommendation for Executive Action

The TSA Administrator should establish quantifiable targets for the Surface Transportation Security Inspectors Program's activity-level performance measures. (Recommendation 1)

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## Agency Comments and Our Evaluation

We provided a draft of this report to DHS for review and comment. DHS provided written comments, which are reprinted in appendix II, and also provided technical comments, which we incorporated as appropriate.

DHS concurred with our recommendation and described actions TSA plans to take to address it. Specifically, TSA plans to develop quantifiable performance targets for the Baseline Assessment for Security Enhancement (BASE) and Security Enhancement Through Assessment (SETA) programs. TSA plans to implement these performance targets through updated guidance. This action, if fully implemented by TSA, should address the intent of our recommendation.

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We are sending copies of this report to the appropriate congressional committees and the Acting Secretary of Homeland Security. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. If you or your staff have any questions about this report, please contact me at (202) 512-8777 or [McNeilT@gao.gov](mailto:McNeilT@gao.gov). GAO staff who made key contributions to this report were included in appendix III.



Triana McNeil  
Director, Homeland Security and Justice

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*List of Committees*

The Honorable Roger Wicker  
Chairman

The Honorable Maria Cantwell  
Ranking Member  
Committee on Commerce, Science, and Transportation  
United States Senate

The Honorable Ron Johnson  
Chairman

The Honorable Gary Peters  
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Committee on Homeland Security and Governmental Affairs  
United States Senate

The Honorable Bennie Thompson  
Chairman

The Honorable Mike Rogers  
Ranking Member  
Committee on Homeland Security  
House of Representatives

# Appendix I: Transportation Security Administration (TSA) Activities Conducted by Surface Inspectors

TSA surface inspectors conduct inspections to enforce several freight and passenger rail security regulations. Regulated transportation entities are required to allow TSA to inspect their property, facilities, equipment, and operations and to view, inspect, and copy records as necessary to enforce the regulations, among other things. Table 1 provides descriptions of these inspections and Table 2 provides a complete listing of TSA's non-regulatory outreach activities.

**Table 1: Freight and Passenger Rail Regulatory Activities Performed by Transportation Security Administration (TSA) Surface Inspectors**

Regulation	Applicability	Description
Rail Security Coordinator	Freight railroad carriers, passenger rail carriers, rail hazardous material shippers, and rail hazardous materials receivers within High Threat Urban Areas (HTUA). <sup>a</sup>	Surface inspectors verify twice per year that each regulated entity for passenger and freight rail has assigned a Rail Security Coordinator who is responsible for overseeing the carrier's security policies and procedures and ensures that TSA has obtained that person's contact information.
Location and shipping information	Freight railroad carriers transporting hazardous materials, rail hazardous material shippers, and rail hazardous materials receivers within HTUAs.	Surface inspectors check twice per year that each regulated entity can identify which railcars contain hazardous materials and provide geographic location and other information for the car. Class 1 railroads must be able to provide this information within 5 minutes for one railcar and 30 minutes if the request concerns two or more railcars. <sup>b</sup> All other railroads must be able to provide the information within 30 minutes.
Reporting significant security concerns	Freight railroad carriers, passenger rail carriers, rail hazardous material shippers, and rail hazardous materials receivers within HTUAs.	Surface inspectors ensure that all regulated passenger and freight rail entities report any potential threats and significant security concerns to TSA's Transportation Security Operations Center, by visiting regulated entities at least twice per year to determine if incidents were reported correctly.
Witnessed transfer of custody and control	Freight railroad carriers transporting hazardous materials, rail hazardous material shippers, and rail hazardous materials receivers within HTUAs.	Surface inspectors witness the transfer of custody of rail cars containing hazardous materials by observing whether the transportation entity physically secures the cars, checks for tampering, and ensures that both parties transferring the material complete the appropriate paperwork.

Source: GAO Analysis of 49 C.F.R. pt. 1580 and TSA Documents. | GAO-20-558

Note: In this table the term hazardous materials refers to one or more of the categories and quantities of materials specified in 49 C.F.R. §1580.100(b), including railcars containing specified quantities of explosive materials, toxic inhalation hazardous materials, and radioactive materials.

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**Appendix I: Transportation Security  
Administration (TSA) Activities Conducted by  
Surface Inspectors**

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<sup>a</sup>An HTUA is defined as an area comprising one or more cities and surrounding areas including a 10-mile buffer zone. See 49 C.F.R. § 1580.3; 49 C.F.R. pt. 1580 app. A.

<sup>b</sup>As of May 2019, a class I railroad had annual carrier operating revenues of approximately \$447.6 million or more.

Surface inspectors perform a variety of non-regulatory surface outreach activities, such as security trainings and assessments, which require surface entities' voluntary participation. Table 2 provides a list of key non-regulatory activities that surface inspectors perform.

**Appendix I: Transportation Security  
Administration (TSA) Activities Conducted by  
Surface Inspectors**

**Table 2: Key Non-regulatory Activities Performed by Transportation Security Administration (TSA) Surface Inspectors**

Surface inspector activities	Start date (fiscal year)	Description
Baseline Assessment for Security Enhancement (BASE)	2006	A voluntary review in which surface inspectors evaluate the security programs of transportation entities, offer technical assistance, and share best practices. <sup>a</sup> TSA uses BASE to, among other things, determine priorities for allocating mass transit and passenger rail security grants, such as those provided through the Transit Security Grant Program. <sup>b</sup>
Risk Reduction Surveys (RRS)	2007	Inspectors verify that Toxic Inhalation Hazard (TIH) railcars at rail yards within High-Threat Urban Areas (HTUA) that transport TIH on a regular and recurring basis are being attended by railroad personnel. Inspectors also conduct “wildcard” RRS, which are designed to document TIH railcar storage within the HTUA that do not normally handle TIH on a regular and recurring basis to determine if these railcars are being attended by railroad personnel.
Risk Mitigation Activities for Surface Transportation (RMAST)	2017 <sup>c</sup>	A program intended to focus time and resources on high-risk and critical assets, facilities and other infrastructure through stakeholder engagement including TSA’s public security awareness programs and improvised explosive device and intelligence briefings.
Security Enhancement Through Assessment (SETA)	2019	An assessment consisting of three phases, including 1) identifying vulnerabilities and establishing a baseline security posture, 2) mitigating identified vulnerabilities through security training, and 3) reassessment and planning to maintain an effective security posture.
Exercise Information System (EXIS) Workshops	2020	A workshop designed to examine a surface transportation entity’s security program that focuses on prevention, protection, mitigation, response, and recovery. <sup>d</sup>

Source: GAO Analysis of TSA Information. | GAO-20-558

<sup>a</sup>The Mass Transit BASE consists of 17 Security Action Items (SAIs) developed by TSA and the Federal Transit Administration that address, among other best practices, security training and awareness programs, cybersecurity, and access control. The Highway BASE was developed separately by TSA and includes 20 SAIs.

<sup>b</sup>The Transit Security Grant Program is a Department of Homeland Security grant program that provides funds to owners and operators of transit systems (which include intra-city bus, commuter bus, ferries, and all forms of passenger rail) to protect critical surface transportation infrastructure and the traveling public from acts of terrorism and to increase the resilience of transit infrastructure.

<sup>c</sup>TSA developed RMAST in fiscal year 2012, but did not fully implement it until fiscal year 2017.

<sup>d</sup>EXIS Workshops are a streamlined version of EXIS Tabletops. TSA developed EXIS Workshops in 2019 and formally began requiring it in the annual work plan in fiscal year 2020.

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# Appendix II: Comments from the Department of Homeland Security

**Appendix II: Comments from the Department  
of Homeland Security**

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



**Homeland  
Security**

June 26, 2020

Ms. Triana McNeil  
Director, Homeland Security and Justice  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

RE: Management Response to Draft Report GAO-20-558: "SURFACE  
TRANSPORTATION SECURITY: TSA Has Taken Steps to Improve its Surface  
Inspector Program, but Lacks Performance Targets"

Dear Ms. McNeil

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

The Department is pleased to note GAO's recognition of the importance of the Transportation Security Administration's (TSA) mission of securing the nation's surface transportation network as well as the agency's ongoing efforts to accomplish this mission in a risk-based manner. As a leader in the transportation security network, TSA continuously works to raise the global baseline of aviation and surface transportation security. However, securing the transportation system is a complex task, and TSA cannot do it alone. TSA is committed to maintaining the strong partnerships across governments, industry, and with others that are integral to success in this shared security mission.

The draft report contained one recommendation, with which the Department concurs. Attached find our detailed response to the recommendation. DHS previously submitted technical comments under separate cover for GAO's consideration.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Sincerely,

JIM H CRUMPACKER

Digitally signed by JIM H  
CRUMPACKER  
Date: 2020.06.26 09:05:28 -04'00'

JIM H. CRUMPACKER, CIA, CFE  
Director  
Departmental GAO-OIG Liaison Office

Attachment

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**Attachment: Management Response to Recommendation  
Contained in GAO-20-558**

GAO recommended that the TSA Administrator:

**Recommendation 1:** Establish quantifiable targets for the Surface Transportation Security Inspectors Program’s activity-level performance measures.

**Response:** Concur. TSA Surface Operations is in the process of developing quantifiable performance targets for the Baseline Assessment for Security Enhancement (BASE) and Security Enhancement Through Assessment (SETA) programs. These performance goals will be implemented and issued to the field through updated guidance.

Estimated Completion Date: March 31, 2021

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# Appendix III: GAO Contact and Staff Acknowledgments

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## GAO Contact

Triana McNeil at (202) 512-8777 or [McNeilT@gao.gov](mailto:McNeilT@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, David Lutter (Assistant Director), Bruce Crise (Analyst-in-Charge), Benjamin Crossley, Tracey King, Melanie Magnotto, Amanda Miller, and Kevin Reeves made key contributions to this report.

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# Appendix IV: Accessible Data

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## Data Tables

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**Accessible Data for Figure 2: Transportation Security Administration (TSA) Surface Inspector Time Spent on Activities, by Mode, in Fiscal Years 2017 through 2019**

Category	Percentage
Surface Security Activities	85%
Maritime Security Activities	7%
Aviation Security Activities	7%

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**Accessible Data for Figure 3: Transportation Security Administration (TSA) Surface Inspector Program Annual Work Plan Completion Rates for Fiscal Years 2017 through 2019**

Fiscal year	Compliance inspections percentage	Outreach activities percentage
2017	97%	100%
2018	99%	98%
2019	98%	99%

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## Agency Comment Letter

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Accessible Text for Appendix II Comments from the Department of Homeland Security

Page 1

June 26, 2020

Ms. Triana McNeil

Director, Homeland Security and Justice

U.S. Government Accountability Office

441 G Street, NW

Washington, DC 20548

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Sincerely,

JIM H. CRUMPACKER, CIA, CFE

Director

Departmental GAO-OIG Liaison Office

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Attachment

Page 2

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Recommendation 1: Establish quantifiable targets for the Surface Transportation Security Inspectors Program's activity-level performance measures.

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