

GAO Highlights

Highlights of [GAO-13-624](#), a report to congressional requesters

Why GAO Did This Study

DHS's TSA employs approximately 56,000 personnel to ensure security at about 450 TSA-regulated airports nationwide. News media have reported allegations of misconduct by TSA employees, including theft. GAO was asked to review TSA's policies and procedures for addressing employee misconduct. This report (1) summarizes data on TSA employee misconduct cases, and (2) examines the extent to which TSA has taken actions to manage and oversee the investigations and adjudications process. Adjudication is the process through which TSA determines whether the evidence is sufficient to propose and sustain a charge of misconduct, and determines the appropriate penalty. GAO reviewed TSA procedures, analyzed TSA misconduct data from fiscal years 2010 through 2012, and analyzed a random, nongeneralizable sample of 50 allegations referred from the DHS OIG to TSA to identify follow up actions.

What GAO Recommends

GAO recommends, among other things, that TSA establish a process to conduct reviews of misconduct cases to verify that TSA staff at airports are complying with policies and procedures for adjudicating employee misconduct, develop and issue guidance to the field clarifying the need for TSA officials at airports to record all misconduct case outcomes in the Integrated Database, and develop reconciliation procedures to identify allegations of employee misconduct not previously addressed through adjudication. DHS concurred with the recommendations and TSA is taking actions in response.

View [GAO-13-624](#). For more information, contact Stephen M. Lord at (202) 512-4379 or lords@gao.gov.

July 2013

TRANSPORTATION SECURITY

TSA Could Strengthen Monitoring of Allegations of Employee Misconduct

What GAO Found

According to Transportation Security Administration (TSA) employee misconduct data that GAO analyzed, TSA investigated and adjudicated approximately 9,600 cases of employee misconduct from fiscal years 2010 through 2012. From fiscal years 2010 through 2012, the annual number of TSA misconduct cases increased from 2,691 to 3,408. In that same period, TSA's workforce of Office of Security Operations employees at the airport level grew by about 3,200 employees. Two offense categories accounted for about half of all cases—(1) attendance and leave, which accounted for 32 percent, and (2) screening and security, which accounted for 20 percent. Charges for screening and security related incidents pertain to violating standard operating procedures, including not conducting security or equipment checks, and allowing patrons or baggage to bypass screening. TSA's guidance delineates common employee charges, along with a suggested range of penalties. Forty-seven percent of the cases that GAO analyzed resulted in letters of reprimand, which describe unacceptable conduct that is the basis for a disciplinary action; 31 percent resulted in suspensions of a definite duration; and 17 percent resulted in the employee's removal from TSA. The remaining cases covered a variety of outcomes, including indefinite suspensions.

While TSA has taken steps to help manage the investigations and adjudication process, such as providing training to TSA staff at airports, additional procedures could help TSA better monitor the investigations and adjudications process. For example, TSA does not have a process for conducting reviews of misconduct cases to verify that TSA staff at airports are complying with policies and procedures for adjudicating employee misconduct. Without a review process, it is difficult to determine the extent to which deficiencies, if any, exist in the adjudications process. Further, TSA does not record all misconduct case outcomes, including cases that resulted in corrective action or no penalty, in its Integrated Database (TSA's centralized case management system) because the agency has not issued guidance requiring the recording of all outcomes. Issuing guidance to TSA staff at airports about recording all case outcomes in the database would emphasize management's view of the importance of staff including such information to provide a more complete record of adjudication decisions. Moreover, TSA does not have reconciliation procedures—that is, procedures to follow up on completed misconduct investigations to ensure that the agency has identified cases requiring adjudication. According to a random sample of 50 allegations referred from the Department of Homeland Security Office of Inspector General (DHS OIG) to TSA in fiscal year 2012, GAO found that 2 were not adjudicated by TSA. As a result of GAO's review, TSA made adjudication decisions on these allegations, 1 of which resulted in a 14-day suspension for the employee because of disruptive behavior in the workplace. The results from GAO's sample cannot be generalized to the entire population of over 1,300 allegations referred from DHS OIG to TSA in fiscal year 2012; however, they raise questions as to whether there could be additional instances of allegations referred to TSA in this population that the agency has not adjudicated. A senior TSA official agreed that establishing reconciliation procedures would help TSA identify allegations of misconduct that require adjudication.