



CONGRESSIONAL TESTIMONY

STATEMENT BY

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BEFORE

HOUSE COMMITTEE ON HOMELAND SECURITY

ON

**“TSA MODERNIZATION: INDUSTRY PERSPECTIVES ON KEY
SECURITY AND TRAVEL REFORMS 25 YEARS AFTER 9/11”**

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Chairman Garbarino, Ranking Member Thompson, and Members of the House Committee on Homeland Security:

Thank you for the opportunity to appear before you today. My name is Everett B. Kelley, and I serve as National President of the American Federation of Government Employees, AFL-CIO (AFGE). AFGE represents approximately 820,000 federal and District of Columbia government workers nationwide, including more than 45,000 Transportation Security Officers (TSOs) who serve at over 400 commercial airports across the United States.

I appear before this Committee at a moment of crisis for the federal aviation security screening workforce. Over the past 16 months, TSOs have endured two government shutdowns totaling more than four months without reliable pay, the unilateral rescission of their collective bargaining rights, public attacks from their own agency leadership, and a proposed budget that would eliminate thousands of their positions and transfer their work to private contractors. Despite all of this, they have continued to show up. They have continued to screen nearly three million passengers a day. They have maintained their unblemished record of keeping the flying public safe from terrorist violence.

Today, I want to make four points to this Committee. First, the federal aviation security screening model that Congress created in the aftermath of the September 11 attacks is working and the workforce that delivers it deserves to be strengthened, not dismantled. Second, the Trump Administration's actions over the past year, taken together, represent a coordinated effort to destabilize that workforce and create the political conditions for privatization. Third, the consequences of reverting to a contractor-driven model are not theoretical. We lived them before September 2001 and the historical record is unambiguous. Fourth, Congress has the authority

and the obligation to step in. I will close with specific legislative recommendations, including passage of the Rights for the TSA Workforce Act (H.R. 2086/S. 997).

Why Congress Federalized Airport Security

It is worth reminding ourselves why we are here. Twenty-five years ago this November, in the aftermath of the deadliest terrorist attack ever carried out on American soil, Congress passed the Aviation and Transportation Security Act (ATSA) on a sweeping bipartisan basis. President George W. Bush signed it into law on November 19, 2001. That law created the Transportation Security Administration and federalized passenger and baggage screening at every commercial airport in the United States.

That decision was not ideological. It was based on what Congress had learned, painfully, over the preceding two decades. Before 9/11, airport screening was performed by private contractors. The contracts went to the lowest bidder. Screeners were paid at or near minimum wage. Turnover rates at major airports routinely exceeded 100 percent per year. Training was minimal. Background checks were inconsistent. There was no national standard.

Congress did not arrive at this conclusion only because of September 11. The warning signs had been flashing for years. On December 21, 1988, Pan Am Flight 103 was destroyed by a bomb over Lockerbie, Scotland, killing all 259 people aboard and 11 residents on the ground. Among the dead were 190 Americans. The 1990 President's Commission on Aviation Security and Terrorism, convened in the aftermath, concluded that the bombing "may well have been preventable" and that stricter passenger and baggage screening procedures would have increased the chance of intercepting the device. That is the system Congress replaced in 2001. That is the system some now propose to bring back.

The case for federalization rested on three basic propositions. First, aviation security is a core function of the national government, not a service to be auctioned off. Second, the men and women performing this work must be trained, vetted, and accountable to the public, not to a contractor's bottom line. And third, a stable, professional workforce, supported with the protections and standards that come with federal employment, is itself a security asset, because experienced officers detect threats that new hires miss. These principles were endorsed by Republicans and Democrats alike in 2001, and they remain just as true in 2026.

The TSA Workforce in 2026: Professionalized, Proven, and Under Attack

Today's TSOs bear almost no resemblance to the pre-9/11 contract screener workforce. They take an oath. They pass extensive background investigations. They complete rigorous initial training and ongoing recurrent training on evolving threats. They operate sophisticated detection equipment. They are tested constantly through covert assessments. They are, in every meaningful sense, federal law enforcement support officers performing a national security mission.

The model is working. After AFGE and TSA, under the prior Administration, secured meaningful pay improvements in 2023 and concluded an expanded seven-year collective bargaining agreement in May 2024, attrition in the TSO workforce dropped by nearly half from 17.1 percent in 2022 to 8.6 percent in 2024. TSA's own leadership at the time, including then-Administrator David Pekoske, a Trump appointee, publicly stated that without that agreement and that pay package, "we probably wouldn't have a TSA in five or 10 years." Employee engagement scores reached historic highs. Recruitment improved. Experienced officers stayed. That progress is now being deliberately reversed.

The Attack on TSO Collective Bargaining Rights

On February 27, 2025, then-Secretary of Homeland Security Kristi Noem issued a memorandum titled “Supporting the TSA Workforce by Removing a Union That Harms Transportation Security Officers.” With the stroke of a pen, without notice, and without any factual finding of misconduct, Secretary Noem purported to rescind the seven-year collective bargaining agreement that TSA and AFGE had signed only nine months earlier. She attempted to revoke AFGE’s status as the exclusive representative of the TSO workforce. This is a status TSOs had freely chosen through a secret-ballot election in 2011 and reaffirmed for more than a decade. She ordered the termination of every pending grievance, the cancellation of payroll dues deduction for officers who had voluntarily chosen to join the union, and the elimination of every workplace right that contract guaranteed.

AFGE went to federal court. On June 2, 2025, the U.S. District Court for the Western District of Washington granted a preliminary injunction blocking the rescission. The court held that AFGE was likely to succeed on every one of our claims. The Administration chose not to appeal.

In late September 2025, however, Secretary Noem signed a second memorandum that ordered TSA to take precisely the same actions that had just been enjoined — terminate the contract, cancel the grievances, end payroll dues deduction, strip AFGE of its representative status. It was just wrapped in different paperwork. The agency did not disclose the existence of this second memorandum to AFGE or to the workforce until December 12, 2025, when it announced that the determination would be implemented on January 11, 2026. AFGE returned to court on December 18, 2025, with an emergency motion to enforce the existing injunction. That litigation continues today.

Let me be direct with this Committee. This is not a labor-management disagreement. This is the federal government attempting to disregard a binding contract, override a federal court order, and silence a union that has done nothing more than exercise its First Amendment right to advocate for its members in court. Even setting aside the legality of these actions, which the courts have already addressed, they have done enormous damage to the morale, stability, and recruitment pipeline of the workforce the traveling public depends on to ensure the safety of American commercial aviation.

The Privatization Agenda: FY 2027 Budget, TSA Gold+, and the Lack of Transparency

The assault on collective bargaining did not happen in isolation. It is one piece of a coordinated strategy whose ultimate objective is the privatization of federal aviation security screening. That strategy is being executed on multiple fronts simultaneously, often without the knowledge of this Committee or the American people.

The Administration's Fiscal Year 2027 budget request calls for eliminating 8,400 TSO positions, roughly 14 percent of TSA's screening workforce, and reducing TSA personnel funding by \$529 million. Approximately 4,500 of those eliminated positions would be replaced by private contractors through a mandatory expansion of the Screening Partnership Program (SPP) to every Category III and Category IV airport in the country. The remaining cuts would come, in the Administration's words, from "improved efficiency." We have heard that phrase before. It means fewer officers, longer lines, and weaker security.

Currently, only about 20 of the nation's roughly 440 commercial airports operate under SPP. The Administration's proposal would expand that number to approximately 220 airports overnight. This would constitute a more than tenfold increase. These are the small and regional airports that serve communities in rural America, that connect families to economic opportunity,

that bring tourists into our national parks, and that, in many cases, are the only commercial air access for hundreds of miles. Senior Official Performing the Duties of the Administrator Ha Nguyen McNeill told the House Appropriations Homeland Security Subcommittee last month that the SPP expansion would insulate screeners from future funding lapses. That argument does not survive scrutiny, and I will address it directly in a moment.

More troubling still, and largely hidden from public view, is a separate privatization concept the agency has been quietly pitching to larger airports and industry. It is called TSA Gold+. Unlike SPP, which has historically been limited to security screening functions at small airports, TSA Gold+ contemplates private contractors managing both the workforce and the screening technology itself – the very machines that detect explosives, weapons, and prohibited items. TSA would, in theory, provide oversight. In practice, the federal government would be ceding direct operational control of the most sensitive technology in the aviation security enterprise to private vendors.

Senior Official Performing the Duties of the Administrator Nguyen McNeill has been asked repeatedly about TSA's privatization plans in congressional hearings in recent months. To the best of our knowledge, she has not disclosed the existence of TSA Gold+ to the committees of jurisdiction. The program has only been recently discovered publicly because reporters obtained briefing materials being circulated among industry stakeholders and airport authorities. That is not how decisions of this magnitude should be made about the future of federal aviation security. AFGE believes, and we suspect many members of this Committee will agree, that Congress and the American people are entitled to full transparency about any plan to outsource a function this central to the homeland security mission, before any procurement document is signed and before any briefing slide is shown to a single contractor.

The Two Shutdowns: A Manufactured Crisis Used to Justify a Predetermined Conclusion

The past 16 months have been defined by two extended government funding lapses, and the experience of TSOs during both has been used to argue that privatization would somehow protect aviation security from political dysfunction. The opposite is true. Let me walk this Committee through what actually happened.

The October-November 2025 Shutdown

From October 1 to November 12, 2025, the federal government experienced what was, at that point, the longest full-government shutdown in American history. TSOs reported to work for 43 days without pay. They were not permitted to stay home. TSOs worked the Halloween weekend rush and the run-up to Thanksgiving. Too many officers watched their bank accounts run dry while being required to focus their complete attention on detecting weapons and explosives at the checkpoint.

By the end of that shutdown, approximately 1,110 TSOs had separated, as reported by TSA. This is a 25 percent increase in separations compared to the same period in 2024. The recruitment momentum we had built through the 2023 pay increase and the 2024 collective bargaining agreement was substantially eroded in six weeks.

The February-April 2026 DHS Shutdown

Before TSOs could recover, the Department of Homeland Security entered its own funding lapse on February 14, 2026. This shutdown lasted 75 days and is now the longest funding lapse in U.S. history. Approximately 61,000 TSA employees, including 45,000 TSOs, were deemed essential and ordered to keep showing up to the worksite. TSOs missed their first full paycheck on March 13. By mid-March, daily call-out rates that normally run below 2 percent had climbed to 11 percent nationwide, with reports of single-day call-out rates exceeding 50

percent at Houston-Hobby and approaching 40 percent at Atlanta Hartsfield-Jackson and New Orleans. Wait times at some airports exceeded four-and-a-half hours. ICE agents with no screening training were sent to checkpoints in a futile and visibly unhelpful gesture.

Let me say here that the call-outs were not in any way a result of any coordinated union plan. In fact, AFGE communicates unequivocally to our membership that such actions are illegal and would never be supported in any way by the union. The call-outs were simply a reflection of the fact that TSOs lacked the funds to pay for transportation to work, childcare, or other costs associated with going to their jobs. Many TSOs were forced to take on second jobs in order to put food on the table and a roof over their heads while they were denied a paycheck on payday from their regular job as TSOs.

TSA's own leadership has documented and validated what TSOs endured and the extraordinary lengths to which they went in order to try to continue to show up at work. Officers slept in their cars to save gas money. Officers donated plasma to make rent. Officers received eviction notices. Officers lost long-term childcare arrangements. Officers defaulted on loans and damaged their credit. Airports around the country set up food drives for the workers screening their passengers. By the time the shutdown ended, TSA reported at least 1,000 additional TSOs had quit. This is on top of the over 1,110 lost from the previous shutdown. That is more than 2,100 trained officers gone in less than seven months. As DHS itself acknowledged in its own communications, each new TSO requires four to six months of training before they can stand a checkpoint independently. None of the officers we hire today will be operational in time for the FIFA World Cup next month.

Privatization Exacerbates the Problem

Some have argued that the recent government shutdowns are in themselves an argument for privatization. The argument is that contract screeners would be insulated from appropriations lapses. This argument is intellectually dishonest. Private contractors are paid out of the same DHS appropriations bill that funds federal TSOs. A contract security firm whose revenue depends on a government contract faces the identical funding cliff, except that its workers have no civil service protections, no collective bargaining rights, no Merit Systems Protection Board (MSPB) appeal rights, and no recourse when the contractor decides the profit margin is no longer worth the hassle.

The notion that federal contractors are insulated from the impact of periodic funding lapses is simply untrue. When agencies lack the appropriations to fund contracts, they must issue formal “stop-work orders” that require the contractor to stop performance of the non-essential functions described in their contracts. In the case of airport security screening, contractors would be required to continue providing the services but face non-payment until such time as the funding lapse ends. That is, private contractors would be in the identical position of TSOs during a funding lapse: required to work without paychecks until a funding lapse is resolved. Note also that during funding lapses, federal contracting officers who approve invoices, exercise options, and provide oversight and inspection of a contractor’s work might also be furloughed, causing further disruptions in the privatized security screening. That some privatized screening contractors were paid during this year’s government shutdown reflects only the serendipitous fact that they had already received their funding and/or were able to continue to receive payment from otherwise unobligated funds. That situation would not necessarily recur, especially if the use of private contractors for airport security screening were more widespread.

The lesson here is not that privatization protects security from dysfunction. Private contractors face the same risks from funding lapses as the federal agencies that pay them. The lesson is that Congress must fund the government on time. The solution to a political failure is not to outsource a core domestic and national security function.

The Real Cost: An Attrition Crisis on the Eve of Major International Events

The combination of several factors, including the rescission of bargaining rights, the publicly announced privatization plans, the lack of transparency about TSA Gold+, and two consecutive shutdowns with extended periods without pay, has produced an attrition crisis that this country can ill afford as we approach the largest concentration of international travel in American history.

The 2026 FIFA World Cup begins on June 11, less than four weeks from this hearing. The United States will host matches in eleven cities. Tens of millions of additional international visitors will pass through American airports. America's 250th birthday celebrations begin in July 2026. The 2028 Summer Olympic and Paralympic Games in Los Angeles are right behind them. These events are not theoretical security challenges. They are concrete, dated, and unavoidable. They demand a workforce that is fully staffed, fully trained, and fully focused on the mission. Instead, TSA enters this period with thousands fewer experienced officers than it had a year ago, with no realistic path to backfill them in time, with morale at historic lows, and with the workforce being told publicly by its own department leadership that the union it has elected to represent it is illegitimate and that its jobs may soon be contracted out from under it. This is not how a serious country prepares its aviation security system for a generational tourism event. It is, however, exactly how a manufactured workforce crisis is used to argue that the existing model has failed and that privatization is the only answer.

What Privatization Would Actually Mean

I want to be very precise about what a return to contractor-driven screening would mean in practice, because the rhetoric of “efficiency” and “innovation” obscures what is really at stake.

Privatization would lead to wage suppression. The “savings” in the Administration’s \$52 million estimate for small-airport SPP expansion come almost entirely from paying contractor workers less than federal TSOs. That is a transfer of public dollars away from working-class Americans who are disproportionately people of color and veterans, who together make up a far higher share of the TSO workforce than they do of the general labor market, and into corporate profits.

Turnover for security screeners would sharply increase. The pre-9/11 contract screening industry routinely operated at 100 percent (or higher) annual turnover at major airports. Even today, contractor screening firms in private commercial settings turn over their workforce at a much higher rate than the federal workforce. Every departure is a training cost. Every new hire is a competence gap. Every gap is a security risk.

Accountability would be weakened. Federal employees operate under inspector general oversight, congressional subpoena power, the Freedom of Information Act, and civil service protections that allow them to report problems without losing their jobs. Contractor workers operate under nondisclosure agreements and proprietary contract terms that the public never sees. When a federal TSO makes a mistake, there is a transparent process. When a contractor cuts corners on training or staffing to preserve a margin, that transparency disappears.

National security continuity would be compromised. TSA shares classified threat information with its officers every day. Many TSOs hold security clearances. Distributing that information across dozens of private contractors at hundreds of airports, with different vetting

standards and different turnover rates, introduces vulnerabilities that no “oversight” arrangement can fully address.

It would, on the Gold+ model, mean ceding control of the screening technology itself. The notion that private vendors should own and operate the equipment that detects explosives at federal airport checkpoints, with TSA reduced to a regulatory observer, is a dramatic departure from 25 years of bipartisan aviation security policy. It deserves, at the absolute minimum, a full public airing before this Committee and not a quiet industry rollout.

Legislative Recommendations

AFGE respectfully urges the Committee, and the full Congress, to take the following steps in 2026.

1. Pass the Rights for the TSA Workforce Act (H.R. 2086/S. 997)

Introduced by Ranking Member Bennie Thompson with strong bipartisan support and original cosponsors from both sides of the aisle, the Rights for the TSA Workforce Act would do what the past 16 months have demonstrated must be done: place the workplace rights and protections of the TSO workforce on a permanent statutory footing, so that they cannot be unilaterally rescinded by any administration.

Specifically, the Rights for the TSA Workforce Act would eliminate the separate, discretionary personnel system that has applied to TSOs since 2001 and bring them under Title 5 of the U.S. Code. This is the same statutory framework that governs the vast majority of the federal workforce, including the rest of DHS. It would extend full collective bargaining rights under Title 5, align TSO compensation with the General Schedule pay system, and guarantee access to independent review of personnel actions through MSPB. The Rights for the TSA

Workforce Act previously passed the U.S. House of Representatives on a bipartisan basis during the 117th Congress. It is past time to enact it.

2. Demand Greater Transparency Before Moving Forward

The United States Congress, and this committee in particular, must demand greater transparency from TSA before the agency is allowed to move forward with its privatization plans.

First, it should impose a moratorium on any expansion of the Screening Partnership Program beyond its current scope until the Government Accountability Office (GAO) completes a full, independent comparative study of cost, security effectiveness, and workforce stability between federal and contract screening over the past decade.

Second, Congress needs to require TSA to provide a written report to this Committee, and the other committees of jurisdiction, describing in detail any contemplated public-private partnership involving the management of screening operations or screening technology, including TSA Gold+, at least 180 days before any solicitation, briefing to industry, or commitment of resources.

Third, it should prohibit the obligation of federal funds toward any privatization concept that has not been authorized in statute.

3. End the Cycle of Shutdowns Affecting TSOs and Other Federal Employees

Congress should enact legislation guaranteeing that TSOs and other federal workers receive timely paychecks during any lapse in appropriations. The recent pattern of funding lapses while essential workers are legally required to continue performing dangerous national security work but are not legally guaranteed pay until the political dispute is resolved is unsustainable and is itself a national security vulnerability. The recent reliance on ad hoc executive memoranda and

discretionary funding pools is not a substitute for a statutory guarantee. AFGE is happy to work with members of this committee and Congress more broadly to find a solution to this critical problem. Legislation AFGE has supported this Congress that would end the cycle of holding federal workers' livelihoods hostage includes the Shutdown Fairness Act (H.R. 7137/S. 3168), the True Shutdown Fairness Act (H.R. 7322/S. 3165), and the Prevent Government Shutdowns Act (H.R. 5870/S. 2721).

4. Conduct Robust Oversight of the Rescission of the 2024 Collective Bargaining Agreement

AFGE urges this Committee to exercise its full oversight authority over the Department of Homeland Security's actions toward the TSO workforce since February 2025. The American people are entitled to know who made these decisions, on what factual basis, with what legal advice, and at what cost in attrition, training, and operational readiness. We are prepared to make our materials, our litigation record, and our local union leaders available to the Committee in any format that would assist this work.

5. Restore the Aviation Security Advisory Committee

The Aviation Security Advisory Committee (ASAC), which was established in 1989 after the terrorist attack on Pan Am Flight 103 and made permanent by Congress under the Aviation Security Stakeholder Participation Act of 2014 (P.L. 113-238), was functionally disbanded and all of the committee's members removed by DHS shortly after President Trump was sworn into office in January 2025. This was an error that must be fixed. For over 35 years, ASAC provided advice to the U.S. government on aviation security matters. The committee was made up of volunteers from the aviation industry, commercial airports, labor unions involved in the aviation industry (including AFGE), and the families of victims of aviation terrorist attacks.

Approximately 95% of ASAC's recommendations have been adopted by TSA and FAA over the years, including the deployment of bomb-detecting scanners implemented after the September 11 attacks.

Conclusion

Twenty-five years ago, this country looked at the smoking wreckage in Lower Manhattan, at the Pentagon, and in a field in southwest Pennsylvania, and made a deliberate choice. We decided that the people standing between a determined adversary and a loaded passenger aircraft would no longer be the lowest-paid, least-trained, most-disposable workers a contractor could find. We decided they would be federal officers. We decided their work mattered enough to be a public responsibility.

Twenty-five years later, the men and women who do that work have proven the wisdom of that decision every single day. They proved it through two record-breaking shutdowns when they showed up without paychecks. They proved it when they screened nearly three million passengers a day under impossible conditions. They proved it when, even as their own union was being targeted and their contract torn up, they continued to do the job.

TSOs take the motto "Not on Our Watch" to heart. TSOs perform sacred work, keeping the traveling public safe from harm. Any one of us here today could be in harm's way simply for taking a flight to conduct business, to take a vacation, or to see family over the holidays. This is why we need trained professionals to stand between those who would do harm and the rest of us and our loved ones. We should not and cannot contract out our safety and security to the lowest bidder.

Finally, TSOs deserve better than what they have received. They deserve a federal government that protects the rights and protections they have earned. They deserve transparency

about plans being made for their future. They deserve stable, predictable funding so that they are not used as bargaining chips in the next budget fight.

AFGE stands ready to work with every member of this Committee to achieve those ends. I thank the Chairman, the Ranking Member, and the Members of the Committee for the opportunity to testify, and I look forward to your questions.