

Department of Homeland Security **Office of Inspector General**

Transportation Security Administration's Screening of Passengers by Observation Techniques (REDACTED)






OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

MAY 29 2013

MEMORANDUM FOR: John P. Sanders
Assistant Administrator
Office of Security Capabilities
Transportation Security Administration

FROM: Anne L. Richards 
Assistant Inspector General for Audits

SUBJECT: *Transportation Security Administration's Screening of
Passengers by Observation Techniques*

Attached for your action is our final report, *Transportation Security Administration's Screening of Passengers by Observation Techniques*. We incorporated the formal comments from the Transportation Security Administration in the final report.

The report contains six recommendations aimed at improving the Screening of Passengers by Observation Techniques program. Your office concurred with all recommendations. Based on information provided in your response to the draft report, we consider the recommendations resolved and open. Once your office has fully implemented the recommendations, please submit a formal closeout letter to us within 30 days so that we may close the recommendations. The memorandum should be accompanied by evidence of completion of agreed-upon corrective actions and of the disposition of any monetary amounts.

Consistent with our responsibility under the *Inspector General Act*, we are providing copies of our report to appropriate congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post a redacted version of the report on our website.

Please call me with any questions, or your staff may contact John E. McCoy II, Deputy Assistant Inspector General for Audits, at (202) 254-4100.

Attachment



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Abbreviations

BDO	Behavior Detection Officer
DHS	Department of Homeland Security
FY	fiscal year
GAO	Government Accountability Office
LEO	law enforcement officer
OIG	Office of Inspector General
OMB	Office of Management and Budget
PMIS	Performance Measurement Information System
S&T	Science and Technology (Directorate)
SPOT	Screening of Passengers by Observation Techniques
TSA	Transportation Security Administration
TSO	Transportation Security Officer



Executive Summary

We audited the Transportation Security Administration's (TSA) Screening of Passengers by Observation Techniques program. The program's intent is to screen passengers by observing their behavior in order to detect potential high-risk travelers. This program uses Behavior Detection Officers to detect passenger behaviors that may be indicative of stress, fear, or deception. Congressman Bennie Thompson requested an audit of TSA's Screening of Passengers by Observation Techniques program to determine its effectiveness, efficiency, and economy as a security screening protocol at airports. The audit objective was to determine whether TSA's Screening of Passengers by Observation Techniques program is structured to ensure that passengers at U.S. airports are screened in an objective and cost-effective manner to identify potential terrorists.

Since the Screening of Passengers by Observation Techniques program began in fiscal year 2007, data provided by TSA indicate that the program has expended an estimated \$878 million and has more than 2,800 full-time equivalent positions, as of September 30, 2012. However, TSA has not implemented a strategic plan to ensure the program's success. For example, TSA did not (1) assess the effectiveness of the Screening of Passengers by Observation Techniques program, (2) have a comprehensive training program, (3) ensure outreach to its partners, or (4) have a financial plan. As a result, TSA cannot ensure that passengers at United States airports are screened objectively, show that the program is cost-effective, or reasonably justify the program's expansion. In fiscal year 2012, TSA's Behavior Detection and Analysis Division developed a draft strategic plan that includes a statement of mission, goals, and objectives. However, the plan had not been approved and implemented at the time of our review.

We made six recommendations to improve the effectiveness of the Screening of Passengers by Observation Techniques program. TSA concurred with all recommendations.



Background

According to TSA, it conducts passenger and baggage screening for approximately 1.8 million passengers daily at more than 450 TSA-regulated U.S. airports. TSA officials stated that TSA developed and implemented behavior detection as a layer of security (see Figure 1) in response to the *Implementing the Recommendations of the 911 Commission Act of 2007*. The program emphasizes objective behavior observation and analysis techniques to identify potentially high-risk individuals who are engaged in some form of deception and fear discovery.¹ According to TSA, the Passenger Assessment Screening System was based on the behavior assessment concept used by Israeli security forces.

Figure 1. Layers of U.S. Aviation Security



Source: TSA

In 2002, Boston's Logan Airport and the Massachusetts State Police/Port Authority piloted the Passenger Assessment Screening System. In 2003, TSA developed the Screening of Passengers by Observation Techniques (SPOT) program with assistance from the Massachusetts State Police. TSA began operational testing at Logan Airport in Boston, Massachusetts, and later expanded its testing at two other New England airports. According to the U.S. Government Accountability Office (GAO), in fiscal year

¹ The Screening of Passengers by Observation Techniques Standard Operating Procedure establishes procedures and standards for the uniform screening of individuals.



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(FY) 2007, TSA implemented SPOT, and was authorized 644 Behavior Detection Officers (BDOs) for deployment to 42 airports. According to TSA, as of FY 2012, more than 3,000 BDOs were authorized for deployment to 176 U.S. airports. TSA's Behavior Detection and Analysis Division is responsible for developing strategic plans and program guidance for the SPOT program.

BDOs, working in pairs, primarily conduct SPOT at airport screening checkpoints by having brief verbal exchanges with passengers waiting in line, while observing passengers' behaviors. A BDO identifies passengers for additional screening based on an evaluation system of identified behaviors, which may require a referral to law enforcement. A law enforcement officer (LEO) may assess the situation by interacting or engaging the passenger to determine if law enforcement intervention is necessary (see Appendix C for more details on the SPOT referral process). Passengers whose observed behaviors are not resolved during the referral process may not be permitted to board an aircraft.



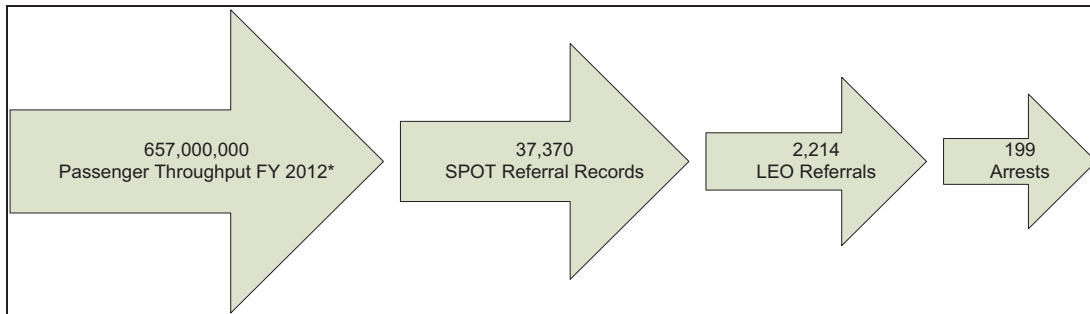
Source: Aram Boghosian, *The Boston Globe*

A TSA BDO speaking with an airline traveler. BDOs often converse with passengers to detect clues regarding suspicious or deceptive behavior from travelers before they go through metal detectors.

TSA BDOs are required to document all relevant information regarding each passenger referral in a referral report and the Performance Measurement Information System (PMIS). However, the SPOT Standard Operating Procedure prohibits the collection of personally identifiable information in the referral report or PMIS. Reports on the results of SPOT operations, such as the *SPOT Situation Report Dashboard – All Airports* (see Appendix D for an example of this report) are generated from the data entered into PMIS. According to TSA, SPOT referrals made from October 2011 through September 2012 resulted in 199 arrests (shown in Figure 2). The reasons for arrests included outstanding warrants, suspected drugs, and illegal aliens.



Figure 2. SPOT Referrals and Arrests, October 2011 through September 2012



Source: TSA data²

* Passenger throughput estimated at more than 450 airports, of which 176 use SPOT.

The SPOT program was concentrated at large TSA regulated airports.³ According to TSA, the insufficient coverage at smaller airports left a gap in TSA’s additional layers of security.⁴ In FY 2012, the program was expanded to smaller airports to increase the number of passengers potentially screened by BDOs as they enter the air transportation system.

In May 2010, GAO reported deficiencies in the SPOT program and made 11 recommendations; see Appendix E for further details about these recommendations.⁵ In addition, the SPOT program has come under scrutiny from Congress and the media. The Honorable Bennie G. Thompson, Ranking Member, Committee on Homeland Security, U.S. House of Representatives, requested that the Office of Inspector General (OIG) conduct an audit of TSA’s SPOT program to determine its effectiveness, efficiency, and economy as a security screening protocol at airports.

Results of Audit

Since the SPOT program began in FY 2007, data provided by TSA indicate that the program has expended an estimated \$878 million and has more than 2,800 full time

² This information is based on TSA’s *SPOT Situation Report Dashboard – All Airports*, which may be incomplete and inaccurate due to errors identified in the PMIS.

³ TSA classifies its regulated U.S. airports into one of five categories—X, I, II, III, and IV. Category X airports generally have the largest number of passengers boarding planes and category IV airports have the least.

⁴ *Behavior Analysis Capability Risk Based Allocation Methodology Phase I: Draft Report*, July 2012. [REDACTED]

⁵ U.S. Government Accountability Office, GAO-10-763, *Efforts to Validate TSA’s Passenger Screening Behavior Detection Program Underway, but Opportunities Exist To Strengthen Validation and Address Operational Challenges*, May 2010.

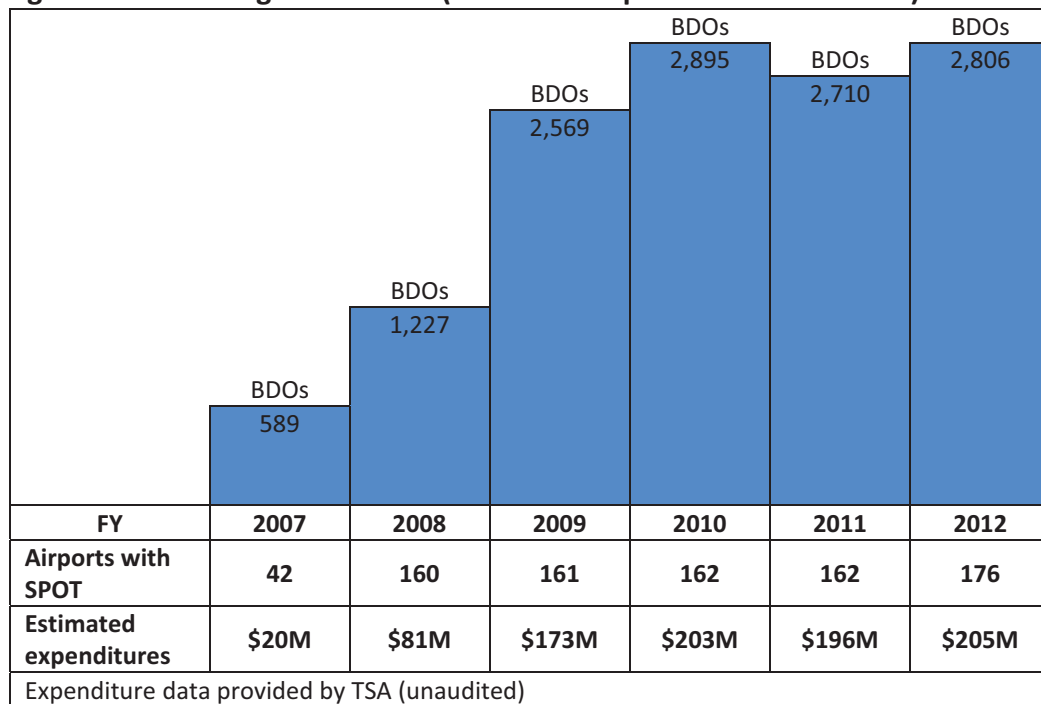


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growth. However, TSA has not implemented a strategic plan to ensure the program’s success.

An agency’s strategic plan is a valuable tool for communicating a common vision to managers, employees, partners, Congress, and the public. Above all, it should be used to align resources and guide decision making to accomplish priorities and improve outcomes. TSA did not (1) assess the effectiveness of the SPOT program, (2) have a comprehensive training program, (3) ensure outreach to its partners, or (4) have a financial plan. As a result, TSA cannot ensure that passengers at U.S. airports are screened objectively, show that the program is cost-effective, or reasonably justify the program’s expansion. In FY 2012, TSA’s Behavior Detection and Analysis Division developed a draft strategic plan that includes a statement of mission, goals, and objectives. However, the plan had not been approved and implemented at the time of our review.

Figure 3. SPOT Program Growth (Estimated expenditures in millions)



Source: OIG analysis of TSA data



Performance Management

TSA cannot accurately assess the effectiveness or evaluate the progress of the SPOT program. The program does not have a finalized strategic plan that identifies the mission, goals, and objectives needed to develop a system of performance measures. Even though program operations and referral results are recorded in the PMIS, the referral data captured are incomplete and inaccurate. Unreliable PMIS data cannot be used to measure performance or produce an accurate account of SPOT activity. As a result, TSA cannot demonstrate that BDOs are screening passengers in a uniform manner to identify potentially high-risk individuals. Office of Management and Budget (OMB) Circular A-11 emphasizes that an agency's strategic plan should define its missions, goals, and the means by which it will measure its progress. Specifically, strategic plans should—

- Specify the outcomes that the agency wants to accomplish;
- Ensure that each strategic goal is supported by performance goals or measures; and
- Ensure that performance goals set priorities and targets, and track progress in achieving the goals.

Performance Measures

TSA had not developed performance measures for the SPOT program. The program's Standard Operating Procedure indicates that its purpose is to identify high-risk individuals who may pose a threat to transportation security. The program collects data from referral reports that provide measurable outputs of specific activities. However, these outputs do not provide a measure of program effectiveness, because TSA has not established why these outputs support desired outcomes. For example, TSA documents the identification of prohibited items, undeclared currency, and illegal aliens, but the SPOT program has not defined how these outputs support achieving the SPOT program goals. As a result, TSA cannot assess the SPOT program's success without relative outcome-oriented performance measures. In August 2012, TSA provided its draft *Behavior Detection and Analysis Division Performance Metrics Plan*. This plan is intended to identify current gaps in performance metrics collection, proposed metrics solutions, and resource requirements for the next 3 years. The plan had not been approved and implemented at the time of our review.



Data Collection

Although program operations and outputs from referrals are recorded in the PMIS, the referral data captured are not always complete or accurate. BDO managers are required to review and approve all SPOT referral reports entered into PMIS, but the internal controls over data entry were ineffective. For example, PMIS will automatically bypass manager review of a referral report after 72 hours. There were insufficient data entry quality assurance measures beyond a BDO manager review. Of the 15 airports tested, 1,420 of the 18,152 (8 percent) referral reports recorded in FY 2012 bypassed management review. Five of the airports had more than 15 percent of the referral reports bypass management review. Only 1 of the 15 airports tested had 100 percent management review of referral reports recorded in PMIS.

BDOs are required to document information regarding each referral, including the reason(s) for a referral, the BDOs involved, and the resolution. However, passenger-specific data are prohibited from being recorded.

We assessed more than 110,000 referral records in PMIS from April 1, 2009, through September 30, 2012. Of those records—

- 7,019 did not identify the primary or secondary BDO;
- 1,194 did not meet the criteria for a referral;
- 442 were referral records that were deleted; and
- 143 did not contain a code for the airport where the referral was made.

Additionally, we identified duplicate records and one record that contained personally identifiable information.

Incomplete and inaccurate PMIS SPOT referral data may have been used to present program results to TSA senior leadership and oversight officials to illustrate the results of the SPOT program (see Appendix D for FY 2012 PMIS SPOT referral data). For example, 4 months after providing our audit team with PMIS data, the SPOT program office identified and corrected errors in the database before providing similar data to our investigators, who were conducting a separate investigation. We were not informed that the original data we received had been changed. SPOT program officials said they corrected errors in the level of LEO involvement and deleted duplicate records.



Training

TSA has not developed a training strategy that addresses the goals and objectives of the SPOT program. For example, BDO formal training, such as refresher training, is not consistently provided. Additionally, there is no formalized process to evaluate BDO instructors, who provide the only formal classroom training to BDOs, in the Performance Accountability and Standards System.⁶ According to GAO, a well-designed training program should be linked to the agency's goals and to the organizational, occupational, and individual skills and competencies needed for the agency to effectively perform.⁷ As a result, TSA cannot ensure that training contributes to the uniform screening of passengers.

Formal Training

TSA does not consistently offer formal refresher training to BDOs. Beginning in May 2006, all BDOs were required to attend the SPOT Basic Training course for BDO certification. TSA's training task analysis emphasized the importance of recurring training when it reported:

...observation skills are among the perishable variety. They need to be constantly honed and refocused on some regular basis. Observation is the single most important task in the entire SPOT Program....but little training is provided to address its importance, and there is virtually no measurement of the skill in the current testing program.⁸

TSA did not start providing refresher training for currently certified BDOs until May 2011. The 3-day refresher training consists of a review of SPOT Standard Operating Procedure requirements and addresses deficiencies in prior basic training courses. TSA determined that BDOs were not receiving training on 37 of the 63 (approximately 59 percent) required job tasks in the original versions of the basic training course (see Appendix F for SPOT program training task analysis executive summary).

⁶ The Performance Accountability and Standards System is a pay-for-performance management system that promotes and sustains a culture of high performance and accountability. It is designed to ensure that employees know what they need to do to accomplish their work successfully and to help TSA accomplish its mission through the use of a pay-for-performance system.

⁷ U.S. General Accounting Office, GAO-04-546G, *Human Capital: A Guide for Assessing Strategic Training and Development Efforts in the Federal Government*, March 2004.

⁸ Transportation Security Administration, *Training Task Analysis for the Screening of Passengers by Observation Techniques Program*, December 16, 2011.



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BDOs with a year or more of experience are eligible to complete TSA's refresher training. According to TSA, 713 of the approximately 2,200 eligible BDOs (approximately 32 percent) have received refresher training in the past 2 years. Of the 101 BDOs interviewed, 88 were eligible to receive the refresher training. Of the 88 eligible BDOs, 65 (approximately 74 percent) have not received the training. The SPOT program office reported that because of training staffing constraints, they needed to prioritize the training of new BDOs before conducting refresher training. As a result, BDOs who have not received the refresher training may be operating at varying levels of proficiency.

Instructors

BDO instructors provide the only formal classroom training to BDOs. During July 2012, TSA provided training to BDO instructors and tested them on their teaching abilities. TSA identified six BDO instructors who did not have the instructor knowledge, skills, or abilities to instruct BDO classes. TSA provided remedial instruction to those instructors in order for them to become qualified to teach. However, TSA does not evaluate BDO instructors on their instructional abilities in their Performance Accountability and Standards System. Additionally, TSA does not have a program to provide recurrent training to BDO instructors. Therefore, the program office cannot ensure that BDOs are effectively and consistently trained.

Outreach and Engagement

The relationship between BDOs and local LEOs needs to be improved. TSA incorporated law enforcement response as an integral part of the SPOT program. However, the SPOT program office has not ensured that airports effectively engage local law enforcement. BDOs and local LEOs at the airports contacted said that there was insufficient understanding of the roles and responsibilities that each had relative to the SPOT program. For example, LEOs at seven airports contacted said that they had not received clear information about BDO duties and why referrals from BDOs warranted law enforcement response. Conversely, BDOs expressed concerns about the consistency of LEOs' responses to referrals. BDOs said that local LEOs did not consistently respond to referrals or engage referred passengers. TSA data show that LEOs did not respond to approximately 2 percent of the referrals between October 2011 and September 2012.⁹ Additionally, TSA data indicate that LEOs did not question approximately 13 percent of referred passengers during that same period.

⁹ This information is based on PMIS data, which may be incomplete and inaccurate because of errors identified.



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Of the 15 airports we contacted, 3 had locally developed LEO outreach activities. At the airports using outreach activities, BDOs and LEOs reported more consistent and effective working relationships. The success of the program may be affected if BDOs and LEOs do not collaborate effectively.

Financial Accountability

The SPOT program's financial plan does not include priorities, goals, objectives, or financial performance measures. According to the SPOT program office, the program was allocated more than \$1 billion between FYs 2007 and 2012. The data provided by TSA indicate that the program expended an estimated \$878 million for the program office and SPOT personnel. OMB Circular A-11 describes budget formulation, development, and execution requirements that include needs analysis and budget development, budget execution, and expenditures tracking. Budget control is an integral part of an entity's planning, implementing, reviewing, and accountability for stewardship of government resources and achieving effective results.¹⁰ Because the SPOT program did not have a financial plan that included priorities, goals, objectives, or measures, TSA cannot (1) show that SPOT was cost-effective, (2) identify opportunities for improvement, or (3) justify the program's expansion.

Prior to FY 2012, the SPOT program office did not fully determine priorities for future spending or develop an itemized forecast of future funding and expenditures. Performance information was not used to assess the effectiveness of program activities to develop budget priorities. According to program officials, the program's historical funding was the basis for spending estimates. Beginning in FY 2012, the Behavior Detection and Analysis Division developed spend plans that identified project funding requirements. According to the FY 2013 draft spend plan, the objective of the spend process is to collect, identify, and document funding requirements for the budget year with a 5-year forecast. However, the spend plans did not include a comprehensive accounting of SPOT funding requirements, such as BDO costs and training.

Resources

BDOs at 12 airports contacted were used for activities not associated with their primary behavior detection duties. For example, nine airports have used BDOs as periodic travel document checkers to review passenger boarding passes and identification at screening checkpoints. The SPOT Standard Operating Procedure

¹⁰ U.S. General Accounting Office, GAO/AIMD-00-21.3.1, *Standards for Internal Control in the Federal Government*, November 1999.



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allows airports to divert BDOs to travel document checks during times of peak passenger traffic or other urgent circumstances. Additionally, one airport used BDOs to augment travel document checkers in order to identify passengers selected for additional screening. Airport officials explained that they used BDOs because Transportation Security Officer (TSO) travel document checkers were not identifying passengers who needed additional screening. SPOT program officials did not analyze airports' use of BDOs for activities not associated with behavior detection duties to evaluate program performance and financial impact. By diverting BDOs from their behavior detection duties, TSA may be decreasing the effectiveness of a defined layer of security and are not using BDO staff as intended.

BDO Selection, Allocation, and Performance

The SPOT program needs to ensure that it has an effective process to identify and address challenges that may affect the success of the program.

TSA senior airport officials at airports contacted raised concerns regarding selection, allocation, and performance of BDOs. These issues may directly affect the success of the SPOT program. Additionally, TSOs are the only source of candidates for BDO positions. Limiting BDO recruitment may not provide the program with the highest-quality candidates.

TSA officials at the airports contacted said that they did not understand how BDOs are allocated to airports. Federal Security Directors at the airports contacted were unsure whether resources were allocated to airports solely based on the number of passengers boarding planes; or if airport layout, queuing design, and scheduling constraints were also considered. Without a clear understanding of allocation methods and the opportunity to provide input on BDO allocation, TSA officials at airports may find resources limited to the point where the expected benefits of this security layer may not be realized.

TSA does not use an evaluation period to determine whether new BDOs can effectively perform behavior detection and analysis duties. TSA also does not have a process to move BDOs back to their TSO positions without penalty. This may result in a workforce with some BDOs not able to perform their duties effectively.

Conclusion

Strategic planning is the keystone to a successful program. Because OMB Circular A-11 guidance identifies requirements for agency strategic planning, it



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would be prudent for agency programs to follow these same principles to help ensure program success and contribute to the agency's mission. Without the implementation of a SPOT strategic plan that contains key elements, TSA cannot ensure that passengers at U.S. airports are screened in an objective manner, show that the program is cost-effective, or reasonably justify the program's expansion to ensure that threats to aviation security are effectively prevented.¹¹

Recommendations

We recommend that the Assistant Administrator, Office of Security Capabilities:

Recommendation #1:

Develop and implement a comprehensive strategic plan for the SPOT program that includes—

- Mission, goals, objectives, and a system to measure performance;
- A training strategy that addresses the goals and objectives of the SPOT program;
- A plan to identify external partners integral to program success, such as law enforcement agencies, and take steps to ensure that effective relationships are established; and
- A financial plan that includes identification of priorities, goals, objectives, and measures; needs analysis; budget formulation and execution; and expenditure tracking.

Recommendation #2:

Develop and implement controls to ensure completeness, accuracy, authorization, and validity of referral data entered into the Performance Measurement Information System.

Recommendation #3:

Develop and implement a plan that provides recurrent training to BDO instructors and BDOs.

¹¹ The *Government Performance and Results Act of 1993* requires agencies to develop a strategic plan for program activities that contains (1) a comprehensive mission statement, (2) general goals and objectives, (3) how goals and objectives are to be achieved, (4) how performance plan goals relate to the general goals and objectives in the strategic plan, (5) external factors that could significantly impact achievement of the general goals and objectives, and (6) a description of the program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations.



Recommendation #4:

Develop and implement a plan to assess BDO instructor performance in required core competencies on a regular basis.

Recommendation #5:

Monitor and track the use of BDOs for non-SPOT related duties to ensure BDOs are used in a cost-effective manner and in accordance with the mission of the SPOT program.

Recommendation #6:

Develop and implement a process for identifying and addressing issues that may directly affect the success of the SPOT program such as the selection, allocation, and performance of BDOs.

Management Comments and OIG Analysis

TSA provided comments to this draft report and a copy of the response in its entirety is included in Appendix B. TSA also provided technical comments, which we incorporated as appropriate.

According to its response to the draft report, TSA agreed with our recommendations for improvements to the SPOT program. Below are TSA's responses to each recommendation and our analysis.

TSA Response to Recommendation #1: TSA concurred with the recommendation; however, it disagreed with our assessment that it had not implemented a strategic plan to ensure the SPOT program's success, or that it had not developed performance measures for the program.

According to TSA's response, it is in the process of updating its strategic plan to reflect the organization's recent realignment. The strategic plan will elaborate on the Behavior Detection and Analysis Program's efforts to work with external partners such as law enforcement. Additionally, TSA will execute a BDO training strategy elaborating on many of the efforts that are currently under way. Finally, the Behavior Detection and Analysis Program will continue to produce a yearly spend-plan that identifies goals, objectives, budget formulation and execution, and expenditure tracking.



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OIG Analysis: Our report recognizes that TSA had a draft strategic plan and performance metrics plan. However, these documents were not approved or fully implemented at the time of our review.

TSA's planned and current actions are consistent with the intent of the recommendation. This recommendation is resolved, but will remain open until TSA provides its updated strategic plan for our review and has demonstrated progress in implementing the plan.

TSA Response to Recommendation #2: TSA concurred with the recommendation and said that in December 2012, it completed an audit of all SPOT referrals data entered into PMIS between March 2010 and August 2012. Additionally, mandatory guidance was provided to airports in order to correct technical and administrative errors. TSA officials stated that the entire audit and remediation process will be completed by July 2013.

TSA has two information technology initiatives under way to enhance the accuracy and validity of SPOT data. The first initiative, which is scheduled to be implemented in May 2013, will include turning off the ability for SPOT referral reports to automatically bypass manager review after 72 hours. The second initiative creates a new SPOT database that will be more flexible, reduce data entry requirements, and have extensive analytical capabilities. The design and development phases for the new SPOT database will be completed over the next 12 months.

OIG Analysis: TSA's planned and current actions are consistent with the intent of the recommendation. This recommendation is resolved, but will remain open until OIG—

- Analyzes the results of the PMIS data audit;
- Reviews the guidance provided to the airport in order to correct technical and administrative errors; and
- Verifies progress with implementing the information technology initiatives.

TSA Response to Recommendation #3: TSA concurred with the recommendation. According to TSA's response, it has developed and implemented a plan to provide recurrent training for BDO instructors and refresher training for the BDO workforce.

OIG Analysis: TSA's planned and current actions are consistent with the intent of the recommendation. This recommendation is resolved, but will remain open until TSA provides the training plan for the BDO and BDO instructors, and



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evidence of its implementation.

TSA Response to Recommendation #4: TSA concurred with the recommendation. According to TSA's response, it is going to update its National Training Team Guide for Instructors and Federal Security Directors in May 2013. The update will include a plan to regularly assess BDO instructor performance in core competencies.

OIG Analysis: TSA's planned and current actions are consistent with the intent of the recommendation. This recommendation is resolved, but will remain open until TSA provides the updated National Training Team Guide for Instructors and Federal Security Directors and evidence of its implementation.

TSA Response to Recommendation #5: TSA concurred with the recommendation. According to TSA's response, it is working on two major initiatives to monitor and track the use of BDOs to ensure that they are used in a cost-effective manner and in accordance with the mission of the SPOT program. TSA will begin a nationwide rollout of a BDO Efficiency and Accountability Metrics Database in May 2013.

OIG Analysis: TSA's planned and current actions are consistent with the intent of the recommendation. This recommendation is resolved, but will remain open until TSA provides evidence that the BDO Efficiency and Accountability Metrics Database and Program Compliance Assessment initiatives have been implemented.

TSA Response to Recommendation #6: TSA concurred with the recommendation. According to TSA's response, it has developed and implemented a number of processes for BDOs and BDO managers to provide feedback, suggestions, and concerns to the Behavior Detection and Analysis Program office. Within the next 90 days, TSA plans to capture its communications processes in a BDO Communication Plan, which will include an annual survey.

OIG Analysis: TSA's planned and current actions are consistent with the intent of the recommendation. This recommendation is resolved, but will remain open until TSA provides its BDO Communications Plan and evidence of its implementation.



Appendix A

Objectives, Scope, and Methodology

The Department of Homeland Security (DHS) Office of Inspector General (OIG) was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*. This is one of a series of audit, inspection, and special reports prepared as part of our oversight responsibilities to promote economy, efficiency, and effectiveness within the Department.

The audit objective was to determine whether TSA's SPOT program is structured to ensure that passengers at U.S. airports are screened in an objective and cost-effective manner to identify potential terrorists. Our original audit objective was to determine the extent to which TSA's SPOT program was screening passengers at U.S. airports in an objective and cost-effective manner to identify potential terrorism and/or criminal activity. However, we could not determine the extent to which the SPOT program is operating in an objective and cost-effective manner because the program does not have the necessary structure in place to base our assessment.

To accomplish this objective, we reviewed relevant laws, regulations, and appropriations. We also reviewed program policies, procedures, and other documentation, including versions of a draft SPOT strategic plan, Standard Operating Procedure guidance, and basic training curriculum. We attended the basic SPOT training course given to BDOs to gain an overall understanding of the fundamentals of behavior analysis and how it could be applied. Additionally, we reviewed other agency's audit reports relevant to the SPOT program.

According to OMB Circular No. A-11, *Preparation, Submission, and Execution of the Budget*, July 2010, an agency's strategic plan is a valuable tool for communicating a vision for the future to managers, employees, delivery partners, suppliers, Congress, and the public. We analyzed whether the SPOT program office incorporated the characteristics of an effective strategic plan, including (1) a comprehensive mission statement, (2) general goals and objectives, (3) how goals and objectives are to be achieved, (4) how performance plan goals relate to the general goals and objectives in the strategic plan, (5) external factors that could significantly impact achievement of the general goals and objectives, and (6) a description of the program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations.

We judgmentally selected 15 airports that use the SPOT program (see Table 2). We chose these airports by taking into account the following criteria:

- Number of referrals at each airport for the previous calendar year



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- Airport category
- Allocation of BDOs
- Ratios of BDOs, number of passengers boarding planes, and SPOT referrals
- Top 10 high-risk airports from DHS's Current Airports Threat Assessment list
- Physical location (Northeast, Southwest, Central, Pacific Coast)

We interviewed more than 300 officials at U.S. airports, TSA Headquarters, and external agencies. The airport interviews included Federal Security Directors, Assistant Federal Security Directors, BDO program coordinators, BDO managers, BDOs, SPOT instructors, coordination center personnel, and LEOs. Headquarters interviews included program office officials, training division personnel, privacy counsel, SPOT budget officials, database administrators, and allocation and scheduling personnel. In addition, we interviewed officials from DHS' Science and Technology (S&T) Directorate, U.S. Customs and Border Protection, United States Secret Service, and TSA Federal Air Marshal Service. Interviews were also conducted with the Federal Bureau of Investigation and Israel's El Al Airlines security.

We obtained and analyzed the PMIS SPOT referral data for April 2009 through September 2012. We conducted analysis using IDEA Data Analysis Software to assess the accuracy and completeness of referral information collected. Because of insufficient internal controls over PMIS data, we did not rely on the data to form conclusions on performance of the SPOT program.

We obtained and analyzed financial information received from the SPOT program office, including the pay, compensation, and benefit data it sourced from the National Finance Center. We did not test the expenditure data provided by the program office for completeness or accuracy, because financial data for the program from FYs 2007 to 2012 was not readily available.

This audit did not include work to determine the extent to which the SPOT program is based on valid scientific principles for use as an effective layer of aviation security in the United States. Additionally, on November 9, 2012, TSA announced that it ratified a collective bargaining agreement with the American Federation of Government Employees. The agreement will cover approximately 44,000 TSA employees and took effect on December 9, 2012. Since the audit was concluded in October 2012, the effect of the collective bargaining agreement on the SPOT program was not assessed.



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Table 2. Airport Sample Selection

Airport	Category	BDO Allocation	Referrals from Jan. 2011 to April 2012 ¹²
Los Angeles International Airport, Los Angeles, CA*	X	■	3,587
San Francisco International Airport, San Francisco, CA	X	■	398
Orlando International Airport, Orlando, FL	X	■	6,981
Tampa International Airport, Tampa, FL	I	■	1,375
Hartsfield-Jackson Atlanta International Airport, Atlanta, GA	X	■	601
Chicago Midway International Airport, Chicago, IL	I	■	440
Chicago O'Hare International Airport, Chicago, IL*	X	■	730
General Edward Lawrence Logan International Airport, Boston, MA*	X	■	2,885
Thurgood Marshall, Baltimore/ Washington International Airport, Baltimore, MD*	X	■	769
Detroit Metropolitan Wayne County Airport, Detroit, MI*	X	■	1,251
Kansas City International Airport, Kansas City, MO	I	■	108
John F. Kennedy International Airport, New York, NY*	X	■	5,293
La Guardia Airport, New York, NY	X	■	1,618
William P. Hobby Airport, Houston, TX	I	■	256
George Bush Intercontinental/ Houston Airport, Houston, TX	X	■	675

Source: OIG analysis of TSA data

*Six of the airports in our sample were on TSA's 2010 list of top 10 high-risk airports.

We conducted this performance audit between April and October 2012 pursuant to the *Inspector General Act of 1978*, as amended, and according to 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 upon our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objectives.

¹² This information is based on TSA's PMIS, which may be incomplete and inaccurate because of errors identified.



Appendix B Management Comments to the Draft Report

MAY - 3 2013

U.S. Department of Homeland Security
601 South 12th Street
Arlington, VA 20598



Transportation
Security
Administration

INFORMATION

MEMORANDUM FOR: Anne L. Richards
Assistant Inspector General
U.S. Department of Homeland Security (DHS)

FROM: John S. Pistole
Administrator *John S. Pistole*
Transportation Security Administration

SUBJECT: Response to Draft Report, *Transportation Security Administration's Screening of Passengers by Observation Techniques (OIG 12-141-AUD-TSA)*

Purpose

This memorandum constitutes the Transportation Security Administration's (TSA) response to the DHS Office of Inspector General (OIG) draft report, *Transportation Security Administration's Screening of Passengers by Observation Techniques*, March, 2013.

Background

Congressman Bennie Thompson requested an audit of TSA's Screening of Passengers by Observation Techniques (SPOT) program to determine its effectiveness, efficiency, and economy as a security screening protocol at airports. The audit objective was to determine whether TSA's SPOT program is structured to ensure that passengers at U.S. airports are screened in an objective and cost-effective manner to identify potential terrorists. OIG conducted its audit from April to October of 2012, and interviewed more than 300 officials at U.S. airports, TSA headquarters, and external agencies.

OIG provided TSA with six recommendations for action, all of which TSA concurs with, including implementing a strategic plan. The OIG concluded that without the implementation of a strategic plan that contains key elements, including mission, goal, and objectives needed to develop a system of performance metrics, "TSA cannot ensure that passengers at U.S. airports are screened in an objective manner, show that the program is cost-effective, or reasonably justify the program's expansion to ensure that threats to aviation security are effectively prevented."

During the audit, TSA provided the OIG with a draft *Behavior Detection and Analysis Strategic Plan*, which included a mission statement, vision statement, goals, and objectives already under development. TSA has since finalized this plan (finalized December 2, 2012). TSA also



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provided the OIG with a draft Performance Metrics Plan (finalized November 2012) which establishes the architecture for validated metrics to measure the SPOT program and Behavior Detection Officer (BDO) performance. Finally, TSA provided the OIG with a draft return on investment study (finalized December 2012), and Program Spend Plans from fiscal years (FY) 2011, 2012, and 2013. Of note, TSA provided OIG with approved final documents on December 5, 2012. These reports detail project descriptions, justifications and impact if not funded along with a breakdown of Program Operations and Management costs.

These documents collectively provide the strategic and financial roadmap for the Behavior Detection and Analysis Program (BDAP). While the OIG's report acknowledges the existence and submission of these draft plans, TSA would have liked the OIG to acknowledge that TSA had begun preparing these documents prior to its audit. Additionally, TSA believes that it has more fully implemented the plans than is described in OIG's report and that no significant concerns remain unaddressed.

Discussion

Earlier this year, consistent with TSA's intelligence-driven and risk-based strategy, the TSA Deputy Administrator approved the realignment of BDAP, excluding the research and development function, from the Office of Security Capabilities (OSC) to the Office of Security Operations (OSO). Placing the operational component of BDAP in OSO aligns behavior detection and analysis with other real-time threat assessment operations.

The BDAP now has four functional areas: 1) strategic planning and policy development; 2) training and workforce engagement; 3) compliance and standardization; and 4) analysis and metrics. Working in tandem with OSC and the Office of Training and Workforce Engagement (OTWE), BDAP focuses on five strategic areas:

1. **Integrate Behavior Detection into Risk-Based Security Initiatives:** Continue to integrate the behavior detection capability into risk-based security, and study the impact that behavior detection and analysis has on the overall effectiveness and efficiency of the transportation security system.
2. **Develop Data Management Protocols and Robust Analytical Capabilities:** Collect, organize, validate, and make data accessible to enable improved decision-making regarding BDO allocation, pilots, procedures, and daily operations.
3. **Implement Quality Assurance Oversight Measures:** Implement a multifaceted quality assurance program for TSA behavior detection and analysis initiatives to ensure consistent and standard practices, including airport operation evaluations, current training/testing, and data entry/management.
4. **Research, Develop, and Validate New and Existing Behavior Analysis Capabilities:** Continue to build the scientific foundation for behavior detection and analysis while refining current capabilities. Leverage existing and emerging best practices used by other domestic and international behavior detection programs as well as law enforcement, defense, and intelligence agencies.
5. **Execute Multifaceted Internal and External Communications Plans:** Work with Federal, state, local and international law enforcement, and civil rights groups to build public support and leverage best practices. Engage with the TSA workforce to explain



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why behavior detection and analysis is a critical layer to the transportation security system.

This framework is consistent with TSA's larger focus on risk-based security, workforce engagement and organizational efficiency, and the OSO strategic plan for 2013-2015.

TSA had begun, and in some cases has completed, all of the recommendations cited by the OIG in this report:

- **Strategic Planning and Performance Measurement:** TSA finalized a strategic plan and performance measurement plan and began implementing many of the objectives in these framework documents.
- **Data Accuracy:** TSA implemented controls to ensure completeness, accuracy, authorization, and validity of referral data entered into the Performance Management Information System.
- **Training:** TSA implemented a plan to provide recurrent/refresher training to all BDOs and BDO instructors, and developed a plan to assess BDO instructor performance in required core competencies on a regular basis.
- **Monitor and Evaluate BDO Activity:** TSA developed, and implemented an automated tool to help evaluate airports' use of BDO resources.
- **Employee Engagement:** TSA implemented processes for identifying and addressing issues raised by the workforce that may directly affect the success of the SPOT program.

Conclusion

TSA believes that passengers at U.S. airports are screened by BDOs in an objective manner; SPOT is effective and has been validated and determined to identify substantially more high-risk travelers than a random screening protocol;¹ and the program is executed in an efficient manner. TSA recognizes the important issues set forth in this report. TSA appreciates OIG's efforts to identify areas needing improvement with the SPOT program and will continue to implement OIG's recommendations, if not already fully implemented.

¹ *SPOT referral report Validation study final report: Volumes 1-4*. Washington, DC: American Institutes for Research, Costigan, T. E., Makonnen, Z. E., Taylor, T. S., Sawyer, K., Myers, T. L., & Topfritz, M. (2011).



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**U.S. Department of Homeland Security
Transportation Security Administration (TSA)**

Response to OIG Draft Report

Transportation Security Administration's Screening of Passengers by Observation Techniques – Sensitive Security Information, March, 2013.

Recommendation 1: Develop and implement a comprehensive strategic plan for the SPOT Program that includes 1) mission, goals, objectives, and a system to measure performance; 2) a training strategy that addresses the goals and objectives of the SPOT program; (3) a plan to identify external partners integral to program success, such as law enforcement agencies, and take steps to ensure that effective relationships are established; and (4) a financial plan that includes identification of priorities, goals, objectives, and measures; needs analysis; budget formulation and execution; and expenditure tracking.

TSA concurs. While TSA agrees with this recommendation, it disagrees with the statements in the report that “TSA has not implemented a strategic plan to ensure the program’s success,” nor developed performance measures for the program. Although in draft form until December 2012, the Program operated under the strategic plan and began implementing many of the strategic objectives, including developing a performance metrics plan and continuing to analyze the effectiveness of behavior detection and analysis.

Consistent with Office of Management and Budget (OMB) Circular A-11, the SPOT Strategic Plan defines its mission, goals, objectives, and actions that the Program will take to realize goals and monitor progress. In fact, in November 2012, the Program published and immediately began implementing the Behavior Detection and Analysis Division Performance Metrics Plan outlining the Program’s approach to developing a comprehensive system for effectively measuring SPOT performance. Specifically, the performance metrics plan identifies current gaps in performance metrics collection, initiatives to address metrics gaps, and resource requirements for the next 3 years. The plan includes a set of performance metrics that allow for continuous performance tracking and evaluation, including:

- Performance measures for selecting, hiring, and training BDOs;
- Performance measures for evaluating individual BDO performance and effectiveness; and
- Performance metrics for evaluating program effectiveness as a whole, including which behaviors lead to a high probability of a BDO encountering and detecting high-risk passengers.

The Program is in the process of updating the strategic plan to reflect the organization’s recent realignment. The Plan will elaborate on the Program’s efforts to work with external partners such as law enforcement, which the TSA already does on a consistent basis. Additionally, TSA will execute a BDO training strategy elaborating on many of the efforts that are currently underway. Finally, the Program will continue to produce a yearly spend-plan that identifies goals, objectives, budget formulation and execution, and expenditure tracking. In sum, all of the



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components of a comprehensive strategic plan are in place with efforts underway to achieve full implementation.

TSA finalized a strategic plan and performance measurement plan and began implementing many of the objectives in these framework documents. Therefore, TSA requests that OIG consider this recommendation implemented and closed.

Recommendation 2: Develop and implement controls to ensure completeness, accuracy, authorization, and validity of referral data entered into the Performance Measurement Information System.

TSA concurs. The Performance Measurement Information System (PMIS) records SPOT operational data. The system captures information including arrests and the surrender of prohibited items. The Program has taken measures to ensure the completeness, accuracy, and validity of SPOT data already submitted into PMIS and developed further controls within the system to prevent future errors.

In December 2012, the Program completed a data audit of all SPOT referrals entered into PMIS between March 2010 and August 2012. The Program provided mandatory guidance that airports correct technical and administrative errors by amending the PMIS records through a comparison with the hard copy referral sheets that are maintained locally. Corrections are documented in spreadsheets noting that the PMIS record was changed, when appropriate, or that there was a reason why the report was filled out with those fields and thus did not constitute an error. The entire audit and remediation process will be finalized by May 2013, for all but five airports, the last of which will be completed by July 2013. The Program will continue large-scale data audits to ensure the validity and accuracy of SPOT referral data. Additionally, the Program created a report for SPOT Transportation Security Managers (STSM) giving them the ability to locally monitor and correct errors on a regular basis.

The Program also has two significant Information Technology initiatives underway to enhance the accuracy and validity of SPOT data. The first initiative, to be implemented in the beginning of May 2013, modifies the current SPOT module, including turning off the 72-hour auto-promote function and adding drop down menus and check boxes to capture SPOT referral data. It also includes additional required fields and business rules to ensure more accurate and complete reporting. This initiative will facilitate data integrity in the field and ensure that all entries into PMIS have been reviewed and approved by an STSM for quality assurance. BDOs and STSMs were trained on this new form the week of April 22-26, 2013, via Adobe Connect sessions, conferences calls, and guidance documents provided on the STSM iShare site.

The second initiative creates a new SPOT database that will be more flexible, reduce data entry requirements to the fullest extent possible, and have extensive analytical capabilities, including better trend analysis of indicators resulting in detection of a high risk passenger (system requirement phase completed March 2013; design and development phases will be completed over the next 12 months).



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These system modifications provide the necessary controls to ensure completeness, accuracy, proper authorization, and validity of the referral data entered into the PMIS system. Therefore, TSA requests that OIG consider this recommendation implemented and closed.

Recommendation 3: Develop and implement a plan that provides recurrent training to BDO instructors and BDOs.

TSA concurs. TSA has developed and implemented a plan to provide recurrent training for BDO instructors and refresher training for the BDO workforce. At the same time, TSA has added additional Online Learning Center (OLC) requirements specifically for BDOs.

BDO Instructors: All National Training Team (NTT) instructors, including those currently assigned to the NTT, will attend an academy where they will be taught and evaluated on teaching techniques. Specifically, they will receive the Office of Law Enforcement/Federal Air Marshal Service Instructor Development Course. They will also receive training on the technical content of courses that the NTT teaches including BDO SPOT Basic Training and BDO Refresher Training. They are further required to complete Train-the-Trainer (T3) training for the courses they will be teaching. Graduates of the NTT Academy deploy as members of the NTT for a 6-month period during which they shadow qualified instructors and undergo a mentoring process. At any point in the process, instructors failing to meet standards are removed from the qualified list of those who can instruct BDO courses. The Office of Training and Workforce Engagement (OTWE) and BDAP will collaborate on providing instructors with recurrent training and/or guidance if curriculum content changes.

BDOs: Refresher Training is integral to an effective training program because work conditions and policies change over time. Additional or updated training ensures that the program's mission continues to be accomplished effectively. During calendar year (CY) 2011, 232 BDOs attended 12 Refresher Training classes; while in 2012, 481 BDOs attended 24 Refresher Training classes. BDAP has realigned NTT resources for calendar year 2013 to ensure that all eligible BDOs² complete Refresher Training by the end of December 2013. To that end, from February 11 through March 9, 2013, NTT members conducted 12 refresher classes for 388 BDOs from 10 airports. In April 2013, an additional 177 BDOs will be trained during 8 refresher classes. Thus, by the end of April 2013, 1,278 of the approximately 2,020 eligible BDOs will have received refresher training. Planning is ongoing to conduct an additional 30 refresher classes during the remainder of CY 2013 to provide training to all eligible BDOs who have not yet received refresher training. TSA recognizes that ongoing training on a frequent basis is critical to maintaining and enhancing skills learned during BDO SPOT Basic Training. Each year, the Program Office will provide a gap analysis to OTWE identifying performance factors and future objectives which OTWE will use to update the prior year's Refresher Training. The Program will frequently provide the updated training ensuring that BDOs maintain essential skills.

Additionally, to assist local airports, in January 2013, BDAP launched a series of training scenarios for STSMs. These scenarios help STSMs engage with their employees, assist BDOs in reviewing critical procedures, and apply critical thinking as a team. Further, OTWE will add five new OLC courses to the BDO learning plan during calendar year 2013, and will update two

² BDOs are eligible to receive Refresher Training after 4 months.



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current OLC courses. These OLC courses focus on critical skills in the areas of report writing, property searches, Walk the Line procedures, and Causal Conversation techniques. OTWE has also begun updating the SPOT Basic and SPOT Refresher Training courses, incorporating Standard Operating Procedure (SOP) updates, enhanced instructor notes and instructor best practices with an estimated completion date no later than August 2013.

The completed and planned refresher training for BDO instructors and BDOs is comprehensive. Therefore, TSA requests that OIG consider this recommendation implemented and closed.

Recommendation 4: Develop and implement a plan to assess BDO instructor performance in required core competencies on a regular basis.

TSA concurs. On April 2, 2009, the BDAP published a National Training Team (NTT) Guide for Instructors and Federal Security Directors (FSD). This training guide provided day-to-day operational guidance for members of the NTT. Since this guide did not address the certification and recertification of instructors, the Program will issue a new version in May 2013. It will include a plan to regularly assess BDO instructor performance in core competencies. The May 2013 Handbook will provide the following guidelines:

- All instructors will be evaluated annually in accordance with OTWE's Quality Assurance (QA) and Compliance Program OSO-OTT/QACP-SOP-05/2012 and must receive a QA evaluation with a "Meets Expectations" or better rating. The QA assessment will be conducted during delivery of approved technical training courses in the program area in which the instructor is qualified to teach. If a QA evaluation rating below "Meets Expectations" is received, remediation and re-evaluation will be required. Instructors will be allowed a total of three attempts to achieve the "Meets Expectations" rating level. The third failure will result in the de-certification of the instructor and removal from the NTT. This is consistent with other TSA instruction programs and evaluation processes.
- Every quarter, all instructors assigned to the NTT will be provided feedback on their instructional skills. For classroom instructors, the feedback will align with the Transportation Officer Performance System for BDOs. During a BDO Basic Training mission, the designated Team Lead will complete a DHS Employee Performance Plan and Appraisal Form (EPPA) for BDOs for each instructor assigned to the mission. The Team Lead will provide feedback to the instructors along with a signed copy of the EPPA. The Team Lead will then provide a copy of the EPPA to BDAP, which BDAP will in turn provide to the instructor's Airport of Record (AOR).
- For Team Leads, the feedback will align with the Lead's Employee Performance Management Program (EPMP). STSMs assigned to the NTT shall provide the BDAP with a copy of their current EPMP form. For the quarterly feedback, a representative of the BDAP will observe the STSM during an NTT mission and, using appropriate competencies from the EPMP, provide feedback to the STSM along with a signed copy of the EPMP. The EPMP will also be provided to the STSM's AOR. These processes are consistent with how employees are evaluated when they are part of TSA National Deployment Force.



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TSA has developed and implemented a plan to assess BDO instructor performance. Therefore, TSA requests that OIG consider this recommendation implemented and closed.

Recommendation 5: Monitor and track the use of non-SPOT related duties to ensure BDOs are used in a cost-effective manner and in accordance with the mission of the SPOT program.

TSA concurs. The Program is working on two major initiatives aimed at monitoring and tracking the use of BDOs to ensure that they are used in a cost-effective manner and in accordance with the mission of the SPOT program. These initiatives take into account that FSDs must retain the discretion to employ BDOs to meet a specific security threat or need. The initiatives are as follows:

BDO Efficiency and Accountability Metrics (BEAM) Database: BEAM provides airport management and TSA with a standardized tool to track and analyze BDO daily operational data, including BDO locations and time spent performing duties. The system streamlines the current methods of collecting this data, which varies by each airport. More accurate and complete data will allow for increased standardization of the program and improved analysis of the use of the behavior detection capability at airports nationwide. In October 2012, TSA began evaluating the tool at select airports refining the system requirements. In May 2013, the Program begins a nationwide rollout of BEAM, which will include further pilots, incorporation of updates/lessons learned, and procedures mandating airports' use of the system.

BEAM data will be closely monitored by BDAP providing information that was previously not readily available on use of BDOs. Using data from BEAM, TSA will analyze how to deploy BDO assets as part of the larger TSA security system, including, but not limited to, whether BDO deployment is maximized for operational effectiveness during peak travel times. Through analysis, the Program will gain insight to how BDOs are being regularly utilized, specifically how often they are performing duties outside of the scope of SPOT duties. The Program will work with other parts of OSO to conduct a cost-benefit analysis on whether these duties provide a meaningful addition to TSA's security system and are best carried out by a BDO. The Program will regularly report findings to FSDs, Regional Directors (RD), and other OSO leadership, as appropriate and needed.

Program Compliance Assessment Visits: In 2012, BDAP created the Program Compliance Assessment (PCA) team to assess compliance with the SPOT SOP through observation and participation in each airport's operation. In addition to SOP compliance, PCAs identify how airports are using BDOs via site visits and then validate these observations through BEAM.

In light of this comprehensive monitoring and tracking plan through BEAM and PCA visits, TSA requests that OIG consider this recommendation implemented and closed.

Recommendation 6: Develop and implement a process for identifying and addressing issues that may directly affect the success of the SPOT program such as the selection, allocation and performance of BDOs.



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TSA concurs. TSA has developed and implemented the following processes for BDOs and STSMs to provide feedback, suggestions and concerns to BDAP:

- **TSA IdeaFactory:** On April 25, 2007, TSA launched the IdeaFactory, a Web-based tool that gives more than 50,000 field and headquarters personnel, including BDOs, a voice to communicate improvement ideas. IdeaFactory empowers TSA employees to develop, promote, and improve innovative ideas for programs, processes, and technologies without being filtered through the entire TSA community. Participants submit ideas, provide comments on how to improve new concepts, and endorse ideas, which they believe, should be recommended for implementation.
- **BDO Discussion Board Blog:** All BDOs have access to the SPOT iShare site, which includes a discussion board or Blog where they can provide ideas and thoughts.
- **Bi-Weekly Best Practices Conference Calls:** In November 2012, BDAP began bi-weekly conference calls with airports providing them with an opportunity to exchange best practices, raise concerns, and reinforce key programmatic procedures and policies.
- **SPOT Mailbox:** BDAP operates an email box for all BDOs to ask questions, make observations or solicit clarification on policies and procedures. The email box provides BDOs and STSM with an avenue to clarify policy, recommend new initiatives, and acknowledge BDOs' work. The Program aims to respond to each email within one week and also provides a weekly summary of all policy and procedures questions and answers to all STSMs. This information is shared with employees through airport Shift Briefs.
- **Best Practices iShare Site:** In January 2013, TSA launched a Best Practices iShare site, which builds upon the success of the biweekly best practices conference calls. At airports nationwide, FSDs, SPOT Coordinators, Managers, and BDOs have put innovation to work by creating tools that improve their operations. The goal of this site is to turn local good ideas into national best practices.
- **Bi-Weekly Shift Brief:** BDAP provides a Shift Brief to STSMs highlighting BDO work, including incidents that demonstrate adherence to proper procedures and effective outcomes, including, but not limited to, law enforcement intervention. The Brief also discusses new initiatives and provides exercises and talking points for Managers on critical topics.
- **Weekly Frequently Asked Questions:** Frequently Asked Questions are sent out to BDO Managers each week via the distribution list summarizing procedural questions posed to BDAP over the previous week.
- **Weekly Dashboard:** A weekly dashboard is provided to FSDs and field leadership, which captures operational metrics from the previous week and includes updates on programmatic initiatives.



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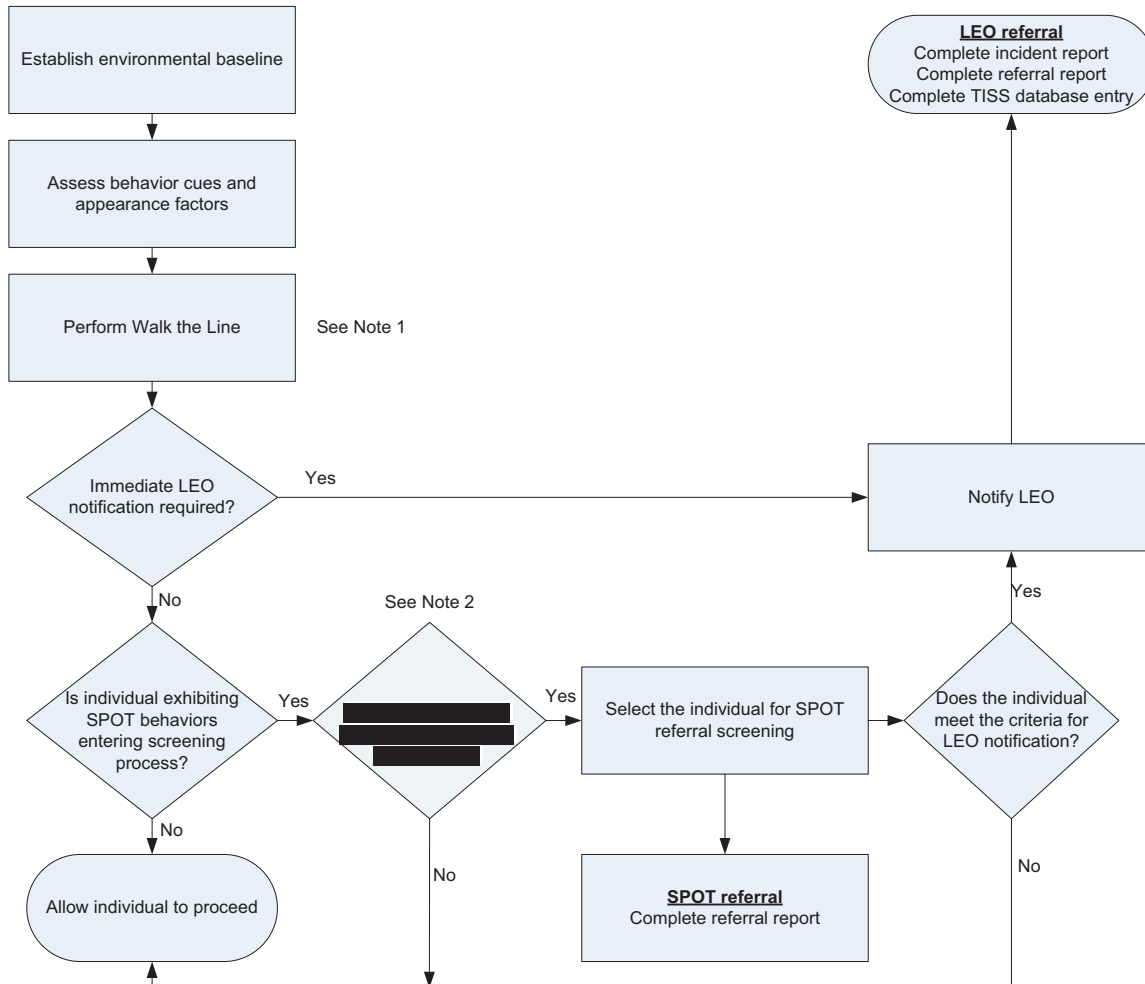
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- **Monthly Program Calls:** Monthly calls are conducted to provide FSDs, SPOT Coordinators, and STSMs with updates and notification of upcoming initiatives and changes.
- **PCA Visits:** PCA methodology will serve as a process for identifying and addressing issues that may directly affect the success of the SPOT program. Under the PCA Program, PCA Teams comprised of high-performing, specially-trained BDOs will observe and assess SPOT operations at airports on an annual basis, with the goal of promoting the consistent application of SPOT policies and procedures. The PCA Assessments will produce objective, quantitative data that will facilitate the analysis, identification, and tracking of operational issues and deficiencies that may require further exploration and, potentially, corrective action. Following PCA visits, airports will receive a structured report that analyzes the results of the PCA Team's observations and identifies any required remediation plans. Additionally, these reports will be available to RDs, OSO Division Directors, the OSO Assistant Administrator and others, as necessary. The PCAs will also serve as an additional mechanism for BDOs and STSMs to provide the BDAP feedback and obtain guidance on SPOT policies and procedures. In the future, BDAP anticipates that airports will self-assess using the PCA criteria which will not only standardize and improve the quality of self-evaluations, but also further enhance BDAP's and airports' ability to identify issues that may affect the success of the SPOT program.

These efforts and others, including adding an annual BDO survey will be captured in a BDO Communication Plan to be completed within the next 90 days. As part of TSA's process of updating its strategic plan for the SPOT program, TSA will review current selection, allocation, and performance criteria to determine if changes are warranted.



Appendix C SPOT Referral Process



Source: TSA

Note 1: BDOs initiate brief verbal exchanges with passengers waiting in line, while observing passengers' behaviors.

Note 2: The SPOT program assigns point values to specific passenger behaviors and appearances.

Passengers exhibiting behaviors that exceed the SPOT numerical threshold [REDACTED] are referred for SPOT referral screening. The SPOT referral screening includes a search of the passenger, the passenger's personal property, and a review of the passenger's identification and travel documents.



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Appendix D SPOT Situational Report (SitRep) Dashboard – All Airports

SPOT SitRep Dashboard- All Airports	
Date Range: October 1, 2011 to September 30, 2012	
SPOT Submittal Summary	
Spot Submittal Count	37,370
Resolved by TSA at Selectee Screening	35,294
Total Number of LEO Referrals	2,214
Denied Boarding by Carrier	39
Illegal Alien	59
Self Deporting	38
Reasons for LEO Referral	
Prohibited Items	
Items	Quantity
Total	3,830
Reasons for Arrest	
Description	Quantity
Fraudulent documents	15
Illegal alien	36
Other	65
Outstanding warrants	53
Suspected drugs	51
Undeclared currency	3
LEO Disposition	
Resolution	Quantity
LEO did not respond (provide details below)	40
LEO responded/did not question	288
Questioned and arrested by LEO	199
Questioned and released by LEO	1,605
Referred for investigation by LEO	93

Source: TSA

Note: The information reported in TSA's Dashboard may be inaccurate and incomplete because of errors identified in the PMIS data.



Appendix E

GAO Status of SPOT Recommendations (as of 4/10/2013)

(Source: <http://www.gao.gov/products/GAO-10-763>, GAO official website)

Efforts Validate TSA's Passenger Screening Behavior Detection Program Underway, but Opportunities Exist to Strengthen Validation and Address Operational Challenges,
GAO-10-763, May 20, 2010

Recommendation: To help ensure that SPOT is based on valid scientific principles that can be effectively applied in an airport environment, the Secretary of Homeland Security should convene an independent panel of experts to review the methodology of the DHS Science and Technology (S&T) Directorate study on the SPOT program to determine whether the study's methodology is sufficiently comprehensive to validate the SPOT program. This assessment should include appropriate input from other federal agencies with expertise in behavior detection and relevant subject matter experts. **Status:** **Closed – Implemented**

Recommendation: If research determines that the SPOT program has a scientifically validated basis for using behavior detection for counterterrorism purposes in the airport environment, then the TSA Administrator should conduct a comprehensive risk assessment to include threat, vulnerability, and consequence of airports nationwide to determine the effective deployment of SPOT if TSA's ongoing Aviation Modal Risk Assessment lacks this information. **Status:** **Open**

Recommendation: If research determines that the SPOT program has a scientifically validated basis for using behavior detection for counterterrorism purposes in the airport environment, then the TSA Administrator should perform a cost-benefit analysis of the SPOT program, including a comparison of the SPOT program with other security screening programs, such as random screening, or already existing security measures. **Status:** **Open**

Recommendation: If research determines that the SPOT program has a scientifically validated basis for using behavior detection for counterterrorism purposes in the airport environment, then the TSA Administrator should revise and implement the SPOT strategic plan by incorporating risk assessment information, identifying cost and resources, linking it to other related TSA strategic documents, describing how SPOT is integrated and implemented with TSA's other layers of aviation security, and providing guidance on how to effectively link the roles, responsibilities, and capabilities of federal, state, and local officials providing program support. **Status:** **Open**



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Recommendation: If research determines that the SPOT program has a scientifically validated basis for using behavior detection for counterterrorism purposes in the airport environment, then the TSA Administrator should study the feasibility of using airport checkpoint-surveillance video recordings of individuals transiting checkpoints who were later charged with or pleaded guilty to terrorism-related offenses to enhance understanding of terrorist behaviors in the airport checkpoint environment. **Status: Closed – Implemented**

Recommendation: Concurrent with the DHS S&T Directorate study of SPOT, and an independent panel assessment of the soundness of the methodology of the S&T study, to ensure the program's effective implementation, and to provide additional assurance that TSA utilizes available resources to support the goals of deterring, detecting, and preventing security threats to the aviation system, the TSA Administrator should provide guidance in the SPOT Standard Operating Procedures or other TSA directive to Behavior Detection Officers (BDOs), or other TSA personnel, on inputting data into the Transportation Information Sharing System and set milestones and a time frame for deploying Transportation Information Sharing System access to SPOT airports so that TSA and intelligence community entities have information from all SPOT Law Enforcement Officer (LEO) referrals readily available to assist in "connecting the dots" and identifying potential terror plots. **Status: Closed – Implemented**

Recommendation: Concurrent with the DHS S&T Directorate study of SPOT, and an independent panel assessment of the soundness of the methodology of the S&T study, to ensure the program's effective implementation, and to provide additional assurance that TSA utilizes available resources to support the goals of deterring, detecting, and preventing security threats to the aviation system, the TSA Administrator should implement the steps called for in the TSA Office of Security Operations Business plan to develop a standardized process for allowing BDOs or other designated airport officials to send information to TSA's Transportation Security Operations Center about passengers whose behavior indicates that they may pose a threat to security, and provide guidance on how designated TSA officials are to receive information back from the Transportation Security Operations Center. **Status: Closed – Implemented**

Recommendation: Concurrent with the DHS S&T Directorate study of SPOT, and an independent panel assessment of the soundness of the methodology of the S&T study, to ensure the program's effective implementation, and to provide additional assurance that TSA utilizes available resources to support the goals of deterring, detecting, and preventing security threats to the aviation system, the TSA Administrator should direct the TSA Transportation Security Operations Center to utilize all of the law enforcement and intelligence databases available to it when running passenger names, for passengers who have risen to the level of a LEO referral. **Status: Closed – Implemented**



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Recommendation: Concurrent with the DHS S&T Directorate study of SPOT, and an independent panel assessment of the soundness of the methodology of the S&T study, to ensure the program's effective implementation, and to better measure the effectiveness of the program and evaluate the performance of BDOs, the TSA Administrator should establish a plan that includes objectives, milestones, and time frames to develop outcome-oriented performance measures to help refine the current methods used by Behavior Detection Officers for identifying individuals who may pose a risk to the aviation system. **Status: Closed – Implemented**

Recommendation: Concurrent with the DHS S&T Directorate study of SPOT, and an independent panel assessment of the soundness of the methodology of the S&T study, to ensure the program's effective implementation, and to better measure the effectiveness of the program and evaluate the performance of BDOs, the TSA Administrator should establish controls to help ensure completeness, accuracy, authorization, and validity of data collected during SPOT screening. **Status: Closed – Implemented**

Recommendation: Concurrent with the DHS S&T Directorate study of SPOT, and an independent panel assessment of the soundness of the methodology of the S&T study, to ensure the program's effective implementation, and to help ensure that TSA provides BDOs with the knowledge and skills needed to perform their duties, the TSA Administrator should establish time frames and milestones for its plan to systematically conduct evaluations of the SPOT training program on a periodic basis. **Status: Closed – Implemented**



Appendix F Training Task Analysis for SPOT Program – Executive Summary

SENSITIVE SECURITY INFORMATION



**Transportation
Security
Administration**

Training Task Analysis (TTA) for the Screening of Passengers by Observation Technique (SPOT) Program

December 16, 2011

Version 3.0



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SENSITIVE SECURITY INFORMATION

Training Task Analysis for the Screening of Passengers by Observation Techniques (SPOT)

1. Executive Summary

Following the results of the previously submitted Job Task Analysis (JTA) and Difficulty, Importance, and Frequency (DIF) Analysis, the current sequel to the Transportation Security Administration's (TSA) Screening of Passengers by Observation Technique (SPOT) Program's effort at improving and updating the current training of Behavior Detection Officers (BDO) has included expert insights of national trainers and Subject Matter Experts (SME) during two workshops that took place in February and March, 2011. The SMEs were involved in the functional and hierarchical analyses of the JTA tasks as part of an overall task validation effort.

The results of the validation process and hierarchical and functional analyses a) identified the trainable tasks from the original 110 JTA tasks, bringing the total to 63 trainable tasks; b) grouped the trainable tasks into five categories; and c) identified a salient group of communication tasks with three subcategories of communication types, depending on the purpose and target of communication.

With the results of the various analyses that collected direct input from national SPOT SMEs and TSA national trainers, the need for a major overhaul of the entire SPOT Program training is evident. It is necessary to ensure that the training is current and relevant to emerging threats, both in terms of its content as well as in terms of context; that is, the focus of the training delivery system should be shifted to exchange, interaction, and facilitation modes rather than the lecture-based foundational information.

Since May 2011, TSA has rolled out an interim training program that addresses some of the deficiencies of its prior training program. As a result, all tasks currently have some degree of coverage in the training materials, which is a significant improvement over the previous version. From the 63 tasks, 37 (59%) of the tasks were not covered in training materials prior to the roll-out of the Interim Basic Training.

The following calculation of the combinations of behavior, stress, and deception factors illustrates the complexity of the BDO's observation tasks. The officers are trained to look for behavioral clusters. By the time BDOs make a decision to call a Law Enforcement Officer (LEO), they may encounter any of 63,321 possible combinations of factors, yielding the threshold value of [REDACTED]. Even prior to making any decision, a BDO may encounter 151 combinations of factors that yield [REDACTED] and 941 combinations of factors yielding [REDACTED]. The [REDACTED], which calls for SPOT Referral but does not involve an LEO notification, can be any of 19,079 combinations of factors.

Newly identified tasks and groups of tasks have emerged as a result of the Job Task Analysis and subsequent reviews during the current Training Task Analysis (TTA) effort. In addition, a new subset of tasks has been identified that falls under the umbrella of communication tasks and comprises 33 tasks (52%). That subset is not addressed in the current training as a separate group of communication tasks. Within just the past year, the SPOT program has undergone dynamic changes. In spite of this, the program needs to be further refined and aligned with the findings, as discussed in Section 6.

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Appendix G

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Appendix H

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