

# **NTEU**

**The National Treasury Employees Union**

January 19, 2010

**VIA FACSIMILE AND FIRST CLASS MAIL**

Gale D. Rossides  
Acting Administrator  
Transportation Security Administration  
601 12th Street  
Arlington, VA 22202-4220

Dear Gale:

Another round of PSE testing is underway and I am hearing widespread reports of the same initial high failure rates as I heard last fall. In some locations, the failure rate is as high as 80 percent. You and I both know that these high failure rates do not accurately reflect the competency of experienced screeners, many of whom have worked for TSA since its inception.

As NTEU pointed out last time, there appear to be multiple causes. Once again, testers are brought in from other airports. It certainly seems that pat down and search protocols vary from airport to airport because TSOs who fail these PSEs are doing exactly what they were trained to do at their respective airports.

“Failure” rates appear to be lower when TSOs exercise their right under TSA protocol to have a third party observer present. Many TSOs are exercising this right because they cannot dispute the administration of the test if one is not present. But this has created another problem — the demand for third party observers is so great at some locations, like O’Hare, that it cannot be met.

The presence of a third party observer is to ensure that PSEs are administered fairly and consistently according to TSA policy. Yet, trained evaluators are precluded from serving as observers. This makes little sense in my view. Why not have someone trained in test administration, who can corroborate the test administrator’s conclusions, serve as an observer? If local, trained observers consistently dispute test administrators’ conclusions, at least this would confirm what is widely suspected: that pat down and search protocols differ among airports.

Another contributing factor is the lack of time for TSOs to complete new training modules on PSEs. They learn what they did “wrong” after the first failure and correct those deficiencies the second time, resulting in much higher pass rates. Meanwhile, they have “failed” rating on record that affects their overall PASS rating for the year. TSOs need to be given a fair opportunity to know what they will be tested on before they take a test the first time.

Gale D. Rossides  
January 19, 2010  
Page Two

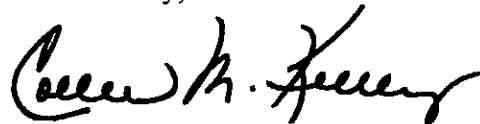
Eventually, word leaks out to other TSOs, who have yet to take the PSE, about what to “look out for.” This unfairly benefits those who take the tests later because they “learn” from what tripped up their coworkers who took the PSEs earlier. When a TSO takes a test should not influence their PASS score, but that is the way the system operates at this point.

To address these problems, I urge TSA to take the following actions:

1. Ensure that TSOs’ local training and instructions are consistent with what is tested in PSEs.
2. Have PSEs administered by local evaluators to ensure that TSOs are tested on what they are taught.
3. If TSOs are permitted to dispute PSE results only when they have third party observers present, ensure that there are ample observers available.
4. Ensure that third party observers are trained in PSE administration, so that they may verify the evaluator’s conclusions, instead of simply reporting what they observed.
5. Ensure there is adequate staffing so that TSOs have time to take PSE training modules before their PSE.

As you know, NTEU has loudly and continually complained about the serious flaws with PASS and its components. Until these flaws are addressed, PASS will continue to be the subject of distrust and ridicule among TSOs, and a cause of poor morale.

Sincerely,



Colleen M. Kelley  
National President