

March 26, 2020

Via Email Only: <u>David.Pekoske@tsa.dhs.gov</u>

Mr. David Pekoske Administrator Transportation Security Administration

Administrator Pekoske,

As FAM field offices close, and FAMs test positive for COVID-19, I must again highlight the Air Marshal Association's opposition to missions that are not based on credible intelligence.

The AMA denounces missions based on non-curated intelligence. Despite learning at our February meeting that the TSA provided a report to Congress (as required by HR4467 and the FAA Reauthorization act of 2018), the legislation's author and other AMA Congressional partners are still awaiting a report on the intelligence methodology used to schedule Federal Air Marshals. Neither the AMA, nor Congress, can offer input or solutions to improve the utilization of the workforce until we have accurate data. We would like to ensure that everyone has an open and candid conversation about what constitutes intelligence, and how substantiated intelligence can guide us as we evolve the Federal Air Marshal Service to meet the ongoing threat.

The AMA is not opposed to mission randomization, but we need an approach that prioritizes intelligence for most flights. Federal Air Marshals from across the country have repeatedly said they are prepared to undertake intelligence based missions anywhere in the world, including COVID-19 impacted countries. However, recent missions reviewed by the AMA indicate that FAMs are flying missions to COVID-19 affected countries without receiving an intelligence briefing. In fact, AMA members consistently report that missions in general still lack any credible intelligence or intelligence basis.

Reports from the field also indicate that various Operations departments have repeatedly attempted to schedule questionable QS missions to COVID-19 impacted European countries despite all government warnings and without any intelligence basis. Specifically, this week a local FO Operations department attempted to build a European QS mission utilizing a double team of FAMs whereas half would sleep on the way out, they would not leave the aircraft, and half would work the return. No briefing was available when these volunteer FAMs inquired, and it was further discovered that this was another QS mission that lacked any credible intelligence. This mission would have unnecessarily exposed two entire teams, resulted in 2 week quarantines, and put their family members at risk. Fortunately, the mission build was cancelled due to foreign government requirements related to COVID-19. Still more troubling, multiple teams have reported being the only passengers on aircraft – the only passengers.

We hope you will send a clear message to the field regarding building missions with credible, actionable intelligence. In fact, the AMA would like to see Field Office SACs review intelligence on each mission and to approve each one prior to staffing. This is not a difficult, or unreasonable request given the current COVID-19 flight reduction and the percentage of missions that have a legitimate intelligence basis. We believe this SAC review is necessary to inspire the correct culture within the agency during this crisis, and to ensure there is direct accountability for poor decisions. As more FAMs test positive for COVID-19, and as large segments undergo quarantine, it is important to prioritize intelligence based missions.

Finally, we encourage you to implement the recommendations of the AMA Future Committee regarding the 1811 conversion of the FAMs workforce. In the past few weeks, countless Congressional staffers have asked the same question; specifically, 'what are the FAMs doing now that flights are empty? It is past time to acknowledge that intelligence driven missions aboard aircraft will not justify the Federal Air Marshal Service forever. FAMs must become Criminal Investigators, and must conduct anti-terrorism investigations and initiatives in airports, seaports, rail stations, and other transportation hubs. The current forced reduction in FAM core duties emphasizes how critically important it is to evolve the workforce into a fully functioning Special Agent position, establish a static Federal law enforcement presence at airports and transportation terminals, and make a greater overall contribution to the nation we serve.

Thank you for your leadership during this pandemic. As always, the AMA stands ready to assist.

Very truly yours,

AIR MARSHAL ASSOCIATION

John Casarelli – President

On behalf of AMA Board of Directors

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cc: