

Congress of the United States

Washington, DC 20515

February 27, 2024

The Honorable David P. Pekoske
Administrator
Transportation Security Administration
601 S. 12th Street
Arlington, VA 20598

Dear Administrator Pekoske:

We strongly support the current Transportation Security Administration (TSA) investigation into security protocols, or lack thereof, for scheduled “public charter flight” operations. We expect the TSA to investigate and close significant security vulnerabilities as quickly as possible. We also expect you to keep Congress informed of the steps you are taking as a result of this investigation to protect the traveling public, as well as people and property on the ground, using your existing authorities.

As you know well, on September 11, 2001, lax aviation security enabled an attack on our country that led to the deaths of nearly 3,000 innocent victims, thousands of injuries, and other immeasurable damage to lives, property, and prosperity. Following this attack, Congress enacted the *Aviation and Transportation Security Act*, making the TSA responsible for day-to-day security screening of passengers and bags in commercial air transportation, particularly for scheduled flights on which members of the public can easily purchase an individual ticket.

There should not be varying security standards for the operation of aircraft with more than 9 seats, operating scheduled service, and selling individual tickets. Requiring passengers on some scheduled airlines to go through a TSA-operated checkpoint while allowing other passengers on virtually identical scheduled airlines to bypass TSA and other critical security protocols makes no sense and creates glaring security vulnerabilities that can be exploited by those who wish to cause harm. The TSA should take immediate action to ensure that passengers go through full TSA security processes when flying on an air carrier that operates aircraft with more than nine seats, publishes a flight schedule, and sells individual tickets.

The TSA must not wait on other agencies before addressing vulnerabilities. The TSA has rightfully noted that scheduled public charter operators “have fixed routes and are selling boarding passes to individuals.”¹ Similarly, the FAA recently observed that the “size, scope, frequency and complexity” of these public charters “has grown significantly over the past 10 years” and that many appear “essentially indistinguishable” from the scheduled passenger airline operations that follow standard safety and security rules and regulations.² While the FAA appears poised to take action to address certain safety issues involving these operations, the TSA should not await action by another agency before acting on its important mandate to address transportation security vulnerabilities.

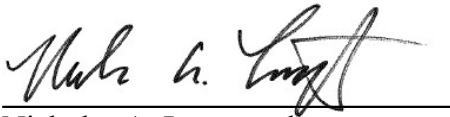
We urge you to take action before these vulnerabilities lead to disaster, and we ask that you report to Congress regarding the steps you are taking at the earliest opportunity – within weeks, not months.

¹ Schlagenstein, M. (2023, Oct. 3). Charter Flights' Loose Security Faces TSA Investigation. *Bloomberg*. <https://www.bloomberg.com/news/articles/2023-10-03/tsa-to-review-security-of-private-charter-flight-operators>. Accessed Jan. 29, 2024.

² *Revisions to the Regulatory Definitions of “On-Demand Operation”, “Supplemental Operation” and “Scheduled Operation”* 88 Federal Register 59480 (proposed by the FAA on Aug. 29, 2023) (to be codified at 14 C.F.R. § 110).

Thank you for your service and your commitment to transportation security.

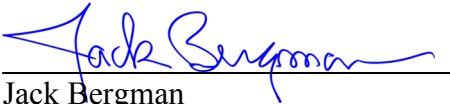
Sincerely,



Nicholas A. Langworthy
Member of Congress



Marc A. Veasey
Member of Congress



Jack Bergman
Member of Congress



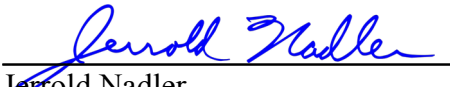
Jake Ellzey
Member of Congress



Katie Porter
Member of Congress




Randy K. Weber, Sr.
Member of Congress



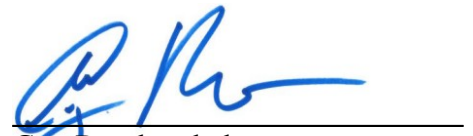
Jerrold Nadler
Member of Congress



Robin L. Kelly
Member of Congress




C. A. Dutch Ruppertsberger
Member of Congress



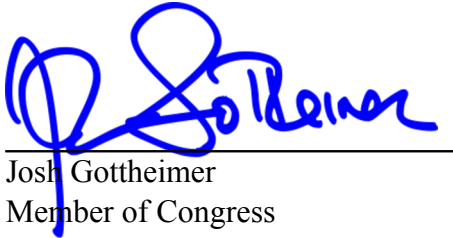
Guy Reschenthaler
Member of Congress




Shri Thanedar
Member of Congress



Deborah K. Ross
Member of Congress



Josh Gottheimer
Member of Congress



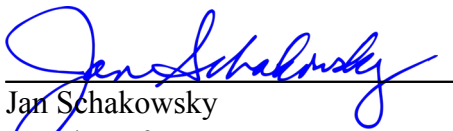
Michael V. Lawler
Member of Congress



Stephen F. Lynch
Member of Congress



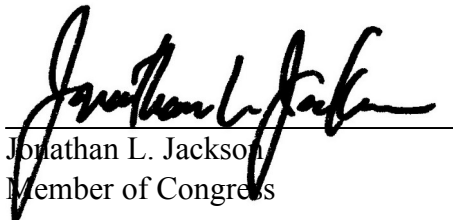
Mark Alford
Member of Congress



Jan Schakowsky
Member of Congress



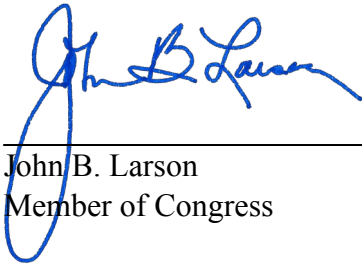
Colin Z. Allred
Member of Congress



Jonathan L. Jackson
Member of Congress



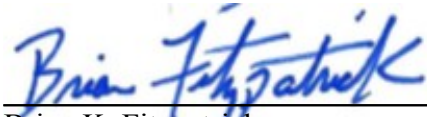
Paul D. Tonko
Member of Congress



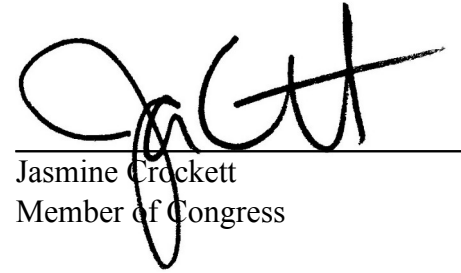
John B. Larson
Member of Congress



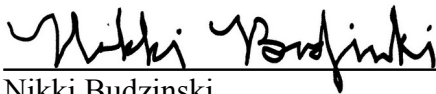
Eleanor Holmes Norton
Member of Congress



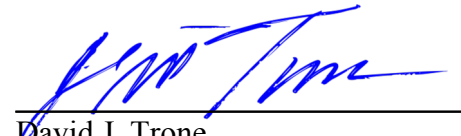
Brian K. Fitzpatrick
Member of Congress



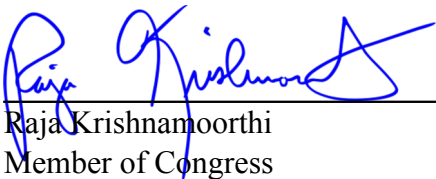
Jasmine Crockett
Member of Congress



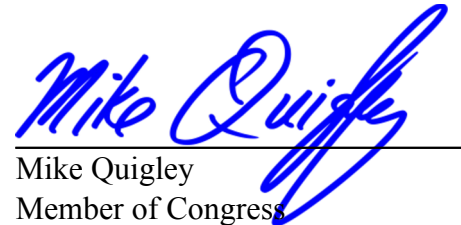
Nikki Budzinski
Member of Congress



David J. Trone
Member of Congress



Raja Krishnamoorthi
Member of Congress



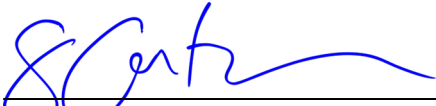
Mike Quigley
Member of Congress



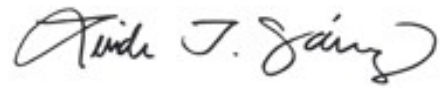
Bill Foster
Member of Congress



Andrew R. Garbarino
Member of Congress



Sean Casten
Member of Congress



Linda T. Sánchez
Member of Congress



Bill Pascrell, Jr.
Member of Congress



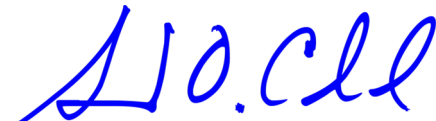
Eric Sorensen
Member of Congress



Dan Goldman
Member of Congress



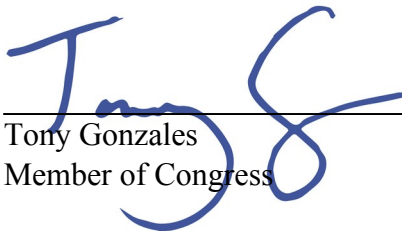
Donald M. Payne, Jr.
Member of Congress



Salud Carbajal
Member of Congress



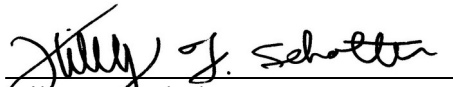
Angie Craig
Member of Congress



Tony Gonzales
Member of Congress




Robert J. Menendez
Member of Congress



Hillary J. Scholten
Member of Congress



Greg Stanton
Member of Congress



Delia C. Ramirez
Member of Congress

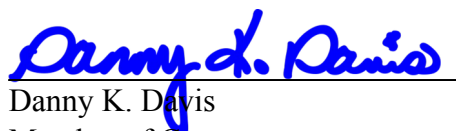

Kay Granger
Member of Congress

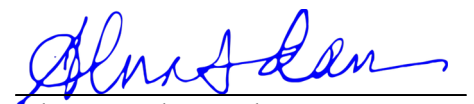

Sylvia R. Garcia
Member of Congress

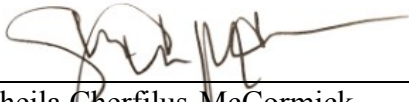

Tony Cardenas
Member of Congress


Adriano Espaillat
Member of Congress

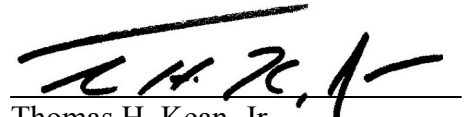

Chris Pappas
Member of Congress


Danny K. Davis
Member of Congress

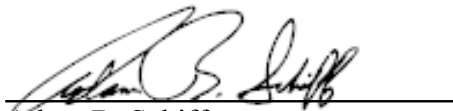

Alma S. Adams, Ph.D.
Member of Congress



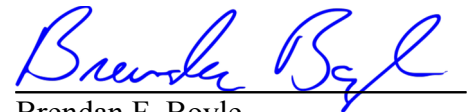
Sheila Cherfilus-McCormick
Member of Congress



Thomas H. Kean, Jr.
Member of Congress



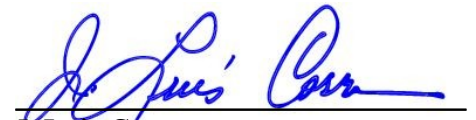
Adam B. Schiff
Member of Congress




Brendan F. Boyle
Member of Congress



A. Drew Ferguson IV
Member of Congress



J. Luis Correa
Member of Congress



Val Hoyle
Member of Congress