AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

S. Hrg. 107–208

WEAK LINKS: HOW SHOULD THE FEDERAL GOVERNMENT MANAGE AIRLINE PASSENGER AND BAGGAGE SCREENING?

JOINT HEARING

BEFORE THE

COMMITTEE ON GOVERNMENTAL AFFAIRS

AND THE

OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING, AND THE DISTRICT OF COLUMBIA SUBCOMMITTEE

OF THE

UNITED STATES SENATE

ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

SEPTEMBER 25, 2001

Printed for the use of the Committee on Governmental Affairs

U.S. GOVERNMENT PRINTING OFFICE

76–802 PDF WASHINGTON : 2002

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2250 Mail: Stop SSOP, Washington, DC 20402–0001

COMMITTEE ON GOVERNMENTAL AFFAIRS

JOSEPH I. LIEBERMAN, Connecticut, *Chairman*

CARL LEVIN, Michigan
DANIEL K. AKAKA, Hawaii
RICHARD J. DURBIN, Illinois
ROBERT G. TORRICELLI, New Jersey
MAX CLELAND, Georgia
THOMAS R. CARPER, Delaware
JEAN CARNAHAN, Missouri
MARK DAYTON, Minnesota

FRED THOMPSON, Tennessee
TED STEVENS, Alaska
SUSAN M. COLLINS, Maine
GEORGE V. VOINOVICH, Ohio
PETE V. DOMENICI, New Mexico
THAD COCHRAN, Mississippi
ROBERT F. BENNETT, Utah
JIM BUNNING, Kentucky

JOYCE A. RECHTSCHAFFEN, *Staff Director and Counsel*
SUSAN E. PROPPER, *Counsel*
JASON M. YANUSSI, *Professional Staff Member*
HANNAH S. SISTARE, *Minority Staff Director and Counsel*
ELLEN B. BROWN, *Minority Senior Counsel*
DAN G. BLAIR, *Minority Senior Counsel*
ALISON E. BEAN, *Minority Professional Staff Member*
DARLA D. CASSELL, *Chief Clerk*

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING, AND THE DISTRICT OF COLUMBIA

RICHARD J. DURBIN, Illinois, *Chairman*

DANIEL K. AKAKA, Hawaii
ROBERT G. TORRICELLI, New Jersey
THOMAS R. CARPER, Delaware
JEAN CARNAHAN, Missouri
MARK DAYTON, Minnesota

GEORGE V. VOINOVICH, Ohio
TED STEVENS, Alaska
SUSAN M. COLLINS, Maine
PETE V. DOMENICI, New Mexico
THAD COCHRAN, Mississippi

MARIANNE CLIFFORD UPTON, *Staff Director and Chief Counsel*
ANDREW RICHARDSON, *Minority Staff Director*
MASON C. ALINGER, *Minority Professional Staff Member*
JULIE L. VINCENT, *Chief Clerk*

CONTENTS

	Page
Opening statements:	
Senator Durbin	1
Senator Lieberman	5
Senator Voinovich	21
Senator Thompson	27
Senator Akaka	55
Prepared statements:	
Senator Cleland	63
Senator Bunning	64

WITNESSES

TUESDAY, SEPTEMBER 25, 2001

Monte R. Belger, Acting Deputy Administrator, Federal Aviation Administration, U.S. Department of Transportation	8
Hon. Kenneth M. Mead, Inspector General, U.S. Department of Transportation	10
Gerald L. Dillingham, Ph.D., Director, Physical Infrastructure Issues, U.S. General Accounting Office	13
Robert W. Baker, Vice Chairman, American Airlines	31
Rear Admiral Paul E. Busick, USCG Ret., President and Executive Director, North Carolina Global TransPark Authority	34
Leonard L. Griggs, Jr., Director of Airports—City of St. Louis, Lambert-St. Louis International Airport	38
Aubrey "Bill" Harvey, Jr., Training Supervisor for Argenbright Security at O'Hare International Airport	40
Michael B. La Pier, A.A.E., Executive Director, Central Illinois Regional Airport	41

ALPHABETICAL LIST OF WITNESSES

Baker, Robert W.:	
Testimony	31
Prepared statement	105
Belger, Monte R.:	
Testimony	8
Prepared statement	65
Busick, Rear Admiral Paul E.:	
Testimony	34
Prepared statement with an attachment	109
Dillingham, Gerald L.:	
Testimony	13
Prepared statement	87
Griggs, Leonard L., Jr.:	
Testimony	38
Prepared statement with an attachment	115
Harvey, Aubrey "Bill," Jr.:	
Testimony	40
Prepared statement	125
La Pier, Michael B.:	
Testimony	41
Prepared statement	131
Mead, Hon. Kenneth M.:	
Testimony	10
Prepared statement with an attachment	74

Page

APPENDIX

Chart entitled "Turnover Rates for Screeners at 19 Large Airports, May 1998-April 1999" (submitted by Senator Durbin) 140
Chart entitled "Airport Security Breaches" (submitted by Senator Durbin) 141
Chart entitled "Actions to Improve Aviation Security" submitted by Mr. Mead 142
Letter from Billie H. Vincent, President and CEO, Aerospace Services International, Inc., dated September 24, 2001, with an attachment 143

Responses to Questions for the Record from Senator Akaka:
Mr. Mead 160
Dr. Dillingham 163
Mr. Baker 165

WEAK LINKS: HOW SHOULD THE FEDERAL GOVERNMENT MANAGE AIRLINE PASSENGER AND BAGGAGE SCREENING?

TUESDAY, SEPTEMBER 25, 2001

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS, AND THE
OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING
AND THE DISTRICT OF COLUMBIA SUBCOMMITTEE
Washington, DC.

The Committee and Subcommittee met, pursuant to notice, at 2:33 p.m., in room SD–342, Dirksen Senate Office Building, Hon. Joseph I. Lieberman, Chairman of the Committee, and Hon. Richard J. Durbin, Chairman of the Subcommittee, presiding.

Present: Senators Lieberman, Akaka, Durbin, Thompson, and Voinovich.

OPENING STATEMENT OF SENATOR DURBIN

Senator DURBIN. I would like to call this meeting of the Governmental Affairs Committee to order, and Senator Lieberman, the Chairman of this Committee, will be here very shortly. I am going to make my opening remarks brief in the interest of time because we have two very good panels, and I am sure we want to have adequate time for questions.

I am glad that we are co-chairing this important hearing today. I want to especially thank the witnesses who took a great deal of time and sacrifice to travel to Capitol Hill in an effort to help us make our airports and aviation system the safest in the world.

I want to particularly commend Secretary Mineta and Administrator Garvey of the Federal Aviation Administration for their quick work on Tuesday, September 11. It is hard to believe it was only 2 weeks ago. It seems like so much longer. But they took action to halt national aviation operations and to institute a groundstop for all aircraft. These prudent actions saved lives. They prevented tragedies and confusion.

This Congress and this administration has to expeditiously develop a comprehensive plan to ensure the safety of the traveling public, the security of our airports, and the continued viability of the aviation industry. First and foremost, I believe the Federal Government should immediately take responsibility for the screening of passengers and carry-on luggage and the control of security checkpoints at our Nation's airports. The United States is one of only three countries in the world—the other two are Canada and Bermuda—that give the airlines the responsibility for passenger

screening. In fact, in 100 of the 103 countries with commercial airports, screening is done by either the government or by the airport. We can no longer rely on contractors and subcontractors nor on employees with high turnover rates. We need well-trained, professional Federal Government security experts to be the central and first line of defense for airport security.

According to the General Accounting Office report, the average employment turnover rate for airport screening personnel at 19 major airports in the United States is 126 percent.[1] We have put this poster up here that you can take a look at, if you can read numbers that small from that far away. The turnover rate was as high as 416 percent at St. Louis-Lambert airfield. Other countries have registered employment turnover rates for airport screeners that are less than 50 percent, including Belgium, which has a rate of 4 percent.

The GAO has also found in most cases a security screener's starting salary is a minimum wage $5.15 an hour or slightly higher. Other countries pay their screeners a livable wage, and many provide health and other benefits. It is a sad testament and an alarming indicator when airport parking garage attendants and fast-food restaurant workers make more per hour than those on the front lines of airline passenger safety.

I have introduced legislation today, the Airline Passenger Safety Enhancement Act, that would require these airport security checkpoints to be staffed by Federal employees and better coordinate overall airport security. This bill would also require the FAA to immediately issue an order for uniformed armed law enforcement officers to monitor security checkpoints.

I made this point last week in a hearing, and I would like to tell you two things that happened afterwards. It was a hearing with Secretary Mineta, and I said if we can't have Federal employees there in charge, can't we at least have a uniformed law enforcement officer on the scene right there?

By the time I returned to my office, just a few feet away, I had a call from a gentleman who is going to testify today, Mr. Griggs from St. Louis-Lambert airport, who said it will be done immediately. It has been done, and I have seen it, and it makes a difference. I went through Baltimore to go home on Friday, last Friday, and saw two law enforcement officers there. It was a completely different environment at that screening checkpoint.

I don't want to suggest that there aren't good, hard-working, and conscientious people at these screening checkpoints already. But there are some, and I have seen them—I bet you have, too—who are not paying as close attention as they should, who are not taking the job as seriously as we want them to. And I think the presence of law enforcement in some capacity—until we come up with an overall national plan—will have a dramatic and positive impact.

As we discover more about the events of September 11, it is clear that we had some security breakdowns. The purpose of an intelligence system in our country is to avert a crisis like the one we endured on September 11, and the purpose of good security is to

[1] Chart entitled "Turnover Rates for Screeners at 19 Large Airports, May 1998-April 1999" (submitted by Senator Durbin) appears in the Appendix on page 140.

make sure that we have done everything conceivable to avert the same type of crisis.

The General Accounting Office has determined that undercover agents have been able to penetrate restricted areas of U.S. commercial airports with counterfeit or otherwise invalid badges or other credentials, giving those agents the opportunity, if intended, to carry weapons, explosives, other things that are dangerous to the security of everyone.[1]

We will go through this in detail. It is a sobering accounting of efforts the General Accounting Office made last year which disclosed how porous the security network was at that time.

I share concerns about the effectiveness of our entire passenger and carry-on baggage screening. I think that passenger screening is just the tip of the compromised airport security iceberg.

I am pleased to hear that the FAA is in the process of performing background checks on airport employees. Double-checking backgrounds and reissuing airport security badges is certainly a step in the right direction. Inspector General Mead will speak to that issue, I am sure.

I don't want to overlook an issue that will be raised by one of our witnesses, and that is the cost of airport security, particularly at smaller and regional airports. A lot of my downstate Illinois airports support strong airport security procedures. But we will hear testimony today concerning one airport in Bloomington-Normal, Illinois, which may spend as much as $30,000 a month for additional security measures. Naturally, the administrators and managers at those airports are concerned about the source of funding.

Finally, the airline industry is still reeling from this month's senseless attack. While carriers are doing their best to resume operations, while implementing stringent new security procedures, it is clear they face a significant economic loss, both short and long term. The quickest way to put passengers back in the seats is to ensure that every possible safety and security precaution is being taken at our airports and on our planes.

[The prepared statement of Senator Durbin follows:]

PREPARED STATEMENT OF SENATOR DURBIN

Chairman Lieberman, thank you for agreeing to co-chair this important hearing today. And a special thank you to our witnesses for taking the time to travel to Capitol Hill to work with us on ways to make our airports and our aviation system the safest in the world.

I want to commend Secretary Mineta and Administrator Garvey for their quick work on Tuesday, September 11, to halt national aviation operations and to institute a ground stop for all aircraft. These prudent actions likely prevented further tragedy and confusion.

This Congress and this Administration must expeditiously develop a cooperative, comprehensive plan to ensure the safety of the traveling public, the security of our airports, and the continued viability of our aviation industry.

First and foremost, the Federal Government should immediately take responsibility for the screening of passengers and carry-on luggage and the control of security checkpoints at our nation's airports. The U.S. is one of only three countries—Canada and Bermuda are the others—that give the airlines the responsibility for passenger screening. In fact, in 100 of the 103 countries with commercial airports, screening is done by either the government or by the airport. We can no longer rely on contractors and subcontractors nor on employees with high turnover rates. We

[1] Chart entitled "Airport Security Breaches" (submitted by Senator Durbin) appears in the Appendix on page 141.

need well-trained, professional Federal Government security experts to be the central line of defense for airport security.

According to a General Accounting Office (GAO) report, the average employment turnover rate for airport screening personnel at 19 major U.S. airports is 126 percent. The turnover rate in some cases was as high as 416 percent at St. Louis Lambert Field [Chart]. Other countries have registered employment turnover rates for airport screeners that are less than 50 percent, including Belgium, which has a rate of 4 percent.

The GAO has also found that in most cases security screeners' starting salary is minimum wage—$5.15/hour—or slightly higher. Other countries pay their screeners a livable wage and many provide health and other benefits. It is a sad testament and an alarming indicator when airport parking garage attendants and fast food restaurant workers make more per hour than those on the front lines of airline passenger safety.

Today, I introduced legislation—the Airline Passenger Safety Enhancement Act of 2001—that would require these airport security check points to be staffed by Federal employees and better coordinate overall airport security. This bill would also require the FAA Administrator to immediately issue an order for uniformed, armed law enforcement officers to monitor security checkpoints. While this proposal generally appears to be supported by the airlines and by some in the administration, I think it's important for Congress to act swiftly to codify these important changes.

Neither this hearing nor my legislation is intended to diminish the value of airport employees. I commend the thousands of hard-working, honest airport and airline employees who help millions of Americans travel safely every day. But, in light of recent events, we simply can't let our guard down or take airport security for granted. It's time to strengthen our resolve and our airport security.

But seamless airport security is about more than just passenger screening, it must be comprehensive, coordinated security from the curbside to the cockpit.

As we discover more about the tragic events of September 11, it's clear that stunning security breakdowns and breaches occurred at numerous levels. In fact, this week's TIME.com Website contains a story about the September 11 hijackings. Here's an excerpt:

> "The new evidence is causing officials to broaden their investigative and security efforts to encompass not only the carry-on bag screening system but the entire aviation security apparatus at U.S. airports. The new evidence raises the worrisome possibility that the hijackers may have had accomplices deep within the 'secure' areas of airports—that may include the shops and restaurants in the terminal behind the metal detectors, or amongst the thousands of people who work in catering, fueling or cleaning aircraft; or anyone who might have access to the airplane before takeoff." (TIME.com Website, 9/24/01)

Investigators of the U.S. Department of Transportation's Office of Inspector General, in unannounced tests, have successfully gained access to supposedly secure areas of U.S. airports without proper credentials in 68 percent of those tests. Investigators were then able to board aircraft unchallenged 117 times.

The GAO has determined that undercover agents have been able to penetrate restricted areas of U.S. commercial airports with counterfeit or otherwise invalid badges or other credentials, giving those agents the opportunity—if intended—to carry weapons, explosives, chemical/biological agents, and other dangerous materials into those secure areas and onto aircraft.

While I share concerns about the effectiveness of U.S. passenger and carry-on baggage screening, we would be fooling ourselves if we didn't devote the time and resources necessary to further restrict ramp and other airport operations access. Passenger screening is just the tip of the compromised airport security iceberg.

I was pleased to hear that the FAA is in the process of performing background checks on airport employees. Double checking backgrounds and reissuing airport security badges is a step in the right direction. Inspector General Mead has noted in his written testimony that between February 1999 and September 14, ten security incidents occurred at major commercial airports ranging from selling false security badges to false certification of screeners to improper use of an airport badge to gain entry to a secured area [Chart].

Tighter and smarter airport security also has costs. I've heard from a number of Downstate Illinois airports that support stronger airport security procedures. However, these airports will be asked to shoulder a heavy financial burden. For example, the Central Illinois Regional Airport in Bloomington-Normal will likely need to spend as much as $30,000 per month for additional security measures. These funds are above and beyond what has been budgeted and could create a financial hardship

for the airport. The Department should explore ways to help smaller airports by providing resources and technical assistance to upgrade security and enhance passenger safety.

With regard to on board security, I am encouraged by the recent announcement that Federal law enforcement officers will resume the sky marshal program. This gives peace of mind and real safety assurances to the traveling public. I am a cosponsor of Senator Hutchison's Emergency Aviation Security Act, which would reinstate the Federal sky marshal program.

However, I believe we can do more. Clearly, we have the technological expertise to explore additional cockpit security, from video cameras to tamper proof transponders. While we pursue common-sense solutions like stronger and more secure cockpit doors, we shouldn't delay developing high-tech solutions that very well may save lives. And when it comes to security, we shouldn't forget about Amtrak and the important role this passenger railroad plays in our national transportation system. I will continue to work with Amtrak President George Warrington and my colleagues to ensure that we address the security and infrastructure needs of the railroad.

Finally, the airline industry is still reeling from this month's senseless attacks. While carriers are doing their best to resume operations while implementing stringent new security procedures, it's clear that they face a significant economic loss, both short- and long-term. On Friday, I voted to send desperately needed economic assistance, in the form of grants and loans, to our nation's ailing airlines. I will continue to work with my Senate colleagues to keep this important sector of our economy flying while protecting airline employees from layoffs and loss of benefits.

But the quickest way to put passengers back in the seats is to ensure that every possible safety and security precaution is being taken at our airports and on our airplanes.

I appreciate the difficult tasks that lie ahead for the Department, the Congress, and our nation. Together, we can craft common-sense solutions that protect passengers, secure our airports, and ensure that our aviation system is the safest in the world.

Senator DURBIN. I want to again thank the Department of Transportation, the Federal Aviation Administration, and my colleague, the Chairman of the Committee, Senator Lieberman, for scheduling this hearing.

OPENING STATEMENT OF SENATOR LIEBERMAN

Chairman LIEBERMAN. Thank you, Senator Durbin. Thanks for your initiative that led to the scheduling of the hearing, and I am really pleased that the full Committee is doing this alongside the Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia, which you chair.

In light of the tragic events of September 11, the adequacy of airport screening procedures is of immediate, paramount, and very wide concern to the American people and to Members of Congress. I think we just have to say flat out that the system currently in place has failed to protect the safety of the American people, and it is our responsibility to find out what went wrong and how to correct it. This is vital from an economic as well as the obvious safety point of view.

Last Friday, Congress approved a $15 billion assistance package for the airlines, but this is just the beginning of a response to the problems facing this industry that is so vital to the quality of our lives and the health of our economy. Unless we can also rebuild confidence among the American people, the passengers, in the safety of our skies, and in their safety when they enter an airport, the impact on air commerce, let alone the economy generally, will only continue to be worse and will ultimately affect every sector of our economy. That is how important the airline industry is.

Since the passenger screening and carry-on baggage inspection program was implemented nearly 30 years ago, after the first wave of hijackings, the airlines, rather than the FAA or other government agency, as is well known, have had responsibility for hiring, training, and supervising the screener workforce. Under this system, about 18,000 screeners, mostly hired under contract, have been responsible for screening about 2 million passengers and their baggage each day in the United States.

As again has been over and over said in the last 2 weeks and before by the gentlemen sitting before us and others, this screening workforce has been characterized as underpaid, undertrained, and underexperienced, with turnover rates that sometimes exceed 400 percent at some of the airports in this country. Training and background checks for these employees are minimal. Indeed, although the FAA was directed by Congress in 1996 to develop certification regulations for screening companies, the agency has missed several deadlines for issuing rules, including a congressional deadline of last May.

Serious shortcomings in the quality of screening equipment make the problem worse. Advanced detection equipment and new technologies that could improve screeners' performance have either not been made available or have been underused. These and other safety drawbacks have been documented over and over again by the General Accounting Office and by the Department of Transportation's Inspector General.

In 1996, for instance, well after a Presidential commission formed in the wake of the 1988 Lockerbie Pan Am bombing made comprehensive recommendations to improve airline security, the GAO testified that domestic and international aviation systems still had "serious vulnerabilities," and that typical screening of checked baggage offered "little protection against even moderately sophisticated explosive devices."

Again, in May 1998, the GAO testified that nearly every aspect of the aviation security system could be exploited, could be broken through, including passenger screening, baggage inspection, and even controlling access to secure areas of airports.

Last June, GAO reported that screeners missed as many as 20 percent of dangerous objects at screening checkpoints during tests they carried out. This followed on the heels of a report by the DOT Inspector General that investigators had breached secure areas of airports in this country almost 70 percent of the time they were testing.

The Inspector General has reported on aviation security issues no less than 20 times in the last 4 years, finding deficiencies in everything from the administration of security guard contracts to the FAA's lack of policies and procedures for implementing an advanced explosives detection system.

Clearly, sadly, we had ample warning of problems with the way security is conducted for airlines. Our job today is to look again intensely at these problems and ask questions that can help us understand what it will take to make our skies safe again, to restore public confidence in the aviation system, and then to do exactly that.

For example, what new procedures and technologies can be employed to improve screening? Why haven't these systems been put in place? How do we ensure that the best technology is deployed and developed? And how do we address privacy concerns that some of our citizens may have?

Another question is whether the certification standards that FAA is developing for screening companies will be strong enough to be effective, or should the very idea of contracting out screening services to private companies be jettisoned in favor of federalizing the entire screening system, as Senator Hollings and others have proposed in legislation they introduced last Friday and which may well come before the full Senate next week.

And, of course, we have got to decide where we draw the line between security and convenience. There is no doubt, I think, in anyone's mind that one of the outcomes of the September 11 attacks is that checking in at airports is going to be much more time-consuming. And it should be. Security should never take a back seat to convenience.

I have got to tell you, I was on planes from here, from Dulles, back and forth to Connecticut and New York over the weekend, and I got the most thorough search of my person when I entered the airport at Dulles that I have ever had. It took more time. It took more time for everybody's search because everybody was being searched. But I think we all felt better when we got on the plane that that had happened. So that inconvenience made us feel safer, and I hope it continues and intensifies.

Of course, it is not enough to look only at screening passengers. As Senator Durbin has indicated, there are so many people—cleaning crews, maintenance workers, caterers—who have unescorted access to aircraft and secure areas of the airports. And, again, repeated investigations by GAO and the DOT Inspector General have revealed vulnerabilities, weaknesses here, in personal background investigations, in verifying credentials, and in preventing unauthorized access to aircraft.

Recent news reports indicate that the September 11 attackers may have had accomplices who were able to position weapons for them on the airplanes that were used in those attacks. These individuals might have been caught if better security procedures were in place for ground crews and other airport employees.

So those are some of the areas of inquiry that the Committee would like to get into this afternoon. I know that our witnesses will be able to shed light on this very pressing concern.

I want to thank Senator Durbin again for proposing this joint hearing, for his leadership on this issue. He has had a great interest and background in aviation matters, and this Committee is more effective for having the benefit of his experience and his sense of purpose. And I look forward to working with him and other Members of the Committee as we continue our oversight role and as we, from that oversight role, contribute and cooperate with our colleagues as airport security—and transportation security generally—legislation comes to the floor of the Senate.

We are now ready to go to the witnesses. Senator Durbin, I would be delighted if you would proceed.

Senator DURBIN. Thank you very much.

Our first panel consists of three individuals who have been involved in this issue for quite some time and have a lot to present to us in terms of their findings in an official capacity. Monte Belger is the Acting Deputy Administrator of the FAA of the U.S. Department of Transportation. Thank you for joining us. Dr. Gerald Dillingham is the Associate Director of the U.S. General Accounting Office on Transportation Issues. And the Hon. Kenneth Mead is the Inspector General from the U.S. Department of Transportation.

I thank you all for joining us. Mr. Belger, would you like to start?

TESTIMONY OF MONTE R. BELGER,[1] ACTING DEPUTY ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION

Mr. BELGER. Thank you, sir. I will, with your permission, submit my longer statement for the record and just make some brief opening remarks.

Chairman Lieberman, Chairman Durbin, I would like to begin, if I could, just very briefly, by offering my heartfelt condolences on behalf of all of the folks in the FAA to the families and the friends of those who were lost on September 11 in New York City, Washington, and Pennsylvania. And I want to publicly thank the courageous rescue workers and the volunteers who have been working so long and hard in the aftermath of these tragedies.

But even more so, I want to publicly just take a moment to thank the staff of the FAA, and particularly our air traffic controllers, as you referred to, Chairman Durbin. In the midst of the hijackings and in the midst of the chaos, our controllers successfully guided, working with the pilots very closely, moved aircraft out of the area in which these hijacked aircraft were operating. The national ground-stop that we put in place on Tuesday morning, September 11, was unprecedented in the history of civil aviation in our country. When the order to land all planes was issued, the controllers and pilots safely landed more than 5,000 flights in a little more than 2½ hours.

In the words of one editorial writer—and there have been several—the controllers, the systems people, and the management supporting them did their jobs and brought tens of thousands of Americans safely back to earth. I am very proud of their actions. It is a singular honor for me to be associated with such professionals who performed such a remarkable feat.

In the aftermath of September 11, the President called on America to return to normal as quickly as possible. Our focus in the FAA has been twofold: First, to work with airports and airlines to put more stringent security measures in place; and only after we were assured that these measures were implemented did we allow airports to begin operating, first to commercial operations and then to other segments of the air transportation system.

We ordered the evacuation of every airport terminal for the airports to be inspected. Every aircraft was fully inspected before any passenger was allowed to board. And we put into place further security initiatives that have been sustained beyond the reopening of

[1] The prepared statement of Mr. Belger appears in the Appendix on page 65.

the system. Some of these initiatives are clearly visible to the traveling public, and others are less so. Some of these initiatives are: Monitoring vehicles near air terminals; discontinuing curbside check-in; requiring passengers to present their tickets or boarding passes at security checkpoints, and only permitting ticketed passengers beyond the security checkpoint; reducing access points to secure airports; reducing to an operational minimum the areas that people have to be in; increasing random security checks and ID checks through the entire terminal area; and as you mentioned also, requirements to revalidate all airport identification media, and also to check employees who have access to the secure areas against the FBI watch list.

We have increased the number of uniformed and plainclothes security officers at the airports, and we are in the process of expanding the Federal Air Marshal Program. We are very grateful and have received tremendous cooperation from the Attorney General and the Justice Department in assisting us in getting access to Federal law enforcement officers who are now in training, and some have already started to fly as Federal Air Marshals in our system.

Our second focus has been on restoring the system. We have done this in a very methodical and deliberate way, in close cooperation with the aviation community, with the law enforcement community, with the Department of Defense, and with all the airlines and airports. We are still in the process of bringing the aviation system back up. But we are going to be cautious and we are going to do it incrementally and in full coordination with the military.

The coordination and the cooperation among all the parties involved has just been extraordinary. We will continue to work to restore the system to its full level of service. Security is now at unprecedented levels. And as we enter what is literally a new era of aviation, we are looking at ways to further improve security at our airports.

As you know, the Secretary has created two rapid response teams to address airport and airline security and the very issues that were raised a few moments ago, as well as aircraft security and what we can do to further strengthen and harden and prevent access to the cockpit.

The incidents on Tuesday, September 11, have caused all of us—airlines, airport operators, and public policymakers—to look very closely at the balance of responsibility for civil aviation security. In today's world, the threat assessment has changed. Security must change in response to that.

I think the Secretary will soon provide recommendations, perhaps even before the October 1 date that he had established for the rapid response teams, recommendations to further improve security at our Nation's airports and on airplanes.

In summary, we are focusing on four areas, just to repeat, if I could: First, to bring the air transportation system back to normal and restore public confidence; second, to expand the use of the Federal Air Marshal Program; third, to improve airport security, including the screening function; and, fourth, to improve cockpit security.

I thank you for the opportunity to be here, and I will answer any questions.

Senator DURBIN. Thank you very much, Mr. Belger. Mr. Mead.

TESTIMONY OF HON. KENNETH M. MEAD,[1] INSPECTOR GENERAL, U.S. DEPARTMENT OF TRANSPORTATION

Mr. MEAD. I, too, want to express our sorrow to the many families who have lost or are missing loved ones as a result of the terrorist attacks of nearly 2 weeks ago, and also to reinforce what everybody has been saying about the President, Secretary Mineta, the Congress, the controllers, law enforcement, and rescue relief workers, and the many people that have pulled together in this response effort.

I would like most of my statement to be forward looking. Everything everybody has said about the General Accounting Office and the Inspector General issuing reports and testifying many times on this subject is correct. As a matter of fact, it goes back nearly 15 years.

I do think it is useful to overview what the different elements of security are that we will be talking about today. One, of course, is the passenger screening function that has received a great deal of attention. Another function is access to what they refer to as the sterile area or secure areas of the airport. The sterile area is the concourse area after you have been through passenger screening. The plane, too, is a sterile area when it is on the tarmac. A third element is screening checked and carry-on luggage. A fourth area is cargo that ends up in the cargo hold of the air plane. And the fifth area is the airport ID card system. I will be saying something briefly about each of these areas.

I should also note that we have been involved in numerous criminal investigations over the past 2 or 3 years in aspects of aviation security, usually the falsification of airport identification, security screener training records and background checks. I will just give you two examples that I think illustrate a point. Most recently, a private security company was placed on 36 months probation and ordered to pay over $1 million in fines for failing to conduct background checks and falsifying training records on employee staffing security stations at a major U.S. airport. Also, I believe it was September 14, we arrested 12 non-U.S. citizens with INS, who had illegally obtained security badges necessary to gain admittance to secure areas at another U.S. airport.

Chairman LIEBERMAN. Those were employees or people just gaining access?

Mr. MEAD. Well, in this case they were non-U.S. citizens who illegally obtained security badges. But these types of violations actually fall into two categories. Sometimes you find people that have falsified their credentials to become an employee, but get an ID card that is legitimate in the sense that they are an employee. And then you have people that illegally obtain an airport ID card, and through the use of that ID card can obtain access to the secure areas of the airport. We have also detailed some members of the Inspector General's investigative staff to the Air Marshal Program.

[1] The prepared statement of Mr. Mead appears in the Appendix on page 74.

Before I proceed, I just want to make clear that the aviation security system is not foolproof. No security system ever will be, particularly when you add the element of people who are willing to die in the commission of their criminal schemes. And that is why I think it is important not to lose sight of what everybody is saying—that it is important to not only root the terrorism out, but also to concurrently build a strong aviation security system. Many of the efforts that Mr. Belger outlined have to do with restoring public confidence that has been badly damaged. I think Mr. Belger did a very good job of overviewing the measures, and there are more on the way.

I think the Air Marshals' Program was very important, and the point you made about having law enforcement presence at the screening stations, I do think restores public confidence.

I would like the remainder of my statement to focus on two areas. One is the governance of aviation security, how we go about delivering it in this country, and then I would like to proceed to some immediate areas I think we can consider to tighten up security.[1]

Under our current system, FAA, which is charged with governing aviation security and its regulation, and the airlines and the airports which are charged with providing the security, I think themselves face priorities and missions that are different from security. Indeed, in some cases the security mission conflicts with another mission, and other times I think economic priorities get in the way.

So given the scope and complexity of the security challenge as we know it now, and the long history of problems with this aviation security program, I think the time has come to vest governance of aviation security, as well as its delivery, in one Federal agency or possibly one not-for-profit Federal corporation or some combination of the two. But that entity would have a singular focus of security. That would be its profession. That would be its mission. It would not be in competition with other aviation businesses. And I think that is one way, a very effective way, of upgrading the training and the standards for these screeners, and imposing some strict controls over the issuance of airport ID cards. That cannot be done overnight, so now we have to turn to the task of what do we do now to immediately restore confidence?

I would like to cover several areas. One has to do with the explosives detection machines and the use of them to screen checked luggage. In the past we have not been using them. Taxpayers have been spending about $1 million a copy on these machines. They are good machines, but we are not using them. They are sorely underused. I think FAA is going to change that in the coming weeks.

Screening checkpoint security——

Chairman LIEBERMAN. Forgive me. What do you mean they are not being used? Are they in a warehouse somewhere, or they are just at the location, but not being used enough?

Mr. MEAD. Actually, the situation is both. There are some in the warehouse that could be deployed, and there are some that are

[1] Chart entitled "Actions to Improve Aviation Security," submitted by Mr. Mead, appears in the Appendix on page 142.

operational that are sorely underused. Why are they underused? Well, the FAA has set minimum standards for using the machines. The airlines can decide if they want to use them more. The airlines are concerned that the usage of these machines will result in delays. It is true it will take more time. These machines, Mr. Chairman, are much on the principle of a Cat Scan machine, but they detect explosives. They are greatly underused.

I would rather not, in open session here, go into the numbers. I would be glad to share it with you later, but I think I can document the statement that they are sorely underused.

Senator DURBIN. I might just add there is such a machine at O'Hare. I was there several years ago when they bought it. I have seen it as I walk by many times. I do not know the criteria that they use to refer baggage or luggage for that inspection, but it is only used in specific instances. It is not part of the normal routine.

Mr. MEAD. I believe these machines—if you have seen them—they are a powerful, very visible exemplar of security. A machine sitting idle is not a powerful exemplar of security. Plus, they work.

On screening checkpoint security, I am not going to go over the performance. I think that has been amply demonstrated for the record. I would say though that it is important for FAA to issue the rule. The role which is about to be issued sets some standards on the certification of these screening companies. And they also need standards for measuring the screener performance. Now, what is acceptable? Is detecting a test object 6 out of 10 times, 8 out of 10, 9 out of 10 acceptable? And this is important because if screeners are having difficulty detecting objects that are pretty obvious like a test gun or a test grenade, it is even more difficult to detect a bomb, a test bomb that is.

Airport access control. Several steps are needed here. What you outlined, what our work had found, and what GAO's work had found is accurate. I have four items on this area. The majority of the aircraft boardings we did would not have occurred if the employees had just challenged us and said, "What are you doing here? You do not have any business being here." Just that one simple non-costly step.

A second is technology. This is an area where I think FAA and the airports can mutually invest in cameras and anti-piggyback devices. Piggy-backing is where an authorized employee goes through the door, and an unauthorized one follows right behind. And there are devices that prevent that—cameras and various technological devices.

A third is revalidating the ID cards, which FAA has announced. It is very important that we do an accurate accounting in who is authorized to have these ID cards.

Finally, and I think a change in legislation will be necessary to do this too, we need to require criminal checks on all employees at commercial airports.

Chairman LIEBERMAN. Does that happen at all now, Mr. Mead?

Mr. MEAD. Yes, sir. For new employees at what they refer to as the Category X airports. They are the top 20 airports. They are required to do this with all new employees. The requirement does not apply to employees that were established employees.

For airports other than those 20, they are not required to do a criminal check, including on the screeners, unless certain triggers are met, and I think that should change. I would imagine that in the current environment that could be changed fairly quickly.

And finally, cargo security. I am not going to go into any details on this here, but we have recently completed some work on cargo security, and we are going to be briefing the Secretary and Mr. Belger and some others on the results of that soon. Thank you.

Chairman LIEBERMAN. Thank you, Mr. Mead.

Dr. Dillingham from the General Accounting Office. thank you.

TESTIMONY OF GERALD L. DILLINGHAM, Ph.D.,[1] DIRECTOR, PHYSICAL INFRASTRUCTURE ISSUES, U.S. GENERAL ACCOUNTING OFFICE

Dr. DILLINGHAM. Thank you, Chairman Lieberman and Chairman Durbin.

Although it is not fully known what actually occurred, or which of the weaknesses in our Nation's aviation security system contributed to the horrendous events that occurred on September 11, it is clear that serious weaknesses do exist and that their impact can be far more devastating than previously imagined.

Today, I would like to offer some suggestions on what might be done to address some of the known system weaknesses. The focus of my testimony will be on preboard screening and securing the ramp area, reiterating some of the points that the IG has just made.

First, based on the work that GAO and the IG has done for the Congress, I would like to say a little bit about what we do know about the system. We know that airport security is disbursed over several organizations with overlapping responsibilities including FAA, airports, and airlines. These organizations in turn may subdivide the responsibility even further, as is done with passenger screening. We do know that there may be multiple screening contractors in a single airport, each with perhaps different quality control standards. We do know that the screening contractor on duty is likely to be the one that submitted the lowest bid to the airline. We do know that as far back as the late 1970's, both FAA and the airlines characterized the performance or lack of performance of screening personnel as significant and alarming. Since that time the trend in screening performance has been a downward spiral. We also know that the extremely high turnover among screeners not only means that there are often few skilled and experienced screeners on the job, it also means that there are literally thousands of individuals out there that know an awful lot about how screening works or does not work.

By and large, the efforts today to address this problem area have been largely ineffective and too slow in coming. A case in point is the promulgation of a rule to implement the provisions of the 1996 FAA Reauthorization Act that will establish a screening company certification program. The rule was scheduled for issuance later this month, more than 2½ years later than originally scheduled.

[1] The prepared statement of Dr. Dillingham appears in the Appendix on page 87.

We also know quite a bit about gaps in security related to the ramp area. We know that some airport operators do not properly account for IDs for employees who need to have access to secure areas, changes or have been terminated.

We know that both the DOT, IG and GAO have been able to gain unauthorized access time and time again to the ramp and other secure areas. The IG investigators were able to go as far as to be seated on the aircraft and ready to take off. In the instance that was cited before, our special agents used counterfeit law enforcement badges and credentials to bypass security checkpoints at two airports, and to walk unescorted to the aircraft departure gates. And since those agents had been issued tickets and boarding passes, they could have potentially carried weapons, explosives or other dangerous objects onto the aircraft.

Now, I would like to turn to some actions that could be considered to address some of what we do know about the system. I think it is only fair to say that FAA has begun to implement remedies for most of the problems that have been identified in access control and many other security areas. Although a significant amount of activity is currently underway, we believe that it is critical that a mechanism be put in place to insure that these activities are fully implemented in a timely fashion.

Mr. Chairman, it may also be time to consider a different organizational structure for all aspects of airport security, or minimally, the preboarding screening operations. The preliminary findings of a study that we have underway for House Aviation Subcommittee identified four alternatives which are detailed in our written statement. In each alternative, FAA could continue to be responsible for regulating screening, overseeing performance and imposing penalties for poor performance.

The first alternative is one in which the air carriers would continue to be responsible for conducting screening. This alternative assumes that FAA will implement the pending certification rule and the other elements of the Airport Security Improvement Act of 2000, which would enhance screener qualifications and training.

A second alternative is one in which each airport authority would be responsible for screening.

A third alternative is based on a new DOT agency with a headquarters and field structure, created to conduct a national screening program. It would be accountable to Congress through the annual appropriations and oversight process.

And the fourth alternative is a new quasi-government corporation, also with a headquarters and field structure, created to conduct a national screening program. In this case Congress could use its latitude to combine government and private sector features as is done with Amtrak and TVA when they create such a corporation, and define how it will be held accountable and financed.

Of course, there are pluses and minuses associated with each option, variations on the options, and perhaps other options that should be considered. We also recognize that no security system is 100 percent safe, but we are certain that there is a lot that can be done to improve the current situation. The GAO stands ready to continue to assist this Committee in this extraordinarily difficult challenge. Thank you.

Senator DURBIN. Thank you very much.

I think that everyone agrees that before the flying public—the American passengers—are going to return to airplanes, they have to see something different. They have to walk into that airport and understand that it is not business as usual as it was September 10. I think some of those things are starting to take place, but some of them are very slow, some of them are not very visible.

Mr. Belger, what do you think in terms of that visible change in airport security? What are the plans of the administration to make those visible changes that will really restore the confidence of the flying public?

Mr. BELGER. Well, sir, I think the most visible change would be more law enforcement presence. I think there are other visible changes just in the professional way that the screening check point is operated with more of a premium on thoroughness rather than speed. I think the attitude, the demeanor and the professionalism of the people doing the screening are visible to the traveler. I think those are things that can improve.

Senator DURBIN. How many screeners are we talking about? Do you have a round figure, a number that you can give us of people working at screening stations in airports across America?

Mr. BELGER. Yes, sir. The numbers that we have been able to gather are around 18,000 to 20,000.

Senator DURBIN. And that is just on the screening side of it?

Mr. BELGER. That is my understanding, yes, sir.

Senator DURBIN. That would not include baggage handlers or others?

Mr. BELGER. I think that is just the people on the front line that are visible to the public doing the screening.

Senator DURBIN. Now, would you agree that ramp security is also a major part of our effort?

Mr. BELGER. It might even be more important, given what happened on September 11. I mean we do not know what happened, but as was referred earlier, it is very possible that these items did not go through the screening check point. We do not know that yet, but security is so integral that you cannot just focus on one piece without focusing on the whole system.

Senator DURBIN. I think there was a newspaper report that after they did a thorough overhaul of one of the canceled flights, they found one of these box cutters or paper cutters in one of the seat cushions in one of the planes, and there is no telling whether a passenger brought it on board or it was planted at this point, but it obviously raises this question about ramp security and security of access to the plane.

Now, when I asked the baggage handlers at O'Hare what is the starting salary, it is $8.50 an hour. I was surprised. I thought it would be higher since they are employees of the airlines, but that is the starting salary. After 5 years they can, I think, rise to $19 an hour which is a substantial improvement, but you consider what kind of employee is attracted to $8.50 an hour.

Let me ask you also as well, if we are talking about ramp security, can you achieve ramp security without establishing a perimeter around the airport?

Mr. BELGER. Well, you have to have boundaries. Our whole airport security concept is built around the principle that the closer you are to the airplane, the more stringent and thorough the security procedures must be. As that perimeter broadens, the security procedures perhaps are less intensive than they are at the airplane. That is the principle we have used in airport security for 30 years. I think you have to define areas in which people are supposed to be and areas which they are not supposed to be, and you have to very clear procedures to determine who is supposed to be there and who is not, and what checks have to be done to allow people to be there.

Senator DURBIN. Even in the smallest airports in Illinois, it is a pretty big piece of real estate, and if you are going to allow someone to come across the meadow and across the cornfield and onto the runway and up to the plane, then you breach the security that you have in place around the terminal itself, and it strikes me that is one of the elements that is inescapable here, that there has to be some sort of perimeter security, a fence, some sort of monitoring camera, whatever it takes, to make sure that you know who is on that field and that they are supposed to be there. That is a big expense item we will talk about, I am sure, as we get into this as well.

Someone mentioned the FBI watch list. Was that you, Mr. Belger?

Mr. BELGER. Yes.

Senator DURBIN. Did the FAA have access to the FBI watch list before September 11?

Mr. BELGER. We have access to the names that the FBI gives us of people that would be of interest to the aviation industry or to the carriers. We do not normally have access to the same watch list that the FBI might have. The FBI probably does not have the same larger list that INS or Customs might have. So FAA, which is not an intelligence organization, relies upon the FBI and others to tell us when there is someone that we ought to be cautious about or looking for.

Senator DURBIN. Attorney General Ashcroft testified this morning at another hearing, and we went into this with some questions. And it appears that there is not an integrated information network within our government, that if there is a concern about an individual being here illegally, for example, or being a danger to our country, that information is not necessarily shared with all of the appropriate law enforcement agencies that might come into contact with them, whether it is INS, the FAA, or the FBI for that matter. All of that information is not shared at this point, and that strikes me as another key element in avoiding another disaster.

Mr. BELGER. I think what you described is perhaps even an understatement. If we are to move, as has been suggested, to more Federal control of the screening and the ramp security at airports, I believe it will make it easier to consolidate and have access to the Federal databases that exist.

Senator DURBIN. Mr. Mead, and Dr. Dillingham as well, let me ask you about some of the options we have considered. I support federalizing. I believe that when I look at this and step back I can see that the types of federalizing we could discuss—but it strikes

me that if we are going to have a national standard of national safety for every passenger, no matter where you are flying to and from in the United States, that it really is essential that we establish those standards here in Washington, and then work with them on a local basis to try to implement them. Mr. Mead, is that your feeling as well?

Mr. MEAD. I think you are absolutely on target, and I think those should be done expeditiously without delay. It is the only way in a system like ours, in contra distinction to Europe, where in a country like the Netherlands, it is easy to say the airport should run security, because you only have one or two airports. In this country we have at least 400 commercial airports, and 3,000 if you expand the net to cover general aviation.

So you are right that you need consistent standards, consistent training, and consistent certification.

Senator DURBIN. Dr. Dillingham, what is your feeling on that?

Dr. DILLINGHAM. I think we need a change in the system. We certainly need to find a unified way to deal with aviation security. I am not sure what federalization means. We have been talking to a number of people and they have different definitions of what federalization means. So we think that it is more important to think about some of the criteria that might be important in selecting an alternative, and one of the criteria is indeed, to bring together this fragmented system under one roof; second, to make sure that the coordinating body has the authority for effective coordination of intelligence that you were talking about, data and intelligence sharing; and that it has some accountability to the Congress, as well as to make sure that there is an identified funding source for it.

So the criteria we think will be the driving force rather than just federalization or nationalization, but clearly, the elements that you mentioned are important.

Senator DURBIN. I am just going to close, because my time is up here, with one illustration of the challenge here when it comes to small-town America. One of the cities I represent in Illinois, Quincy, Illinois, has a good airport and four commercial flights a day. And the obvious question is, if there are to be Federal employees or people with a Federal responsibility at that airport, is that practical? How would it work? What would they do? Who would they answer to? How many would be necessary?

So at a large airport, O'Hare, Midway, or St. Louis-Lambert, you can see this in the context of thousands of people coming every single day, but in a small town, whether it is Aberdeen, South Dakota, which Senator Daschle mentioned at a meeting this morning, or Quincy, Illinois, it does create a different type of challenge and raises a question as to whether or not there could be a delegation, either through the airlines or to local law enforcement, or to some other entity we are not even discussing here at this moment.

I am open to that, but I think establishing the Federal standard, making certain that in the large context, the large environment of the airports, that we have the Federal presence and visibility as an essential part of restoring confidence. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Durbin, thanks very much.

Mr. Mead, I want to just comment on something you said. You were very respectful in your language, but I do think you make an important point here as we think about what to do next in terms of providing more airport security, which is we have previously given that responsibility largely to the airlines, the responsibility for providing security. As you said, graciously, I think, but directly, that responsibility for security has very often yielded to other goals, including profitability, or customer convenience. And the result has been that security in the airline industry has been less than it should have been, which is, I gather, the major reason why you are now suggesting whichever form we choose, that we take the security function for the airline industry away from the industry, and put it either in the government or in some quasi-public nonprofit organization which is solely focused on security, in one sense, regardless of the cost because it is that important. Is that correct?

Mr. MEAD. Yes, sir, it is. You know, I wonder if we all reflect back on the different rules in aviation security that have been proposed over the years, when that cost benefit analysis is done to support that rule and the rule is sent back for further cost benefit analysis, if in light of the events of September 11, the cost benefit analysis that we would use today would be materially different than the ones we have used heretofore.

Chairman LIEBERMAN. That is a very powerful point. In other words, none of us can sit here and say that we could have prevented what happened on September 11. I do think if security had been higher, we could have made it a lot harder to do it, but the normal economic calculus, when set against the vast damage that the attacks on September 11 did to people, people's lives, hard to calculate, impossible to calculate ultimately. But also, more subject to being calculated, the extraordinary adverse impact on our economy, not to mention just direct dollar loss. It is a good point.

Mr. Belger, I actually want to ask you about that in terms of the health of the airline industry and our shared desire to get it going again. My impression on Sunday, when I was in Dulles, Newark, and JFK, was that they were a lot quieter than they normally are. The planes I was on were a quarter to a half full. Does the FAA at this point have any statistics as to what the rate of occupancy, if I can put it that way, or usage of the airline industry is now, 2 weeks after the attacks?

Mr. BELGER. We have data on the number of flights. I think Mr. Baker from American Airlines is on the next panel, and it would probably be better for him to speak for the industry on the load factors. We generally just get that information anecdotally. In terms of flights, we are operating at about 90, 92 percent in our air traffic control centers based upon an average day last year. A lot of that is military operations right now, but the number of flights in the system for the air carriers is probably—and Mr. Baker could confirm this—but probably in the 65, 70 percent range of what they operated before September 11.

Chairman LIEBERMAN. This is the number of flights taking off or the extent to which they are full, the planes?

Mr. BELGER. The number of flights.

Chairman LIEBERMAN. Do you have any anecdotal evidence about the extent to which the airline seats are being taken now?

Mr. BELGER. I would really ask that perhaps someone from the airlines validate this—but I have been told that the load factors are in the 55, 60 percent, some lower, some higher, but that is kind of an average.

Chairman LIEBERMAN. And normal would be what?

Mr. BELGER. Oh, I think they were averaging in the high 70's, low 80's before September 11.

Chairman LIEBERMAN. So we are still down. We are all hearing, we talked about this, our colleague, Senator Durbin said it, that confidence is returning but we have to do as much as we can visibly to get back the public's confidence and get the airline industry up to where it was before.

In that regard some people have suggested that we put a visible or a covert marshal on every flight. And wonder whether you have ever calculated, thinking about what Mr. Mead just said about costs as compared to benefits, what that might cost and whether it is within the range of the feasible. It is certainly one very tangible way to say to people on every flight there is going to be a marshal armed; that is some reason for you to feel secure.

Mr. BELGER. Well, we are absolutely looking at that, sir. We have increased the size of the Federal Air Marshal Program significantly, but we do not, obviously, now have the resources to put an Air Marshal on every flight. There are about 7,000 commercial aircraft used daily. About 35,000 to 39,000 departures, commercial air carrier departures every day. But even if you just looked at the number of airplanes and assume a Federal Air Marshal can fly all day on one of those aircraft, and if you assume they work as a team of two, that is 14,000 people. So that is absolutely an option we are looking at and we are looking at what we can do short of that also.

Chairman LIEBERMAN. I do not want to ask you the question because I am worried about the answer, about how many Air Marshals we have now, because I fear it might be lower than I would like anybody to think.

Mr. BELGER. We have tried not to talk about that publicly, but I will be glad to privately.

Chairman LIEBERMAN. Fine. Let me pick up on a line of questioning that Senator Durbin began about the sharing of intelligence information. Did the FAA in fact have from the FBI the names of those two individuals on the watch list that we now believe, or know, were involved in the hijackings and the air attacks on September 11?

Mr. BELGER. No, sir, we did not have those names.

Chairman LIEBERMAN. So that was—they were not conveyed for some reason to the FAA?

Mr. BELGER. Right.

Chairman LIEBERMAN. And therefore, when you said before that the FBI shares information with the FAA, it would not necessarily be in the category of those who are on a watch list because they may have been associated with a terrorist organization?

Mr. BELGER. Well, I cannot speak for the FBI, obviously, and perhaps this is a discussion we ought to have more thoroughly in a closed session, but basically the way it works is that the FBI provides to our intelligence unit in our security organization, the

names of people that they have determined to be either a potential threat, or that might pose some danger if they were flying. We give those names to the airlines. They check those names against their reservation systems.

Chairman LIEBERMAN. Do you know what categories the FBI turns over to you? In other words, what would be the basis of them deciding they should give this to the FAA?

Mr. BELGER. Well, again, I think they would have to speak to the process they go through, but as I said before, the FAA is not an intelligence-gathering organization and we rely on—and I do not mean that defensively.

Chairman LIEBERMAN. Understood.

Mr. BELGER. We work very closely with them. We have, I think, a very good day-to-day working relationship with the FBI and other intelligence agencies.

But I think the main point here, if I could, I think the fundamental point is the point that Chairman Durbin raised a minute ago. I think there is much more we can do to provide the people responsible for screening and airport security with better access to a larger database that is now——

Chairman LIEBERMAN. Let me just pursue this. What do the airlines do now, what does the FAA do now with names that they get from the FBI on a watch list?

Mr. BELGER. We provide those names to the carriers in the form of a security directive or security alert, and the airlines look for those names on the——

Chairman LIEBERMAN. Those names on a manifest of the passengers on a flight. So, obviously, if the manifest did not reveal the identities of the individuals, they were using false names, there would be no match at that point.

Mr. BELGER. That is correct.

Chairman LIEBERMAN. Should the FAA now be looking at deploying technology such as fingerprinting or biometrics or other identification methods to identify passengers? Is that worth pursuing at this point?

Mr. BELGER. Absolutely it is. One of the teams that the Secretary set up is looking at airport security. One of the things they are looking at very closely is the use of biometric screening systems, whether it be facial recognition, fingerprint recognition, hand geometry recognition. San Francisco Airport uses, today—and it might be the only airport, at least the only one I am aware of—uses a hand geometry type of recognition system, and it appears to be working. I think facial recognition is also a very promising technology.

Chairman LIEBERMAN. Thank you. I appreciate it. Obviously, I am quite surprised that the two individuals', who were involved in the attacks, names were not communicated to the FAA, and we should ask the FBI why that did not happen but I appreciate that you are now very aggressively pursuing other means of raising the guard and protecting passengers, and I think the sooner we move forward on that, the better. Thank you.

Senator DURBIN. Senator Voinovich.

OPENING STATEMENT OF SENATOR VOINOVICH

Senator VOINOVICH. I would like to thank the Chairmen of the Committee and the Subcommittee for holding this hearing. I apologize for not being here, but I stopped into the briefing by the Secretary of State, and our Defense Secretary.

The issue of airline security has been highlighted, not only by the tragedies that we had in New York and here in Washington, but it has also brought to our attention the enormous impact the airline industry has on our economy, and I think of our being so penny wise and pound foolish, and how we often make representations. For example, securing our airports, and we do not dot the i's and cross the t's. We say we are doing it, but in fact, we are not doing it. And I think that we are at the point right now where we realize how important it is that we have the kind of security that we need to have.

If anyone looked at the statistics on the turnover of employees, you would know there had to be something wrong in this country. Atlanta, Hartsfield, 375 percent annual turnover rate. Chicago O'Hare, Senator Durbin, 200 percent in Chicago. Denver, another big airport, 193 percent. Houston, 237 percent. St. Louis-Lambert, 416 percent turnover rate. Someone should have read those statistics, and it should have sent a signal out to them that something was awfully wrong.

We are grappling about how we are going to get our security job taken care of, and Dr. Dillingham, in your testimony you talked about a report of 102 countries with international airports, 100 have placed the airport security responsibility with the airports or the government, and the other two, Canada and Bermuda, have placed responsibility with the air carriers. The question I would like to ask you, from your observations, is there any difference between the security that is being provided in those that are run by the government and those run by the carriers, or is there not any perceptible difference?

And then I would like all of you to comment on something that seems to be obvious, that we do have some airports in this world that are secure. I have been to Israel many times, and I can tell you there is security in Israel. I have been to Frankfurt. I can tell you, there is security at Frankfurt. And it seems to me that if we are looking around to try and figure out how to best deal with airport security, that my best judgment always has been to go someplace where you have the best practices and see what they do, and then figure out how they are getting it done, and maybe that is a good model for us to follow.

So I would be interested, Dr. Dillingham, in your response to whatever security is different depending on who controls the airport? And second of all, your comments about whether or not all of you think that maybe what they are doing in Israel or in Frankfurt or some other places, where the security is more secure, is something we should look into. Dr. Dillingham.

Dr. DILLINGHAM. Yes, sir. Most countries keep very close to the chest their performance statistics in terms of how well the screeners perform. What we have found is that in most of the countries, the turnover rate is considerably lower, and with that lower turnover rate, you do get more experienced screeners on the job. And

you have to consider the fact that in some of these other countries, there is a much smaller system that they are dealing with, and even if it is controlled by the airport, oftentimes it is supplemented by having visible security, or armed forces or armed guards around as well.

The only information that we have about performance indicates where there was a test, a joint test between the United States and another country. The other country performed twice as well as we did in the screener performance area.

Mr. MEAD. I would like to make a comment about the airport situation overseas. It is plausible that the approach would work here if we had one airport, or two airports or three. In Europe, where you do tend to find a situation where the airport authority is responsible, and as Dr. Dillingham says, it is supplemented by the government, but there are fewer airports that they are responsible for. Here we have 400 different airports, and one of our objectives now is a consistently higher standard of security, no patchwork quilts. That is one point.

And second, the airlines' relationships to airports in this country are usually quite different from those in Europe. In this country the airlines frequently have a vested financial interest in, for example, gates, terminals at the airport, through ownership or long-term leases. And the airlines have quite a bit to say about the delivery of services by that airport.

Mr. BELGER. I began my FAA career 30 years ago as a security inspector, so I have had a lot of jobs since then. I have seen our performance and I have seen Europe's from a variety of different perspectives.

We have thought in this country for many years that the threat was different in other parts of the world than it was here. And I believe that is why we have seen, particularly in Europe and other parts of the world, the performance and the visibility of armed guards, etc., to be much higher than we have seen here. And in Frankfurt, for example, a lot of what you see as additional security is a result of requirements that we have put on our carriers who are flying out of those airports.

We have to, in this country, I believe now, really step back and reassess all of the basic principles that we have used in determining responsibilities for aviation security. We have to completely reassess those. What we thought might have been completely unworkable 2 weeks ago are things that we have to really consider today.

Senator VOINOVICH. Are there security screening lessons that you get from Europeans in terms of technology they use and procedures they follow that would be relevant here?

Mr. BELGER. Well, from a technology standpoint, I am pretty comfortable that our security folks know all the technology that is available, and we have the wherewithal to test it and use it to the extent we can.

Procedures, I think, is where we could learn a lot. As I said earlier, the premium ought to be on thoroughness rather than speed. The premium ought to be on professional, thorough dedicated people, working at the screening points and throughout the airport en-

vironment. And I think that is where we could perhaps learn, Senator.

Senator VOINOVICH. It is also a question of cost. If it is the cost to the airlines, then it affects their bottom line. In the event that we decide to really make a commitment to security—which means we are going to have to spend some money—that the Federal Government is going to have to spend it or the people who use the airlines will have to pay. The issue would be who ought to pay for it? Should the people that use airports pay for it, or should our Federal Government, or should there be a combination thereof? And the issue again is if they have it, and the money is not segregated into a pot and it is on their bottom line, I think the tendency will be to go on the cheap because it is affecting their profit situation.

Mr. BELGER. Well, the airlines have had the responsibility for about 30 years, and they had it actually through legislation which requires that the screening be done by the carrier or an agent of the carrier, and it has not worked to the satisfaction of a lot of us, so we need to do something different. If that means the Federal Government has to figure out how to pay for it, then that is what we would like to work with you to figure out.

Senator VOINOVICH. Any of the other witnesses want to comment on that?

Mr. MEAD. I think your point about paying is very important. I know you are very familiar with the Highway Trust Fund and the Aviation Trust Fund, the history of those. If this is going to cost money, I think the American public is willing to pay that money, but I do think that they would expect that if they are going to pay it and have it denominated as a security fee or something along those lines, that they would be outraged if it went to some other purpose.

Dr. DILLINGHAM. Just as a sort of general overall point, whatever the Nation decides to do about aviation security, it is very important that the energy that is associated with it now not go away as the crisis recedes in our memory. We have had aviation tragedies before, certainly not to this degree, but not too long afterwards, the interest and the oversight starts to become less, and we are back in front of you again, telling you that things have not changed. So whatever is decided, there needs to be clearly much more stringent oversight to make sure that it happens.

Senator DURBIN. Thank you, Senator.

It strikes me that there are actually two contacts that every passenger runs into when they get on an airplane in America related to security. We focused almost exclusively, when it comes to the passenger side, on one, the screening. The second contact comes at the ticket counter when the questions are asked, questions, "Did you pack this bag and has it been out of your control?" "No." "Has any stranger given you something to carry on the plane?" "No." I am just kind of curious, always have been, how many people answer yes to those questions. I doubt very many.

But going to the point that Senator Voinovich made, when you go through an international airport like Frankfurt, you are engaged in a conversation with someone, maybe with more than one person, and it is not limited to two routine questions with routine answers. And it struck me that what they were looking for was not

just the response to the questions, but my body language and whether I looked nervous, or whether I was somebody suspicious that they wanted to push along to somebody else to take a closer look at. I think that is a best practice, Senator Voinovich, that I have seen in the airports around the world that are very concerned about security.

Now, I think the premise of the two questions that we ask at all American airports is the following: No one would knowingly get on a plane carrying a bomb. If I packed my own bag and it has been under my control, then I am not bringing one on and I did not take an object from someone. That premise exploded four times on September 11. So the question I want to ask you, Mr. Belger, and the other witnesses to respond to, is whether there is any point to continue to ask those questions? Should we be looking at some other kinds of questions or some other type of interrogation so that we really try to get to the heart of this question about whether someone suspicious is getting on an airplane?

Mr. BELGER. I definitely think we ought to rethink all of our procedures in light of what happened, including the asking of those questions. Even some of our concepts—well without getting into details, many of our concepts have been built upon the premise that an individual would not get on the airplane with a bomb, would not commit suicide. That is clearly, clearly no longer a valid principle. And when I answered the question earlier about what we could learn from procedures, that is what I was thinking about. The fact is, in many airports in the world, speed is second to thoroughness and doing it right.

Senator DURBIN. Mr. Mead or Dr. Dillingham, any comment about the interrogation at the airport?

Mr. MEAD. You probably know if you have been on an international flight, you also get asked a series of other questions. I think, as Mr. Belger points out, profiling, which is used as a trigger for various things in the aviation system, as well as that set of questions, needs to be revisited. The profiles were based on a certain set of premises, which are no longer adequate. So they need to be revisited. And I think if you wanted to discuss elements of profiles, that is something we would be doing in closed session.

Senator DURBIN. Thank you.

Dr. DILLINGHAM. Yes, sir. I agree with what Mr. Belger said, and I think that not only do we need to revise and enhance that procedure, the questioning procedure, more toward the discussion that you referred to, we have to insure that the people who are asking those questions are capable of more than accepting the answers. In other words, you have got to look for body language, you have got to be able to make some other determination besides what people say yes or no to whatever the conversation is.

And I think just adding to what the IG said, we do have a computer profiling system in place, and I agree 100 percent we need to revise that, as it needs to be connected with additional criteria, and at the same time, perhaps linked to the screening function, because as it currently works, you could be picked as a profile person and still not be stopped at the screening and have your hand luggage checked because the profiling refers to looking at checked

bags. So we have things in place that we can enhance and make an immediate impact at that level of security.

Senator DURBIN. Thank you. Senator Lieberman and then Senator Thompson.

Chairman LIEBERMAN. Thanks, Senator Durbin.

You know, Mr. Mead, you said something I want to draw on because it makes the point that I think Mr. Belger made before about how we have to rethink airline security generally. It is a fact, is it not, that passengers are subjected to a higher level of security review going on an international flight than they are on a domestic flight?

Mr. MEAD. Yes.

Chairman LIEBERMAN. And of course, one of the painful—and that is based, I presume, on the previous higher tendency of what we used to know as hijacking or planting of bombs on a plane, on international flights rather than domestic ones.

Mr. MEAD. Yes.

Chairman LIEBERMAN. It leads me to the general point, you know some people have gone so far as to say, "Well, the terrorists struck the airline industry now. They will not strike there next time." We do not know that, and we have to therefore raise our guard. I appreciate what you said, Mr. Belger, and I think it is important that we all focus on this, that as much as we have to raise our guard to protect against the kinds of insane acts that occurred on September 11, it is also critical—and this builds on the war metaphor that we are all using, the war against terrorism—that we not just protect ourselves or prepare ourselves to fight the last battle, which was flying planes into buildings, that we have got to think, if you will, like the terrorists think, and then defend ourselves against what would be next, because the airline security question basically, as the last question we talked about, has been geared in general terms to hijackings, and at another level of taking a bomb onto a plane. Nobody ever, because in some ways we are too sane and humane, considered the possibility that somebody might get on the plane and commandeer it and fly it into a populated building.

Is that kind of review going on now?

Mr. BELGER. Yes, sir. I absolutely know firsthand that Secretary Mineta and the folks in the Department and the FAA are even thinking beyond aviation for the future, and I think we must.

Chairman LIEBERMAN. Into other transportation forms?

Mr. BELGER. Other transportation modes, yes, sir.

Chairman LIEBERMAN. Very important, because I think all of us are thinking that way. Ridership on trains has gone up, and yet people I know who get on trains, and I have been on a few in the last couple of weeks, have a higher level of anxiety there, too, than they had before, so I appreciate that.

Mr. MEAD. I think the point that you made is very important about the multi-modal aspect of this, and I think the solution on what to do with the security function ought to consider that, stop and think about it in a transit system, many of which interconnect with airports. In San Francisco the BART system is going to stop in front of the international terminal. The people that are going to the airport often take both their checked and carry-on luggage with

them right into the terminal, or right into the transit station, and what is to stop them from leaving it there?

Chairman LIEBERMAN. Right.

Mr. MEAD. So I am hopeful that one of the things that comes out of this is a multi-modal consideration of security.

Chairman LIEBERMAN. Me too, I hope so.

Just a final question, Mr. Belger. We referred to those regulations and rule makings that are going on regarding the screeners receiving more training and the contractors who hire them being certified or certificated. It may be too late in a way now. It may be that there is a rush and a movement that is quite strong to move toward federalizing that function and airport security generally. But nonetheless, that is not a foregone conclusion, and I wanted to ask you when you expect that rule will become final, and to the extent you are able, what changes would the rule make in the standards for selecting screening contractors and training, because it is possible for those who may be skeptical about turning this function over to the government, that a more demanding series of requirements would make that alternative worth considering.

Mr. BELGER. Right. We are ready to issue the rule. It has been cleared through all the processes. We have made the decision not to issue it right now until we complete the work with the Secretary on the types of recommendations he wants to make. And you are absolutely right, that some of the certification criteria that we had thought of previously in the rule probably ought to be stronger now, even if we continue with some type of non-Federal screening operation.

The types of things that are in the rule now that you ask about would require the screening company to be certified by the FAA. They would basically have to have a security program along the same principles that airports and air carriers have. They would have to have programs approved by the FAA that would speak to how they would hire, train, and test their people, and we would set performance standards that the actual screeners would have to meet.

One of the problems we had in getting this rule out sooner, was the fact that there was no real objective way to test the performance of the screeners other than to test objects that our inspectors use, which really is not a good real-world way to test. So we started with the rule making back in 1997 and came to the conclusion that we really did not have a good way to objectively measure the performance of the screeners. About that time we were developing what we call the threat image projection system, which superimposes on the x-ray machine the image of a real weapon. You can do that in a very sophisticated way with perhaps thousands of different images that could pop up at any time, and actually test the screener in a real-world environment. There are many hundreds of those systems available throughout the country.

So once we thought we had developed an objective way to test people, then we went forward with the rule making again, and that is where we are now.

Chairman LIEBERMAN. I appreciate that. Let me just share this personal experience and point of view. It seems to me—somebody mentioned before about the police presence in the airports now,

and that is encouraging. On the other hand, the most encouraging and reassuring aspect of the air travel I have done since this occurred was not so much seeing people there but noting what they were doing.

Mr. BELGER. Right.

Chairman LIEBERMAN. And this is not rocket science, so the very same screeners who we have been very skeptical of, that we are all talking about, when I went through the screening device at Dulles on Sunday, they asked me and every other passenger to put the arms out and they put the mobile screening device over and picked up every credit card and every single item that even might have been—I had a key in one pocket, etc.

As I said before, it was inconvenient in one sense, but that made me feel really comfortable as I went on. And the passengers, as we went in the van over to the other terminal to get on the plane, were talking about it, and one man told me that they had found a nail clipper in his pocket and took it from him. And that made us all more comfortable, too.

So I do think as we go forward it is not only important who does this screening and other airport security, but what they do that will make us comfortable enough to all get back on the airplanes.

Thank you very much.

Senator DURBIN. Senator Thompson.

OPENING STATEMENT OF SENATOR THOMPSON

Senator THOMPSON. Thank you, Mr. Chairman.

I was looking over this GAO report, which, if there is anything in here I shouldn't get into, stop me in a hurry. I think all of this you have put in your statement. The conclusion seems to be that the report consider that the problem with security is not as much with equipment as it is with personnel, and I am sure we have all talked about the fact that our first line of defense is in some cases a minimum wage employee. The FAA's testing has shown that over the years their ability to do their job in screening has gone downhill, apparently. They are not doing as good a job as they used to do. Is that a fair assessment?

Dr. DILLINGHAM. Yes, sir.

Senator THOMPSON. Without getting into any more detail than that—and it seems to me that it is indicative of a larger problem that this Committee has dealt with for a long time. Senator Voinovich has certainly dealt with it specifically. And it has to do with the basic management problems that government has, and it specifically has to do with what we call the human capital problem. We are surprised now, not all of us, that we realize that we have people placed in strategic positions who are not particularly well qualified and who are not performing according to our level of expectation.

The Results Act, of course, requires every department to come up with performance reports, and develop standards they are supposed to achieve. The DOT did not meet its certain screening goals for fiscal year 2000 and is on track not to meet those goals again this year. In other words, the Department of Transportation has been good in setting out appropriate goals, but the carrying out, their ability to achieve those goals has not been good. We are not achiev-

ing the goals that were set out, and it is endemic throughout government.

There are places throughout government that are very sensitive, secure, security-conscious positions where we are not meeting our performance standards, our performance goals. And we continue to do that year after year after year after year. We have a high-risk list that most departments, many have been on it for years and years, and they come in here and we fuss on them a little bit, and they go and do the same thing next year. It is not affected by budget, it is not affected by any administration, it is not affected by the appropriations process.

The last day I was Chairman of this Committee—I never will forget it. [Laughter.]

Chairman LIEBERMAN. Sad day for some.

Senator THOMPSON. We put out a little booklet called "Government at the Brink," and it talked about some of those things, the mismanagement throughout government. We hear it so often, it rolls off our back. But we really need to take another look at it in terms of these national security issues now while we have a heightened sense of awareness. Specifically, the financial mismanagement, has the inability to incorporate information technology into the government services the way that they have in the private sector, the billions of dollars we have spent on trying to get our computers right.

I was looking at page 16, and one of the conclusions we came to: The Defense Department's security clearance process virtually collapsed during the 1990's. The Department has a backlog of almost a half million security clearance investigations for employees. The security clearance situation has become a little more relevant lately. It takes well over a year to complete a top secret clearance. This means that vital positions dealing with the government's most sensitive national security data go unfilled, or the people in those positions operate with grossly outdated clearances. These problems stem in part from productivity problems among investigators and ill-conceived staff cuts.

We also talk about our difficulties with our computer systems. Again, brand-new relevance in light of September 11.

On page 51, we deal with the case of the railway killer. In 1995, the INS began to work to improve its automated systems which were grossly inadequate. According to the IG, the program areas that they set up were mismanaged from the very beginning. The IG reported that the INS still cannot sufficiently track the status of its projects to determine whether progress is acceptable. Also, INS staff were unable to adequately explain how the funds were spent.

In addition, explain how these deficiencies led to tragic human consequences in the case of Rafael Menendez Ramirez, a Mexican national who has an extensive criminal record and is accused of committing several murders in the United States. In early 1999, Houston police contacted INS investigators several times seeking assistance in the search for Menendez. In June 1999, the FBI formed a multi-agency task force in Houston to capture him and also placed him on a list of the ten most wanted.

Unfortunately, if the INS had done its job, these events never would have occurred because Menendez had been apprehended by the Border Patrol seven times in 1998 while crossing the border illegally and had been enrolled in the computer system each time and had been returned voluntarily to Mexico each time without formal proceedings.

I could go on and on and on and on. Why we are surprised that we have a problem with screening and airport security should really be what surprises us. And we really need—and this is not just an opportunity to talk about waste, fraud, and abuse again in general terms. These are security, national security issues.

We have talked about our laboratories, how vulnerable our labs are in many different respects. Now we know about our airports. The whole terrorist issue now has a special relevance in light of September 11 with regard to immigration issues. That in turn has to do with our inability to manage computer systems or information technology. It is all part of the same picture and is, once again, indicative of gross mismanagement in the Federal Government for many, many years, in the financial area, information technology area, human capital area, and other things.

Now we are talking about federalizing another part of our system. I know you probably discussed that. I won't get into that in any detail here. I am really not sure how I feel about that except to say that we must make sure we don't incorporate all the other Federal Government employee potential problems, and that is, we don't properly motivate them, we are losing the ones we ought to be keeping sometimes, we oftentimes keep the ones we ought to be losing. We have a civil service system that makes it so there cannot be accountability most of the time.

All of those government management issues that we have swept under the rug for so long are right back on the table again if we are going to go down this road and consider moving in that direction.

So thank you, Mr. Chairman, for having this hearing and allowing me to make this statement.

Senator DURBIN. Thank you, Senator Thompson. Senator Voinovich.

Senator VOINOVICH. I would like to build on what Senator Thompson said. As you know, I have been working for 2 years on the problem of the human capital crisis and will be introducing legislation soon. We can talk all we want to about getting qualified people, but we are in deep trouble right now in the Federal Government. In fact, by the year 2005, we could lose 80 percent of our Senior Executive Service. By the year 2004, we could lose about 55 percent of all of our employees, through either retirement or early retirement.

If we are going to go out and try and recruit these people, we know we are going to have to pay a lot more money for them. By the way, you were talking about the demeanor of people. When you look at some of the people at the security, they give you absolutely no confidence. And if you have a conversation with them, you just wonder.

At BWI, I had my Senate identification card. The woman there looks at it, the first one I went through, and it was fine. I go

through and I was detected for having some metal. And I knew what it was. I have steel in my shoes. And I said, "I have steel in my shoes," and I try—that is why I bought the Rockports, because I don't have to worry about getting stopped. But I showed her my card that I was a U.S. Senator, and she looked at me with a blind stare like she didn't even know what a U.S. Senator was. And that is the kind, too often, of impression that you get from the people that are doing the security. And that in itself doesn't give one very much confidence. It means that you are going to have to upgrade the people that you hire. You are going to have to pay them a lot more money. You are going to have to motivate them, and you got to have a system in order to get them into the government.

Of the agencies in the Federal Government, the only one that has flexibility right now besides the GAO and the IRS is the FAA. The FAA has got the flexibility to bring in people at different pay grades and broad-banding and a lot of the other things. So if we are going to pick an agency that could get going quickly, if we decide to federalize this thing, the agency that we ought to select is the FAA because they have the flexibility to go out and hire these people to get the job done.

Senator Thompson, I am glad that you brought that up because we have neglected the human capital issue in this government for years and years, and I want to quote Jim Schlesinger, who testified in March before this Committee. He said solving the personnel problem is a precondition to solving all that is wrong in the U.S. national security edifice. All that is wrong. The precondition is the personnel problem. And it never really gets much attention in the Legislative Branch of government because I don't think that too often legislators appreciate how important it is that if you want to win, you have to have the best and the brightest. And we are not getting the best and the brightest in the Federal Government.

Senator DURBIN. Thank you, Senator.

Senator THOMPSON. Excuse me, Mr. Chairman. With your indulgence for just a second on that point, I would point out the Hart-Rudman Commission on National Security reports that the United States is "on the brink of an unprecedented crisis of competence in Government" that reaches civilian and military personnel at all levels. That is the much touted, and properly so, Hart-Rudman Commission report that we have been talking about lately.

Senator DURBIN. Senator Lieberman.

Chairman LIEBERMAN. Senator Durbin, very briefly, there has not been much to smile about in the last couple of weeks, but if I may make a vain attempt by reporting this conversation—I was thinking about it when we were talking about the profiling that we expect people at the screening sections to do. I think we are going to find that the citizenry will be doing a lot of its own profiling, and it may lead to more socialization on the aircraft.

One of our colleagues—Senator Breaux and I were talking about this. We both had the same experience in the times we have been on a plane since this awful incident occurred. We find we are turning to the people to either side of us, "Hello, how are you? Where are you from?" [Laughter.]

"What do you do? Why are you going to where we are going?"

Anyway, thank you.

Senator THOMPSON. I can understand why they do it with Senator Breaux.

Chairman LIEBERMAN. No, Senator Breaux was doing it.

Senator THOMPSON. Oh, I see. All right.

Senator DURBIN. I just want to comment in general. Thirteen years ago, when I introduced the bill banning smoking on airplanes, I learned something interesting about Congress. Next to politics, there is only one other thing that the Members of Congress know more about, and that is flying.

Senator THOMPSON. That is true.

Senator DURBIN. And now that we talk about airports and airport security, each of us has probably logged as many miles or more than anybody in the room, and I think that is the reason why some of these questions are heartfelt but also get into detail.

I thank this panel for your excellent presentation today. We really hope that we can use this information to develop some good legislation. Thank you very much.

Chairman LIEBERMAN. Thank you.

Senator DURBIN. The next panel I would like to ask to come forward includes Robert Baker, who is Vice Chairman of American Airlines; Paul Busick, President and Executive Director of North Carolina Global TransPark; Colonel Leonard Griggs, an old friend and Airport Director from Lambert-St. Louis International Airport; Bill Harvey, Jr., not only Trainer of the Screeners at Chicago O'Hare International Airport, but if I am not mistaken, Mr. Harvey was 1999's Screener of the Year. Glad to have you with us. And Michael La Pier, Executive Director from the Central Illinois Regional Airport.

Once everybody is in place, we will let Mr. Baker start with the testimony, and we will go right down the table in the order you are seated.

Thank you very much for being here.

TESTIMONY OF ROBERT W. BAKER,[1] VICE CHAIRMAN, AMERICAN AIRLINES

Mr. BAKER. Good afternoon, Mr. Chairman and Members of the Committee. Thank you.

Before I begin my remarks on the subject, on behalf of all of the American Airlines family we would certainly like to extend our deep sympathies and concern for the families of the crew members, our passengers, and certainly all of the victims on the ground of this terrible tragedy.

I would also like to thank Secretary Mineta, Administrator Garvey, and her entire team for their responsiveness beginning that terrible Tuesday morning. It has been outstanding. It has been a real collaborative effort between the airlines and the FAA to find the best choices and get through this and hopefully get the system restored.

Finally, the work of Congress last week and the airline stabilization plan is outstanding, and we thank you very much for your contributions to that effort. But now we must turn our attention to the

[1] The prepared statement of Mr. Baker appears in the Appendix on page 105.

security issues that surround our industry and make some decisions about changes that are in order.

But I very much appreciate the opportunity to testify today regarding the Federal Government's role in addressing aircraft and airport security issues. September 11 has changed world aviation forever. We can only speculate on the precise changes that will result from this horrible event. However, I think there are two very broad directions that we must pursue promptly to preserve our air transportation system.

First, we must decide on specific changes to airline and aviation security operations that will provide a higher level of deterrence and make it much more difficult for terrorists to repeat the horrible attacks on our country.

Second, we must make those changes which will provide confidence in our aviation system to both the traveling public and our employees.

If we do not restore confidence in aviation, we will not as airlines be able to restore operations, and the American public will not be willing to travel by air. This would obviously have profound impacts on our industry and the U.S. economy since there is really no practical alternative mode for most inter-city travel in our very large geographical country.

A week ago Sunday, Transportation Secretary Norman Mineta announced the formation of two rapid response task forces to provide recommendations in two areas: Aircraft security and airport security. I was honored to be asked to participate in this effort.

For the last week, we have been gathering input, examining alternatives, and establishing priorities. We are committed to provide the Secretary with recommendations not later than October 1, and we will meet that objective. I anticipate both short-term and longer-term recommendations.

Let me briefly discuss two of the subjects being dealt with by these rapid response task forces. Both of these projects enhance aviation security and also have a positive impact on the confidence of our employees and the traveling public.

One of our focus areas is the hardening of the cockpit to prevent terrorist entry. This will likely involve modifications to aircraft bulkheads and doors and the adoption of procedures to reduce the exposure when the cockpit door must be opened in flight. We are processing close to 100 individual ideas and suggestions in this area.

The second area that is receiving a lot of interest and attention is the airport security checkpoint. You often hear about the federalization of the checkpoint. The airlines have said for many years that the operation of the checkpoint should not be the responsibility of the airlines.

If you look outside the United States, other countries typically both operate and fund all aviation security activities. I believe that making material changes in the checkpoint operation represents an important opportunity to both enhance security and improve public confidence.

There is an approach which I believe makes sense and should be debated. I believe that there are really three security functions that we are going to need going forward:

First, a high-caliber, professionally operated checkpoint that deters the unfavorable person, that is run professionally, a system that restores passenger confidence most of all;

Second, the deployment of a sky marshal function on board domestic aircraft;

Third, an ongoing surveillance and audit process to ensure that the security procedures and policies are adhered to by the airlines, the airports, and all of the various vendors that do business at our airports.

These functions could be combined and performed by a government-owned corporation made up mostly of law enforcement officers.

Now, in response to your first two inquiries regarding the airlines' role in screening passengers and baggage, each airline is required to conduct screening in accordance with the procedures, facilities, and equipment described in its FAA-approved air carrier security program. The program is designed to prevent or deter the carriage of an explosive, incendiary, or a deadly or dangerous weapon on a passenger or in their checked or carry-on luggage.

The specifics of the program are considered to be confidential by the FAA. But, generally, the program uses various X-ray machines, explosive trace detection, which helps to find visual inspections to prevent the carriage of dangerous weapons or devices onboard our aircraft.

In most instances, security checkpoint functions are performed for the air carrier by a contract security provider in accordance with the air carrier standard security program and regulations set out by the FAA. Individual security screeners are hired and trained in the specifics of this program and the use of the security equipment by the contract security provider.

The hiring standards are provided under the FAA regulations. Background checks of the individuals' last 10 years of employment history are conducted. A 10-year criminal history check will similarly be conducted for those individuals with inconsistencies or gaps in their employment history.

Local air carrier management does provide oversight of the security provider's compliance with these Federal requirements and specific security measures.

Mr. Chairman, I have been involved in commercial aviation for 40 years. There has never been anything that has had more impact on our country, our industry, and our employees than the events of September 11. I do know one important thing. We can never have another September 11.

I would look forward to your questions. Thank you.

Senator DURBIN. Thank you, Mr. Baker.

Paul Busick is the President and Executive Director of the North Carolina Global TransPark. Thank you for being here.

TESTIMONY OF REAL ADMIRAL PAUL E. BUSICK, USCG, RET.,[1] PRESIDENT AND EXECUTIVE DIRECTOR, NORTH CAROLINA GLOBAL TRANSPARK AUTHORITY

Mr. BUSICK. Chairman Lieberman, Chairman Durbin, and distinguished Members of the Committee, my thoughts and prayers also go out to those people who have lost their loved ones to this terrible act of violence.

I thank you for your invitation to share my perspective on the current aviation security process and ways to improve it. My position is not unique, although I think that very few share it. I was personally involved in the decisionmaking process that affected the way we provide for aviation security from 1993 through most of 1996 as the Director of Intelligence and Security for the Secretary of Transportation. I am pleased to offer my views now in 2001 as we revisit this important issue.

I have supplied the Committee with my written comments that offer specific details on the evolution of aviation security procedures as we know them today. I believe you will find that my written statement will provide the background information necessary to support my comments this afternoon. Therefore, I would like to use my time allotted to focus on those issues I believe need your pressing attention.

First and foremost, I would like to make a clarifying statement. While I believe that it is essential that this Committee examine the current structure and procedures used to screen passengers and their belongings, I would also ask that Members of this Committee be wary of addressing only this one aspect of the aviation security system. At this time we are not privy to all of the details of how this heinous act of September 11 was carried out.

While passenger screening may have played a significant role that day, it may have been only one element in a series of failures in the system. It is important that we recognize that a multi-billion-dollar intelligence effort did not predict these events, that the FAA had no regulation in place preventing persons from carrying the types of weapons described. The airlines train their personnel to respond to threat vectors of a wholly different nature. We have an obligation to absolutely, positively get the program for security in the air travel system right this time. Therefore, it is essential that we look at the system as a whole and focus our efforts on improvements and not on recriminations.

Each time we have had a crisis in our national aviation system, a task force or commission is formed, studies are conducted, recommendations are filed, the status quo shifts slightly higher, until we face the next crisis. We can't let that happen this time. It is time to make drastic changes in the system in place. It is time that we ensure that support necessary to carry out these changes does not wane when the initial shock fades.

Given that the current approach has proven itself incapable of providing a high-quality system, federalizing seems to me to be the next best choice. But if we simply federalize without the establishment of thorough training programs, the deployment of high-qual-

[1] The prepared statement of Mr. Busick with an attachment appears in the Appendix on page 109.

ity equipment, standardized and regular measurements of performance, and decent pay and benefits, one can certainly predict failure of the new system just as well.

If we simply make a change that has the Federal Government contracting out to the lowest bidder and make no qualitative improvements, all we have done is change the name of the employer.

There is no panacea to this. Screening is hard, repetitive work. It will require significant efforts in human factor analysis and human-machine engineering to make it work well.

A key issue is the professionalism of the personnel tasked with the responsibility to provide our first line of defense. These hard-working individuals have been asked to achieve the improbable and are sometimes vilified for their failure to do so. Minimal training, varied levels of equipment, low wages, long hours, constant criticism.

This is the life of the aviation security screener. The White House Commission of Aviation Safety and Security recognize the value of these individuals and called for a program to certify and license security screeners based on their proficiency. Wages and benefits would rise accordingly, as would the overall quality of the screening process. The commissioners believe that such a program would encourage people to seek out these positions as professional trades.

The recommendations were not carried out. The regulation to address this issue is still in draft and, in fact, does not provide for certification of individuals. Rather, it calls for certification of the companies who provide these services. Screeners are not recognized for proficiency; rather, they receive bonuses for longevity. I will expand on these themes for the duration of my allotted time.

Federalization, done properly, could address several other flaws inherent in the current system. The Administrative Rulemaking Procedure Act is one of the foremost reasons why good ideas don't find their way to implementation. The rulemaking process is slow and rife with compromise. In my opinion, the industry has taken advantage of their legal rights under the Rulemaking Procedure Act to question, delay, and dilute rules intended to improve aviation security. When the distinguished Members of this body pass a law telling the FAA to institute a new security procedure, FAA is required to embark upon the odyssey that is rulemaking. I can't imagine police or military planners responsible for security engaging with others in such a manner to implement necessary security measures.

Federalizing the security screening process would eliminate the need to get involved in a lengthy debate over the value or cost of a specific measure. Costs associated with them would also be looked at differently. If they are deemed to be appropriate and necessary, they can be implemented.

While the question of who carries out this important task may be less important than how it is done, the right agency with appropriate authorities could make a difference. While I am here today to address the pressing need of improved aviation security, I also foresee the necessity of addressing terrorism against all of our transportation modes. An organization dedicated to transportation security within DOT with limited law enforcement responsibilities

and direct access to information from intelligence agencies regarding all modes of transportation is, in my opinion, the ideal entity to undertake this task for several reasons.

Intelligence received by this agency can be disseminated throughout the transportation system. A national cadre of professional security personnel under the DOT umbrella could be dispatched to locations of interest and heightened concern in direct response to intelligence. R&D efforts could be directed by this office in response to information not only on new threats and methods, but also in response to experience gained from the utilization of equipment in the real world.

Administrators from each of the modes of transportation would play a vital role in determining specific procedures to be undertaken at transportation facilities. They really are the experts in their field within government and offer valuable insight into daily operations. Their direct functional knowledge applied in conjunction with resources of the Department's Office of Intelligence and Security creates a natural partnership between intelligence, operations, and oversight.

Even with a single governing entity in place, it is hard to determine the competency of an individual screener without comprehensive testing procedures. The currently approved testing devices are standardized, rudimentary, and not at all effective in testing security under realistic conditions. In addition, with an average of at least 8 percent turnover rate per month, it is difficult to determine if training methods are at all effective. FAA Red Team, DOT Inspector General, and GAO methods appear to be more realistic. Low detection rates for their tests reflect that. The electronic threat insertion method would be a useful tool for teaching and testing, but there are too few deployed at this time to be sure.

Test procedures should be realistic, consistent, and objective to the degree possible. National results should be compiled as often as practical and compared to address the question of efficacy of training and equipment. A regular and comprehensive review of test results would allow for rapid modification in training methods, cycles, and curriculum.

Such a review would also indicate which types of equipment are able to provide the image clarity necessary to determine if there is a threat object present and which are not. Armed with this information, the Secretary could amend procurement orders to purchase only the equipment proven to be effective via rigorous testing.

Efforts to encourage competition among equipment providers must take place within a framework that recognizes that technical standards and the need for rapid deployment of properly certified equipment will not be abandoned merely to create competitive markets. The most important aspect of the free enterprise system is that success and accomplishments are rewarded by market preference. The unintended consequence of last year's congressional direction to split funding between a fully certified system and an EDS system that was not fully field vetted led simply to significant slowdowns in deployment of certified EDS systems without any benefit to either aviation security or the competitive marketplace.

Other nations have found greater success in screening performance via the use of a single entity governing the screening process.

We have already talked about the GAO's look at foreign governments and those were mostly European. In short, the findings of the report show that other nations have instituted programs that require much more extensive qualifications and training, higher pay, much more stringent checkpoint operations, and the assumption of overall responsibility for the screening process by a single government entity.

It is interesting to note that France requires screeners to be citizens of an EU nation. The reasoning presented in the report is the cooperative nature of the EU law enforcement agencies. France believes that by requiring EU citizenship, they may conduct a much more comprehensive background check on the individuals by accessing criminal information data sources from all European Union nations.

I think the United States should take its lead from France and coordinate our efforts with other national governments to compile similar information and vet security personnel against these data sources as well.

No matter which entity assumes these tremendous responsibilities, the responsibility for funding an ongoing, dedicated effort lies with the U.S. Congress. There must be a dedicated funding stream to support our Nation's security in all its many facets. I believe both appropriated funds and a dedicated transportation security user fee are necessary steps. I also recognize that you as Members of Congress are elected to represent all of the people, not just those who are using the transportation system today.

Providing for transportation security is providing for national security. The terrorists who committed this crime against the United States were well aware of the impact it would have on our economy as a whole. And, therefore, we as a Nation must support the ongoing effort to ensure our national security.

In conclusion, I would like to make a short personal statement. I consider myself genuinely fortunate to have served as the Director of the Office of Intelligence and Security for a whole lot of reasons. It was good, rewarding work, work that needed to be done. But the primary reason was that people in the industry with whom I was privileged to work, the professional, dedicated, honorable individuals on the front lines of aviation security, deserve our respect and gratitude. These individuals struggle every day to make our system safe and secure. They often have limited information and resources, conflicting directives, and suffer the criticism of 20/20 hindsight following every incident.

I would ask you to join me in ending the process of selecting who is to blame and instead appreciate the efforts of the hard-working individuals who have accepted these awesome responsibilities as their own, people like Al Grazier of the Port Authority of New York and New Jersey; Joe Lawless of Mass. Port; Richard Kunicki in Chicago; Alvie Dotson at Dallas-Fort Worth; Al Lomax of Kansas City; Jim Welna, Minneapolis; Richard Davis, United Airlines; and Matt Vaughn of the United Parcel Service. Each of these individuals stands out in my mind as a stellar example of professionalism in aviation security. I applaud their effort, and I look forward to working with them and with you to craft a more secure future for our national aviation system. Thank you.

Senator DURBIN. Thank you very much. Mr. Griggs.

TESTIMONY OF LEONARD L. GRIGGS, JR.,[1] DIRECTOR OF AIRPORTS-CITY OF ST. LOUIS, LAMBERT-ST. LOUIS INTERNATIONAL AIRPORT

Mr. GRIGGS. Mr. Chairman and Members of the Committee, I am Leonard Griggs, Director of Airports for the city of St. Louis. I would also like to express my profound sympathy and sorrow to all those families and friends of those people who lost their lives.

As you well know, we served over 31 million passengers last year and are well on the road to becoming another major hub for American Airlines as they take over from TWA.

I appreciate being invited to share Lambert Airport and Mayor Slay's views on how this Nation's system can be improved so that our citizens will have renewed confidence that our skies are safe and that the Federal Government is adequately protecting airports and aircraft operations from the full spectrum of possible terrorist activities. I am pleased that the focus of this hearing is on airport screeners since they are a key element in the defense against terrorism.

In my 5 minutes, I plan to address the following points which are expanded upon in my written statement: First is airport police presence at airport screening checkpoints; expansion of the Federal Air Marshal Program and security and sanctity of the cockpit; timely sharing of intelligence by Federal officials with local airports' police; federalizing the passenger screening; improved cargo and baggage screening; reduced carry-on baggage; assistance with unfunded Federal mandates and other costs; and the possibility of reopening Reagan Washington National Airport.

Security measures at Lambert Airport have been noticeably increased in response to the FAA directives over the past 2 weeks. Law enforcement's presence has been expanded with Lambert Airport police officers being stationed in patrols at all three of the passenger screening points within the terminal. I would like to thank Senator Durbin for this suggestion—where it came from—and we have found that an increased law enforcement presence reinforces the seriousness of passenger screening and communicates to screeners how important their functions are.

I have personally talked to the owners and managers of both of the security companies on the need for professional conduct and appearance, and they have responded.

I have provided a complete listing of increased security measures that have been implemented at Lambert Airport. Other security measures not publicly discussed or put in here have also been put into effect in the operation of our plan.

As a result, the airport security at Lambert Airport is very high. I was comfortable flying out of Lambert Airport yesterday and believe that other travelers should feel safe resuming their flights through our airport.

The city of St. Louis recommends additional actions to further improve airport security and airline security. As for aircraft secu-

[1] The prepared statement of Mr. Griggs with an attachment appears in the Appendix on page 115.

rity, St. Louis supports a substantial expansion of the Federal Air Marshal Program for onboard protection and improved protection of the cockpit in airline security.

In addition, the following is a partial listing of additional security measures that we and I believe the DOT and the Congress should consider to further improve the on-airport portion of security:

First, better intelligence sharing by the Federal Government. We have all read in the press accounts of how information about some of the September 11 terrorists was never passed on to local law enforcement or airport police. Federal intelligence agencies do not timely share their information with the FAA's Civil Aviation Security Office and, in turn, with the local airport law enforcement. Some have urged that expanded Federal intelligence efforts must be approved and funded by Congress and the Executive Branch. Having all Federal intelligence and enforcement agencies share the same computer database would be very beneficial. In our view, it is important that relevant, timely information must be shared with us. Airport security is the last ground of defense to forestall terrorism against civil aviation, but that defense must be based on timely and adequate information.

Second, federalize passenger screening. I believe, and a majority of my colleagues believe, that the passenger screening function should be placed under control of a Federal agency, probably within the U.S. Department of Transportation, rather than being delegated as now to the private airlines. However, some large airports have concerns that federalization could result in inadequate manpower levels because of budgets that have been starved over time. This has often been the case with inspection staffing at both Customs and INS functions throughout this country.

The federalized passenger screening program could be another branch of the Federal Air Marshal Program and could be very appropriate under the Federal Administrator of the FAA. Federalizing the passenger screening function should make it easier to pass intelligence to law enforcement agencies that back up the passenger screening function at U.S. airports.

Next, restriction on carry-on baggage. Until a Federal agency has taken over the passenger screening function, it would be very advisable to limit carry-on bags to one per passenger, with some exceptions, for example, people with small babies carrying diaper bags and that kind of thing, which would help reduce the screener workload.

Improved baggage, cargo, and mail screening. You have heard this before. Congress should assure that adequate numbers of explosive detection systems devices and other current technology that are available for the inspection of unaccompanied baggage, cargo, and mail packages be made available.

Congress should help fund the new security mandates imposed by the FAA on local sponsors. Lambert Airport is spending millions of dollars of unbudgeted funds to implement the increased FAA security to the tune of—for example, we are spending $72,000 a week for additional security members.

We believe that unfunded mandates should be covered by general Federal funds or through expanded authorization from the AIP or the Passenger Facility Charges.

Another crisis we are facing is the cancellation and/or tripling of premiums in our liability insurance, the same as the airlines are facing. This is something that must be addressed.

Finally, Mr. Chairman, I feel it is absolutely critical to reopen Reagan National Airport. To paraphrase Mayor Tony Williams, Reagan National Airport is the first door to Washington, is a vital symbol, and, therefore, keeping it closed tells the terrorists that they have won. I am confident security measures can be put in place to make Reagan National Airport safe. As a matter of fact, if we do not, there is one major airline which has been already threatened and the possibility of severe financial damage to three of our major airports.

Again, Mr. Chairman, my mayor and I appreciate the opportunity to express my views and recommendations on this most important topic of aviation security. I have been in this industry for 25 years, and September 11 can never be allowed to be repeated.

Thank you.

Chairman LIEBERMAN. Thanks very much, Mr. Griggs, for that excellent testimony.

Mr. Harvey, a pleasure to have you here.

TESTIMONY OF AUBREY "BILL" HARVEY, JR.,[1] TRAINING SUPERVISOR FOR ARGENBRIGHT SECURITY, O'HARE INTERNATIONAL AIRPORT

Mr. HARVEY. Good afternoon, Senator Lieberman. I would like to express my deepest sympathies to all those who lost someone during the tragic events of 9/11/2001.

Chairman LIEBERMAN. Mr. Harvey, come forward a little bit. Those mikes are very directional.

Mr. HARVEY. My name is Aubrey Harvey, and I am a checkpoint security supervisor for Argenbright Security at O'Hare International Airport. I appreciate the opportunity to testify before this Committee and give you the perspective of the men and women who work as security checkpoint screeners at our Nation's airports.

Those of us who work hard day in and day out to protect the flying public—successfully, I might add—have found the news reports pointing the finger of blame at screener for the events of September 11 very disheartening. From all indications, there is no evidence that any activity by a checkpoint screener—all of whom were following FAA regulations correctly—contributed to this horrible tragedy.

I want to thank you, Senator Durbin, and the other Members of this Committee for taking the perspective of the security screener in mind as Congress debates changes to the current system. As an Air Force veteran who served with the 19th Tactical Air Strike Squadron in Vietnam, I understand and appreciate the role that security and national security plays in our American transportation system. I want to assure you that those of us working the checkpoints take this issue of national security very seriously as well.

Let me give you a little bit of background about myself. I was hired as a pre-departure screener for Argenbright in November 1996. Given my interest in taking on more responsibility, I was

[1] The prepared statement of Mr. Harvey appears in the Appendix on page 125.

promoted to a checkpoint security supervisor. In 1999, I became certified as a trainer and advanced equipment trainer and currently train new members of the O'Hare screening team. Training new members involves both classroom instruction and on-the-job training. The latter is particularly important, as human interaction with passengers and attention to behavior is vital.

In 1999, I was selected as the FAA's Screener of the Year. Candidates are chosen based on superior performances under the difficult circumstances that can present themselves at an airport checkpoint. My nomination was the result of two events that occurred at O'Hare. The first occurred in December 1998 when a passenger attempted to board an aircraft with a 12-gauge shotgun. We apprehended the weapon and the passenger was arrested. In August 1999, a passenger broke through the security checkpoint. I followed and contained the passenger until a police officer made the arrest.

The activities of the individual screeners are important, but new security measures and technology are also critical. Since my time at Argenbright, I have seen the screening technology vastly improve. Training procedures have become more sophisticated, using computer programs such as the TIP program and Safe Passage program to test screeners on the job. Screeners are also required to have additional training yearly to update them on the newest technologies and procedural changes.

We are also making ongoing efforts to attract, retain, and reward qualified employees. Since I began at Argenbright, I have received two promotions and my wages have nearly tripled.

The events of September 11, 2001, were horrific and cruel. Yet I believe that security screeners at the affected airports and even those that were not affected acted with dispatch on that day and in the days since to protect the flying public. As a trainer and a checkpoint security supervisor, I know the difficulties and challenges of the job. I also know the value of following procedures and the importance of training. As an individual employee of Argenbright Security, I have and will continue to work with the Federal authorities to improve screening, security, and the safety of the flying public.

Thank you very much, Senator.

Chairman LIEBERMAN. Thank you, Mr. Harvey. I am delighted you are here and gave us that personal and unique perspective.

Mr. La Pier.

TESTIMONY OF MICHAEL B. LA PIER, A.A.E.,[1] EXECUTIVE DIRECTOR, CENTRAL ILLINOIS REGIONAL AIRPORT

Mr. LA PIER. Good afternoon, Mr. Chairman, Members of the Committee and staff. I would like to thank the Chair for the opportunity to be here this afternoon to appear before you to give a perspective of a small airport on the current situation regarding civil aviation security in the United States today.

I would also like to thank the senior Senator from the State of Illinois, Senator Durbin, for inviting me to be here this afternoon,

[1] The prepared statement of Mr. La Pier appears in the Appendix on page 131.

but most particularly for his unyielding leadership and strong support of aviation issues in the State of Illinois.

I should tell you this is my first opportunity to testify before a Congressional or a Senate committee. It is an opportunity that I welcome. It is an experience that I will value forever as an American.

In the words of a song made popular against recently, "In a New York minute, everything can change." This is eerily true of the world of civil aviation security as a result of the tragic actions of September 11. The acts of aviation piracy and subsequent terrorism have clearly changed the face of the industry that the Central Illinois Regional Airport is a part of forever. We recognize that change, Mr. Chairman, and, frankly, we welcome it. We clearly don't welcome how the change is being brought about, the reasons for these changes, but we fully support the efforts, all efforts to strengthen civil aviation security in our country.

Allow me for a moment to introduce you to Central Illinois Regional Airport. We serve a region of about 1.2 million people from Bloomington-Normal, Illinois. The airport has seen unprecedented growth in the past few years, particularly in passenger traffic but also in commercial flights.

Since 1987, passenger traffic has grown from just over 80,000 passengers annually to nearly 500,000 last year. At the same time, the number of scheduled daily departures has increased from 12 in 1987 to almost 50—or to over 50 last year. In fact, the number of air carriers serving the airport has grown from two in 1987 to its current level of five. This growth is the direct result of the robust economy in the region, and particularly the expanded service opportunities by the airlines. I guess you could call us a true success story in the deregulation era.

In terms of passenger traffic, we are proud that we were recognized as the fastest-growing non-hub airport in the United States in 1997, and over the last 5 years, we have been the second fastest-growing airport in the Nation regardless of size of airport.

Prior to the horror of September 11, Central Illinois Regional Airport stood in full compliance with all applicable security directives and regulations put forward by the Federal Aviation Administration. I am also pleased to report that we achieved compliance, full compliance, with all new directives issued by FAA after September 11 within 24 hours. We believe that made us one of the first airports in the Great Lakes region to achieve that status.

If you would allow me a personal moment here, I brought with me this afternoon my staff, members of my staff, the folks that made it possible for us to achieve that status. They are Don Schneider, the operations manager and principal security officer of the Airport Authority; Fran Streebing, who is director of marketing and public relations; and Chad Farashon, my administration manager and finance manager. They are in the audience with me this afternoon.

It is important to note that the full compliance that we achieved does not come without a cost. Our security budget for this year totals $125,000. The increased security dictated by September 11 actions will cost us approximately $30,000 a month or nearly triple our budget. This expenditure, if annualized, would represent 20

percent of our $2.1 million annual operating budget. This, Mr. Chairman, has the potential to become a significant financial burden.

As we have talked about this afternoon and as the Members of this Committee are aware, there are two separate but intertwined areas of aviation security at our Nation's airports today. First, the airlines are tasked with a variety of different responsibilities and regulations under FAR Part 108. It is their responsibility to provide for trained, qualified security personnel at all airport checkpoints in the United States. Currently, in most, if not all, of those situations, those services are provided by one or several private companies.

Airport operators, on the other hand, support passenger security checkpoint operations with law enforcement officers. These officers are not trained to operate the checkpoint but are in place to support its operators if necessary.

In the case of Central Illinois Regional Airport, we meet the obligation that is put upon us by FAA through a series of alarms and a 5-minute response from the City of Bloomington Police Department.

I don't mean to be critical here of the current operations of the security checkpoints in the United States. I believe that the vast majority of the folks that operate those checkpoints are, in fact, doing the best job they can. It is important to note, however, that they are not members of the law enforcement community.

Whether we like it or not, the events of September 11 have caused a change in the rules of the game. I believe that these changes must be met with something other than simply regulatory changes and adjustments. We must meet these changes with significant actions that will again allow us to capture control of the safety of our skies.

There has been a great deal of discussion here this afternoon and over the past couple of days about federalization of checkpoints. We strongly support looking into that issue very in depth. We believe that a parallel may exist in the Coast Guard.

Regardless of whoever is tasked with this responsibility, we believe that they must have access to all pertinent information and intelligence so that they can become a more proactive rather than reactive organization.

Simply put, the rules of the game have changed, and I believe that they are going to continue to change as we go forward. We must have all necessary information, particularly when it comes to communication, for us to be able to respond effectively and proactively.

The second area of responsibility is obviously airport security. That is one that we are very familiar with. In simple terms, we are responsible for the security of the airport facility itself and the environment within which our airlines operate.

Under the current regulations, the extent of airport security required varies depending upon the level of activity. The level required varies from complete video monitoring and law enforcement patrols at our Nation's busiest airports to much less stringent but nonetheless effective security posture at some of our smaller airports.

When I think back to the events of September 11, and particularly those events as they occurred at Central Illinois Regional Airport, the one thing that stands out in my mind was the lack of information that we received. I fully realize that the efforts of those in charge were probably correctly directed at larger airports, more traffic-intensive airports than Central Illinois Regional Airport. But I would maintain that the threats at airports the size of Central Illinois Regional Airport are no less real.

When we go back to the Gulf War, airports and the FAA worked together to craft a plan to implement levels of security based upon perceived threat. Without going into specific details, all airports developed these guidelines under the direction of FAA, and there were four levels of security that were developed. We were all to implement those levels of security and those actions of security at the direction of FAA.

At the time this action seemed to be reactive, but it certainly could have put us into a proactive position. Unfortunately, the one component that failed in that system on September 11 was, again, communication. We did not receive communication from FAA regarding increased levels of security until the next day.

I don't wish to be critical of the individuals at FAA that were responsible for communication or for enhanced security at our airports. I believe they do a wonderful job of regulating security at our Nation's airports. We must, however, learn from the events and practice that old saying, "An ounce of prevention is worth a pound of cure."

I believe the agency in charge of aviation security must be provided with all of the tools necessary to allow us to be proactive, and the communication that has to occur must involve all the partners in aviation.

I would tell you that airports and airlines are two different types of operations. The airlines are typically and are set up to be for-profit enterprises. Airports are, in fact, on the main, government-sponsored agencies.

In our case, we are 38 percent tax dependent. We receive 38 percent of our operating budget from property taxes. Recently the financial markets acknowledged the gravity of the situation regarding aviation and airports and have now placed all North American airports on credit watch. That means it is going to be more difficult for us to raise capital to accomplish what will need to be done to protect and to ensure security at our airport and at every airport in the United States.

We would ask Congress to look very closely at the statement that Standard and Poor's made in their recent announcement in which they said immediate and broad authority should be granted to FAA to reimburse airports for extraordinary costs for security and to maintain financial viability.

We looked at our airport to determine what it was that we thought we might need to put ourselves in a posture that would be similar to what Colonel Griggs would experience in St. Louis. Simply put, a one-time investment of $1.8 million and an annual investment of $500,000 is what our quick analysis determined. That is a tough pill for a small airport to swallow.

Mr. Chairman and Members of the Committee, my time is up. I would like to thank you for the opportunity to be here this afternoon not only personally but professionally as well. Often small airports are left out of discussions of this nature, and it is comforting to know that in this case we have had the opportunity to share them with you. Thank you.

Senator DURBIN. Thank you very much, Mr. La Pier.

I apologize for stepping out. I mentioned to Chairman Lieberman that, coincidentally, the father of one of the victims of Flight 77 was in my office, and I obviously left to speak to him. But it was a grim reminder that this inquiry at this Committee is certainly not routine. It is a reflection of the solemn duty and responsibility all of us have to do what we can to make sure this never happen again.

Mr. Baker, since September 11, whatever you can tell us, what has American Airlines done to do things differently in terms of security? And could you address the issue we raised earlier about the visible changes which we think the flying public is looking for?

Mr. BAKER. Well, there are a lot of things that I probably shouldn't discuss, but let me——

Senator DURBIN. Understood.

Mr. BAKER [continuing]. Assure you that there has been literally an ongoing, almost 24 hours a day, back-and-forth with the FAA security staff and the airlines collectively, making small and very large changes to the way we operate.

We have completely taken certain parts of the exposure out of play, for instance, by removing portions of the cargo business. They are no longer flying on our airplanes. Not known to the general public but, nevertheless, that has happened.

A lot more activity and requirements in and around the ticket counters and the checkpoints. We have closed all the curbside check-in. Checking of IDs in multiple locations, accelerating the random wanding of passengers at checkpoints and at gates. A very complicated procedure to deal with the nameless that you have had some discussion about, and those lists today are nearing a thousand individuals.

Senator DURBIN. Were those available before?

Mr. BAKER. No.

Senator DURBIN. Did you receive those names?

Mr. BAKER. No, sir. This is all new territory for us.

Senator DURBIN. Let me ask you about one particular area that you have spoken about, and you are in a special position here because of your being chosen to be part of this commission by the Secretary. You have talked about the hardening of the cockpit doors, and that seems so important and so clearly needed. Are you considering other changes within the airplane? One in particular that I have been looking at—and it is controversial with people who have strong feelings on it—and that is the whole question of video cameras in the airplane. After the Egypt air crash, we never knew what happened, and the technology we have in the cockpit now made sense 40 years ago, but it doesn't make sense today. And when I talked to some pilots in private about it, they said, "We would love to have a camera that is trained on the rest of the airplane to know what is going on back there, and we would also like

to have one in the cargo hold so if something is going wrong, we know what the nature of the problem is."

Are you looking at other changes within an airplane that might address some of those surveillance issues you raised in your testimony?

Mr. BAKER. Absolutely. Let me talk just a minute about the door so that you understand what we are into there. That door is not simply a door hanging on hinges that opens and closes with a key and a lock. That door is a very sophisticated device that must deal with other parameters of the aircraft, specifically two.

If there were a decompression in the cockpit, we lost a cockpit windshield, all of the air in the cabin will immediately rush forward and try to exist via that missing windshield area. That door cannot become a projectile from that decompression activity. So the door and that whole bulkhead must perform to allow the air to pass through without structurally damaging the airplane.

So when we talk about hardening it, you and I could go out and decide let's put metal strips on, let's put deadbolts, let's put steel. We can make it strong, but we are going to lose that other functionality.

The second parameter that is in the Federal Air Regulations we have to pay attention to is that door must be removable in the event of an accident so the crew can exit rearward or the passengers can exit forward. So if you look at the door the next time you get on an airplane, you will see the hinges are very carefully designed with cables to pull the pins out of the hinges so you can literally throw the door to one side and get out of the airplane.

So we are balancing lots of objectives here in that door, but we have some very specific, and I think, constructive ideas, both short and long term.

We are very concerned about the crew's ability to know who might be trying to get in the cockpit and make sure that whenever that door gets opened that it is, in fact, an authorized person. A video camera aimed at the door area is certainly one of the alternatives we are going to suggest, in addition to some other techniques for the flight attendant part of the crew to alert the cockpit that something irregular is going on in the back of the airplane. So I think you will see some of that.

Video cameras in the cockpit is a different subject for a different day, I think, because if the bad guy gets in the cockpit, we have failed.

Senator DURBIN. Yes.

Mr. BAKER. We are working to keep them out.

Senator DURBIN. I also was surprised when a pilot told me that a camera in the cargo area might be of some value, too.

Mr. BAKER. It would be because in the case of fire, smoke, or an animal gets loose, it could be useful.

Senator DURBIN. Mr. Harvey, thank you for coming, and although I just caught the end of your testimony, I read it, and am very happy that you joined us today and told us about your experience.

How does your company recruit those who work at the screening stations at O'Hare?

Mr. HARVEY. I am not directly involved with the recruiting process, but as a company, we use standard procedures, newspaper advertisements. We also have an employee referral type program.

Senator DURBIN. How long have you worked at O'Hare on the screenings?

Mr. HARVEY. Five years.

Senator DURBIN. And have you seen a change in the kind of employees that are being hired by the company?

Mr. HARVEY. Well, I see a broader mix. When I first started we had quite a few very young individuals. Now I see that it is spread out. We have a nice wide variety of people of all ages.

Senator DURBIN. And what is the starting salary for someone working the screening equipment?

Mr. HARVEY. At O'Hare Airport, our screeners start out at $6.75 an hour.

Senator DURBIN. Any benefits with that?

Mr. HARVEY. Yes, we do have company benefits that are contributory, health insurance, life insurance, dental insurance, and that type of thing.

Senator DURBIN. And is that a full-time, 40-hour a week job?

Mr. HARVEY. Yes. We work pretty much 8 hours a day, half an hour for lunch, two 15-minute breaks.

Senator DURBIN. Colonel Griggs, I want to ask you about your monitoring of screening operations at Lambert Airport. Can you tell me, as the manager of the airport, how you monitor their activities?

Mr. GRIGGS. Well, basically we have established the presence of one of the policemen down there who is an armed policeman. He supervises other things, but his job primarily while he is down there is to watch the security people, watch how they behave. If they are doing something that is irresponsible like clowning or all the rest, to call his attention to it. And I think probably that plus my talking to the two managers of these companies had a profound effect upon them, that they know we are there. They do not know exactly where they are going to be at 24 hours a day, but I can tell you, that doing the 16 hours, which is most of the time the checkpoints are open, we have a profound presence and will continue to have it.

Senator DURBIN. And I can feel the difference. I can tell you, it makes a difference. I think the environment around those screening stations has changed.

You raised a point which is important, and I am sure Mr. Baker could testify from his perspective on this, and that is the increase in your insurance premiums. Are those increases—you talked about a tripling of the liability insurance for the airport—is that since the September 11 occurrence?

Mr. GRIGGS. Since September 11. We had just renegotiated our entire insurance. We were being offered, and I think my figures are provided to the record, but if I am correct on this, we were offered $350,000 worth of insurance for $78,000. We just got that turned down, and we have now been offered $50,000 premium for $650,000 premium. We have been charted $600 million, now must pay $600,000 for it. This is an abominable thing. This is what we brought in our testimony, that my mayor provided to the Council

of Mayors. Not only is it important for the airlines to be guaranteed liability or they are not going to fly, I have got to have some relief on this or I cannot protect the public beyond that air side to the land side. I cannot do it.

Senator DURBIN. Mr. La Pier, have you run into the same thing?

Mr. LA PIER. We have, Senator. Recently a good portion of our liability insurance has been canceled. We are renegotiating its reinstatement, but it was canceled for the purpose of increasing the premiums.

Senator DURBIN. Senator Lieberman.

Chairman LIEBERMAN. Thanks again, Senator Durbin.

Mr. Baker, let me ask you the question I asked Mr. Belger and the earlier panel. Do you know—I think you called it—what the percentage usage of planes is now since September 11?

Mr. BAKER. First of all, the industry, has, as a general statement, reduced the size of the schedule we are trying to fly by approximately 20 percent, so we are not offering as much product as we used to. This is a relatively slow time of the year anyway. This situation has clearly impacted us severely. Our load factors yesterday on the domestic system were just over 50 percent of the reduced schedule.

Chairman LIEBERMAN. And what is the norm for this time of the year?

Mr. BAKER. This time of the year should be in the mid 60's.

Chairman LIEBERMAN. So we are down, but not—I mean, it is significant, but it is not overwhelming.

Mr. BAKER. Except I have 20 percent of the assets sitting.

Chairman LIEBERMAN. Sitting, OK.

Mr. BAKER. Now, I talked yesterday to our manager of revenue, who looks forward 180 days, and compares the booking build every day against a year ago, so we can tell whether we are in trouble versus a year ago each day of the week.

He sees nothing in the advanced booking trends that suggests that the public is returning in the form of making reservations.

Chairman LIEBERMAN. Well, that is the important point. In other words, people have not yet regained sufficient confidence to bring the usage back to anywhere near where it was before September 11.

Mr. BAKER. Absolutely not. It fell off, and it stayed down since September 11.

Chairman LIEBERMAN. Yes. Obviously, for an industry that was already having economic difficulties.

Mr. BAKER. Exactly.

Chairman LIEBERMAN. So I know it is more complicated than this, but it does seem to me that those numbers cry out to us, and the Department of Transportation, the industry, everybody to take quick and dramatic action to reassure the public that it is safe to fly again.

Mr. BAKER. We think building confidence of both crews, and passengers, and the American public is essential, and that is why I believe when you see the recommendations we make to Secretary Mineta, we are trying real hard to do some things right now to build that confidence and have a demonstration of change so that we can begin that building process.

Chairman LIEBERMAN. I take it from your testimony and the three points that you said, the second one was sky marshals, that one of the things you think we should do as quickly as possible is to increase the number of marshals on planes.

Mr. BAKER. Absolutely. And I think by combining those three functions that I mentioned, I think we deal with another problem. I think part of the high screener turnover that we reviewed earlier certainly has to do with low wages because people will always move toward higher wages somewhere in the economy, but I also believe that we need to deal with the content of the job. These are tough jobs because they're kind of monotonous, and so by combining those three functions, it seems to me, and doing some rotation, we create variety, which makes a job much more interesting.

And, finally, we create a promotional ladder potential so that somebody like Mr. Harvey, who is very aggressive and capable, can move from one part of the security function upward to another and up a management ladder. Now we are starting to build a security culture that is here forever.

Chairman LIEBERMAN. The sky marshals now are not in uniform, correct?

Mr. BAKER. They are not. They are in plainclothes.

Chairman LIEBERMAN. Do you think that should continue to be so or should they be in uniform?

Mr. BAKER. I think they should be in plainclothes for maximum effectiveness.

Chairman LIEBERMAN. And I suppose as a matter of—I agree with you—as a matter of deterrence, if we say that there will be a dramatic increase in the number of sky marshals and, in fact, there is a dramatic increase, but we do not put them in uniform, then anyone intending ill on a plane would have to go on assuming that a sky marshal was on that plane.

Mr. BAKER. I think it is a very important deterrent to not disclose everything that we are doing, but to clearly state the intent and how we are going to get there.

Chairman LIEBERMAN. Under the current system, I just want to get a fact on the record, unless I missed it up until now, the requirement that the law puts on the airlines to provide the screening at the checkpoint, am I correct, and somebody said to me in the last couple of weeks, the airlines add $5 to every ticket to pay for security; is that correct?

Mr. BAKER. No.

Chairman LIEBERMAN. I was under the impression that there was no fee associated with the security responsibilities that you have been given, but it is to be taken out of your normal operating.

Mr. BAKER. That is correct, and we believe that the large carrier industry represented by the Air Transport Association, which is 90 percent or so of all of the passengers being flown, spend about a billion dollars a year on security at airports alone. We think that is roughly the number.

Chairman LIEBERMAN. Mr. Harvey, I wanted to ask you, from your perspective because you have been on the front lines, and I appreciate your testimony, at one point you said in your testimony—I want to quote it exactly—"From all indications, there is no evidence that all activity by a checkpoint screener, all of whom

are following FAA regulations correctly, contributed to this horrible tragedy of September 11."

I do not want to contest that. I wanted to ask you—because we do not know exactly yet. We know from the stories we have heard, apparently, that the terrorist had either these box cutters or maybe plastic knives. So I want to ask you, as somebody who has been there, screened, trained, knowing now what we pieced together about what happened, how would you guess they got those tools, weapons, on the planes?

Mr. HARVEY. Prior to September 11, on the security checkpoints, we had a set of guidelines regarding the length of knives, also whether they were menacing and that type of thing. Right after that, right after the incident, we did, FAA changed that particular directive as a direct result of the incident.

Chairman LIEBERMAN. So it is possible——

Mr. HARVEY. There were several—go ahead.

Chairman LIEBERMAN. I am sorry. It is possible, I know some of the stories I have seen said they might have taken plastic knives on, that they might have gone through the system, as the FAA regulations existed at that time?

Mr. HARVEY. Exactly. Because if a person only had a plastic knife on their person and walked through a metal detector, the metal detector——

Chairman LIEBERMAN. Would not go off.

Mr. HARVEY [continuing]. Would not go off.

Chairman LIEBERMAN. Right. How about what we have all been describing as box cutters, would that have set the metal detector off?

Mr. HARVEY. Possibly, in the sense that the metal detector, the magnetometer is set up to detect a small-caliber weapon, and the operational test piece that we use to test the metal detector functions, if the box cutter did not weigh the same as that particular test item, then the metal detector should not alarm.

Chairman LIEBERMAN. Yes.

Mr. HARVEY. Because it is based on density.

Chairman LIEBERMAN. So we cannot say definitely that a box cutter would have set off the magnetometer.

Mr. HARVEY. Exactly.

Chairman LIEBERMAN. And, of course, the other explanation, which we have mentioned earlier, we have seen in the media, is that they did not go through the screening with these devices, but some other airport personnel might have placed them on the planes beforehand. We do not know that.

A final question for you, Mr. La Pier. We have all been absorbed by the information and different theories about what happened here, and I am sure you noted with more than casual interest that the terrorists who took the plane from Logan, two of them who took the Logan plane down, entered in Portland, Maine, went into the airport of Portland, Maine. So the question was raised why did they do that? Did they do that because security was less at that regional airport, and once they got on the plane there, they were inside the system?

I wonder just from your expertise and experience, it may have been obviously a totally different reason, but how you reacted to that pattern that they followed.

Mr. LA PIER. Let me preface my response with this. I believe that smaller airports are equally secure as larger ones, but I do believe that the system does not recognize that and believe that there are, because of the way we connect passengers through regional carriers feeding larger carriers, in our case, you clear security at Bloomington normal at Central Illinois Regional Airport, you may fly to Paris before you see another security agent.

Chairman LIEBERMAN. Right.

Mr. LA PIER. It may well be that we need an extraordinary amount of attention paid to airports the size of Central Illinois Regional Airport to ensure that we are not the security hole. I do believe firmly that airports our size are secure under the regulation, but I do believe that there are things that we can do to make sure that we are even more secure.

Chairman LIEBERMAN. Well, I appreciate that answer, and I go back to yours, Mr. Harvey. After September 11, the FAA regulations changed, I gather, that is, in regard to the plastic knives, but would the magnetometers now be more likely to—has something been done with the equipment to make it more likely that they would pick up box cutters or the box cutters would——

Mr. HARVEY. No, the directive that changed for the length of knives and that type of thing?

Chairman LIEBERMAN. Yes.

Mr. HARVEY. At this point in time, we are not allowing any knives of any size to go.

Chairman LIEBERMAN. Right.

Mr. HARVEY. As far as being able to detect a plastic knife as it comes through the metal detector, the change in the system that was implemented after September 11, we now have to do continuous hand-held metal detector searches. As people come through the security checkpoint——

Chairman LIEBERMAN. Yes.

Mr. HARVEY [continuing]. We have to do hand-held——

Chairman LIEBERMAN. The wand.

Mr. HARVEY. Right.

Chairman LIEBERMAN. Would that pick up the plastic knife?

Mr. HARVEY. The wand itself would not, but if they were doing the procedure, if a screener was doing the procedure correctly, the wand itself would sound off, not as far as alarming for metal, but you would hear—can I demonstrate?

Chairman LIEBERMAN. Yes. Sure.

Mr. HARVEY. Hear that?

Chairman LIEBERMAN. Yes.

Mr. HARVEY. OK. If the screener is using the hand-held metal detector correctly, if he hit the plastic or she hit the plastic, then you should hear the sound, and then go to a pat-down in order to detect that particular type of weapon.

Chairman LIEBERMAN. I can tell you from the experience that I described earlier at Dulles the other day, the wand picked up, I was carrying a few credit cards loose in my coat pocket, and it picked them up.

OK. Painful lessons I guess we learned from September 11. Thank you very much.

Senator DURBIN [presiding]. Senator Voinovich.

Senator VOINOVICH. Mr. Baker, you said the airlines spend about a billion dollars a year on security.

Mr. BAKER. Yes, sir.

Senator VOINOVICH. I would be interested, and I should know this as the former mayor of the City of Cleveland, who hires the security company, the director of the airport? How does that work?

Mr. BAKER. The responsibility to perform various security measures to protect our aircraft and our passengers is passed from the FAA to the air carrier, as part of our operating certificate responsibility. We have the choice of doing that ourselves with our own people if we would choose to or hiring a contractor. So we hire the contractors.

In many airports, we share that responsibility. On a given concourse where there are multiple airlines on a concourse, one carrier will take on the management of the checkpoint, we will split the costs and so forth.

Senator VOINOVICH. So that the security people, in effect, they are not answerable to the airport director, but rather they are answerable to the airlines, and if you have got a multiple concourse, you prorate the costs.

Mr. BAKER. With the exception of the law-enforcement officer function. That is typically provided by the airport or the city, and those folks are at checkpoints or spread between a couple of checkpoints at each airport, and they are typically paid for by the airport and answerable to the airport.

Senator VOINOVICH. And depending on the budget of the airport is or the city, providing those people will depend on what that budget situation happens to be.

Mr. BAKER. I think that is correct.

Senator VOINOVICH. Following up on the statistics here of the turnover, were you aware of those statistics in those airports?

Mr. BAKER. Yes.

Senator VOINOVICH. What did the airlines do about those statistics?

Mr. BAKER. Well, it is interesting because we share those kinds of statistics in many of the other jobs in the aviation sector during a full-employment economy. We have had very high turnover in our entry-level jobs, in our ticket counter positions and on the ramp, so they are not particularly different than what we see throughout the beginning end of aviation.

Senator VOINOVICH. But the thing that is interesting, Mr. Griggs, is the unbelievable turnover rate in St. Louis. Were you aware of that number?

Mr. GRIGGS. I was aware of that number with the airlines.

Senator VOINOVICH. Was it attributable to the fact that the private company that was hired, and I assume a private company handled that, that was paying different wages, say, than what they were paying at some other airport where the turnover is lower? Mr. Harvey, you said they start at $6.75; is that right?

Mr. HARVEY. That is correct.

Senator VOINOVICH. Mr. La Pier, do you know what the security people get at your place?

Mr. LA PIER. I do not know. We are not privy to that information, sir.

Mr. BAKER. These folks, Senator, do not necessarily go from one security company to another. They leave the industry to other parts of the economy usually pursuing different hours of work or slightly higher wages in the fast-food industry.

Senator VOINOVICH. But the point I am getting at is that, from your perspective, if you see those numbers, does anybody ever say, hey, what is the problem there? Is the salary level less at that place, the fringe benefits, the package less and that is why we are having the turnover, and do we need to do something about that?

Mr. BAKER. Realistically, I do not think so because they are not unusual, and they have been that way for a number of years, and we see it in other parts of our business, particularly in the last 2 or 3 years with a full economy.

Senator VOINOVICH. Federalize it?

Mr. BAKER. Yes, sir.

Senator VOINOVICH. Anybody disagree with that?

Who pays for it? If we federalize it, who pays for it? Do the airlines pay for the federalization, and do you want the Federal Government to have Federal employees do it or do you want them to contract it out? What is your preference?

Mr. BUSICK. Mr. Voinovich, I think that if you look at the system as a whole, there are portions of it that have to be done with general tax revenue. You have law-enforcement issues, you have intelligence issues, you have all of those issues that currently are paid for out of general revenues, and they need to continue to be paid for out of general revenues because they are very national security in nature, and you cannot parse out the portions of the CIA, the FBI or any of the other intelligence agencies to figure that out.

On the other hand, the cost of the individual, of what Mr. Harvey does, that direct screener function, probably could be parsed out and that probably ought to be paid for by some user fee.

Mr. GRIGGS. I do not think there is a passenger in the United States of America that would object to paying 50 cents to a dollar on a ticket in order to get adequate security.

Senator VOINOVICH. But the question I have is if we federalize it, and it goes to the FAA or somebody else, you want them to do it themselves? Should they be Federal employees or do you think that they should hire private contractors?

Mr. GRIGGS. My personal opinion, it should be a Federal employee, and he should be paid for by that agency's budget.

Mr. BUSICK. Sir, I do not really have a preference. My concern is the quality of the screening process and making sure that whoever does it is required to be appropriately trained and actually be able to find the things we are looking for. Who the employer is, is much less important.

Mr. GRIGGS. I think Monte Belger testified, sir, that they were looking at this, and I would wait for them to come back with what their recommendation was. I think they are looking at that specifically.

Mr. BAKER. Senator, our preference would be that it be a government-owned corporation so that we can gain the benefits of some of the flexibility inherent in that approach rather than simply tack it onto an existing department of the United States.

I think probably the costs, rightfully, should be shared between those who use the aviation system and the General Treasury since this is a crime against America. This is just an example of terrorism in our country. They are not mad at the airlines. The airline was not the target, it was America. I think that we believe that is a national priority and certainly ought to be shared by all of the taxpayers of the country. But I think there is some sharing that needs to happen in there. We are spending a billion dollars. That certainly ought to be available, and if we want to do some more with the passengers, perhaps that is another approach.

Senator VOINOVICH. And it is the cost of your ticket. I mean, you have to build that cost in across the board.

Mr. BAKER. One thing we would very much like to see if we go toward a surcharge of some type is that we would like to have that as an add-on specified charge below the fare so that we can continue to advertise a $200 fare and a $1 security surcharge so the American public sees that surcharge for what it is, and it does not get rolled up into the fare ball, and then we cannot show the American public what we are doing with the money.

Senator VOINOVICH. Your costs went up three times. Is it because of insurance costs or are you hiring more people or are you paying higher wages or what?

Mr. LA PIER. That is simply personnel costs, sir. We have not——

Senator VOINOVICH. You are hiring more people then.

Mr. LA PIER. Actually, we are.

Senator VOINOVICH. So that is why it went up. You did not raise the salary, you just hired more people.

Mr. LA PIER. Hired more people.

Senator VOINOVICH. My last question, and I have taken enough time. I talked to somebody very high up in the government today, and I will not mention his name, but somebody very high up, and indicated that I am the Ranking Member of the Oversight of Government Management, Restructuring, and the District of Columbia, and the closing of Reagan National Airport has had a very negative effect. Well, 10,000-and-some employees out there that some of the representatives are concerned about here, and it is having a negative impact on the economy of D.C. But I think it is also having a negative impact in terms of people's confidence in security. And if the premier airport in the Nation's capital is not open because of security reasons, do you not think that sends a very bad signal out across the country, in terms of security, and that we ought to be doing everything we can to, as soon as possible, understanding how important security is, I would not want to risk that, but to get that airport open because it sends a major message out across the country?

I would like your reaction.

Mr. BAKER. I, clearly, would support that view. We have moved our entire operation to Baltimore and Dulles, including the employees. I think there have to be ways that we can get a great deal more comfort that an airplane shooting the river approach, which

is the one they are worried about, down the river, is in the hands of the right people before they allow it to shoot that approach. So I would be surprised if they do not find a way to get that open in a secure way in the next couple of weeks.

Mr. GRIGGS. I also echo that. I think it is absolutely essential. It is the symbol of American air power and it is a symbol of the country. And if they keep that airport closed, it remains closed, that is a lesson that they have learned and they have won, and this really bothers me tremendously.

Mr. LA PIER. Senator, I would fully agree. I think that the airport needs to be opened. We cannot allow the people that perpetrated this crime to shut down a premier airport in the United States today. We need to look seriously at reopening that airport as soon as possible, if for no other reason than to show the terrorists that they did not win.

Senator VOINOVICH. Thank you.

Senator DURBIN. Thank you. Senator Akaka.

OPENING STATEMENT OF SENATOR AKAKA

Senator AKAKA. Thank you very much, Mr. Chairman. I regret that I was not here earlier, but I wish to thank you, and Senator Lieberman, and Members of the Committee for having this hearing today. For a moment, I wish to speak particularly about Hawaii. Without question everyone knows how much Hawaii relies on air transportation.

Hawaii depends on the commercial airlines for mail and cargo, as does Guam. It all stopped on September 11. There were several days there when nothing was delivered, and as a Senator, I heard from people who were asking for medicine and other necessities that were not delivered. Of course these problems were a result of what had happened. Who would ever think that somebody would use a 757 as a missile rather than as an airplane to carry people? This means that we must change our aviation security to make it safer and to detect any problems that might occur, some of which were mentioned here today.

I am glad to see you here, Mr. Baker, and others of you on this panel representing the aviation industry.

I have some questions, and, Mr. Chairman, I also have a statement that I would like to include in the record.

Senator DURBIN. Without objection.

[The prepared statement of Senator Akaka follows:]

PREPARED STATEMENT OF SENATOR AKAKA

September 11, 2001, was a day America will never forget. We have all seen the tragic images of commercial airliners crashing into the World Trade Center and the Pentagon. These terrorists, while aiming for symbols of our financial strength and military might, succeeded in targeting our sense of security. We long believed that our country was immune to such acts of violence. We now see that, with the ever widening gaps in our security systems, our Nation is no longer secure. And while we may never know exactly how the terrorists were able to board the planes, we must nonetheless implement new security measures to ward off future threats.

First and foremost, we must take a critical look at our baggage screening process. The turnover rate and lack of training for screening personnel is alarming. Although the turnover rate for airport security personnel in Honolulu is 30 to 40 percent compared to 400 percent nationally and the employees there are well trained and tested repeatedly every day, Hawaii cannot afford to feel immune.

For example, International Total Services, the company contracted to manage airline security at the Honolulu International Airport and at more than 100 other airports in 34 States, tested the effectiveness of the security checkpoints in which fake hand grenades were taped to wheelchairs. Sadly, in seven out of nine trials, the wheelchairs with the fake grenades passed through undetected. In another incident, just 4 days after the terrorist attacks, a person without a ticket was discovered beyond the security checkpoint at the airport in violation of FAA rules.

Although Honolulu's airport prides itself on the training and low turnover rate of security personnel, more must be done to increase weapon detection. This is especially true for a State like Hawaii which is so reliant on air transportation. Steps must be taken to ensure that proper security measures are in place for large commercial airlines, small passenger planes, charter planes and cargo planes alike.

As we review the passenger and baggage screening process, we must also consider whether we should invest in technologies such as high-resolution X-ray, cargo baggage imaging systems, or personal identification measures. However, as Congress pushes forward with much needed security measures in the next few weeks, we must be mindful not to erode our civil liberties. If through fear we become the military state of our enemies and cease to protect the freedom we so cherish, the terrorists would have accomplished their mission. They would have destroyed the very essence of America.

I wish to express my sincere gratitude to the Chairman for holding today's important hearing. I look forward to hearing from our witnesses on how we can restore America's feeling of security in air travel.

Senator AKAKA. Mr. Baker, today we have been talking about the kind of problems that we have been facing and the cost to the airlines. When we talk about screening and security measures at the airport, we know that the airlines have been paying that bill. My question to you is if these systems are enhanced, and I am leaving aside the issue of lost revenues, what impact would it have on the carriers with this increased cost of security?

Mr. BAKER. I think that the economists that study our industry would suggest that as our costs go up for any reason, necessitating a fare increase to maintain the corporate entity, that the demand for our product will go in the opposite direction. The concept of elasticity of demand for our product is clearly there. As prices go up, demand goes down, and vice versa. So over the long run, increased costs drive increased fares that will have an adverse effect on demand.

Then, as you know so well in Hawaii, we work very hard with all of the travel and tourism interests in Hawaii to try to keep the whole package of going to Hawaii affordable because we know what will happen if it gets out of sight—no one will go. So we are very sensitive to—over the long run—what happens to our costs and the effects on revenues that must come to cover those costs.

Senator AKAKA. As you know Hawaii is suffering tremendously. When a person called me and said, "I just saw only one car in Waikiki," that gives you an idea of what is happening there. And the airlines of course are suffering.

Mr. Harvey, you have been through the screening system, and have trained people to do it correctly. As a trainer of screeners, what challenges do you currently face in maintaining a competent workforce?

Mr. HARVEY. Well, it is really not, from a recruiting and hiring standpoint, I really do not have anything to do with that, but from a training standpoint, my goal all of the time is to make sure that each and every day, when we open up those security checkpoints at O'Hare, that I have well-trained, fully capable, fully qualified screeners on the checkpoint.

Senator AKAKA. When people apply for the jobs of being screeners, do you take any time to screen them?

Mr. HARVEY. Again, I say that I am not in the direct hiring process of screeners for our company, but what I do and take into account when they come into the classroom setting, there are two different settings that we have for the training of screeners. One, you have a 12-hour theoretical class. When they are in the 12-hour theoretical class, they are required not only to go through the theoretical class, but to take two X-ray image interpretation tests.

They also have to take a language competency test, which is a 20-question test, and what I really look for is attitude. If they do not have the right attitude, then most of the time I make the decision not to let them go to our security checkpoints out at the airport. I will refer them back to our Human Resources people and see if we have anything else available for them in order to make an income.

Senator AKAKA. I wonder what you would suggest and recommend, since you have been a supervisor and trainer, and you have watched people come through the process. Would you have any thoughts or any recommendations as to how we can improve the system?

Mr. HARVEY. Well, one of the things that we can do to improve the system is just to make sure that we are very consistent. Everybody is talking about federalization of the screening process. The one thing that I can see that would be beneficial from my perspective would be that we be consistent throughout the system, no matter whether you are in Central Illinois or whether you are out at O'Hare, whether you are out at Reagan National Airport. We would all be doing exactly the same thing. We would all be trying to make the same decisions.

The other thing is, as far as the technological advances go, at O'Hare, naturally, being one of the larger airports in the country, we have available to us all of the latest technology, as far as our X-ray machines, our walk-through metal detectors, our explosive trace detection equipment, the wireless communication with the threat imaging projection system, with our hand-held metal detectors. If that technology and equipment was available all the way across the country, now that would also enhance our capabilities of being a better screening operation.

Senator AKAKA. Thank you.

Mr. Griggs, I want to conclude with you. Much attention has been focused appropriately on the security screening of airline passengers, but the level of sophistication and organization involved in the September 11 hijacks has raised concerns beyond the screening of passengers. Today's airports offer many conveniences. After you get through the checkpoint, there are restaurants and gift shops. How would the recommended security measures discussed today by our various witnesses address the physical screening of airport employees who work beyond security checkpoints?

Mr. GRIGGS. Well, we are in the process at Lambert Airport—I cannot speak for other airports—of going through and revalidating everybody's badge. For example, if you had a badge, it is going to be revalidated. If you are like I am, can drive on the flight line,

you have to have a background check done on you. So these are the kinds of things we can do.

I think one of the ways the system broke down is this sharing of intelligence from the Federal level on down. I know, for a fact, that our FAA Civil Aviation Office was not provided some of these facts. We were actually getting, my chief of police was getting information from the FBI before the FAA was getting it. There is something wrong when that sort of thing happens.

So I think irrespective of what you do on the Federal checkpoint, you have got to look at the whole system in totality—have we let an airplane crew member go through a checkpoint, have we let the concessionaire go through the checkpoint, have we delivered deliverables to that checkpoint to provide that restaurant service? And so the whole system has to be looked at.

It is not just the checkpoint, it is the entire system and the way we operate. I think it was Monte Belger that summed it up, and Mr. Baker, who has got more experience than any of us, and that is the whole threat perception has changed. We had designed and put together a system that quite frankly it was more of a deterrent than it was an absolute guarantee we could get through this thing.

Now we are facing a faceless enemy, and how do you face that? But it is something we have got to grow into, learn how to deal with it, and make sure we deal with it. That is what we are all talking about.

Senator AKAKA. Well, thank you very much.

Thank you, Mr. Chairman.

Senator DURBIN. Thank you, Senator Akaka.

We have really focused almost all of our discussion today on commercial aviation and major airlines, and yet for most airports, almost all of the airports that I am familiar with and represented here today, they share the airport with general aviation. And general aviation, as we know it, operates by significantly different rules when it comes to security and screening.

I have often wondered if it is still possible, as it was September 10, for me to charter a jet at an airport, you name it, and to get on that jet without anybody ever asking who I am, what my criminal record might be, and to carry on board a bagful of whatever—explosives, guns—and to be in a position to take a jet plane under the same type of control as happened on September 11.

It seems clear to me that general aviation is going to have to go through some substantial changes for airport security and general security. Has anyone here addressed that or considered that aspect of this discussion? Mr. Baker, has that come up?

Mr. BAKER. Well, we have certainly talked a lot about it within the airline circles because if the threat assessment is that airplanes as ballistic missiles, and clearly corporate jets and other forms of general aviation are equally capable of flying the mission. So we are going to have to think that through. We are going to have to understand how to prevent that, just as we are trying to do it in commercial aviation, not only in the shared airports, but as you know there are a tremendous number of other airfields in the country where there are no air carriers, and I am not quite sure how to deal with that.

But we have really got to sit down and define the threat and then build a plan to deal with it. But until we understand the threat, we are not probably going to hit the mark. So I think some hard work on that is going to come, and then the plan will flow out of that, but it is clearly an exposure.

Mr. BUSICK. Senator, I am aware that the FAA is actually looking at airline or FAR 108-type regulations for aircraft over 12,500 pounds in the corporate fleet, charter fleet. So they are already looking at it.

Senator DURBIN. I think that Secretary Mineta might have mentioned that last week in testimony, but clearly the customers and personnel of general aviation are also in that same airport setting, in that same secure setting, and they have to be viewed, I hope, with the same level of scrutiny as anyone who would be involved in commercial aviation. I do not think that there is much doubt or question about that.

Let me ask you, Mr. Harvey, you have been at this for 5 years; is that what your testimony is? And how often have you run into a situation at your security station where you had to call law-enforcement personnel? I know there are two times you mentioned in your testimony where you were given an award for your extraordinary service, but how often does that happen at an airport like O'Hare?

Mr. HARVEY. We probably run into—I will just give you a classic setting, the day of the incident—the very next day we caught a weapon on an employee coming through the checkpoint in their backpack. I think just last Saturday—we had three gun incidents, in the past week since the incident. So I would probably say we run into at least one a month, not so much because the person is trying to do anything to the airplane.

Let me clarify that. Normally, it is a direct result of a person not understanding the law as it involves transporting a firearm from Point A to Point B. It is just the ignorance of the law, but screeners, at O'Hare anyway, they just do not miss weapons, not firearms, whether they are disassembled or whether they are assembled.

Senator DURBIN. Mr. Griggs, I know that O'Hare has exceptional devices that they use for bomb detection and other close scrutiny. I do not know if Lambert Airport does, but could either one of you tell me under what circumstances baggage or packages are referred to that kind of a device for examination.

Mr. GRIGGS. I think, probably to be very frank, it has been on a random basis in the past. The whole thing again was a threat. It was a deterrent against a threat, and the threat, as we envisioned it, as the public understood it, as everybody understood it, that was the counterintelligence we had to counter against this. I think there could be better use of EDS systems, and I think airports are going to have to address this, and I think that the airlines are going to have to come to grips with it. If we have a system like this, we have to do it.

Somehow we have got to get this cargo restored. Somehow the mail has got to be delivered. So all of these are deterrents that you can take and definite steps that would prevent some of this.

We have the same surveillance equipment at our checkpoint that they have. It is just a matter of how it is used. We probably detect one or two guns a month, and basically most of it comes from just negligence on the part of the guy going through the checkpoint. "I forgot to take the thing out. I am going hunting. I put it in the backpack," which they know they cannot do, but they get caught at it. Thank God they get caught at it.

Senator DURBIN. Thank you. Senator Voinovich.

Senator VOINOVICH. I would like the permission of the Chairman to submit for the record a statement that I wanted to make.

Senator DURBIN. Without objection.

[The prepared statement of Senator Voinovich follows:]

PREPARED STATEMENT OF SENATOR VOINOVICH

Good afternoon. I would like to thank Chairman Lieberman and Oversight of Government Management Subcommittee Chairman Durbin for calling this hearing this afternoon. As the Ranking Member of the Oversight of Government Management Subcommittee, I am pleased to be able to work with Chairman Durbin on the management practices of the Federal Government. This afternoon's joint full Committee and Subcommittee hearing focuses on how well our aviation security is being managed at our Nation's airports; an issue that is key to restoring faith in flying—a faith that is essential to the economy of our country.

Mr. Chairman, the number one responsibility of the Federal Government is to ensure the safety and security of the citizens of the United States, and I am concerned that the government is not doing everything it can to ensure the safety of air travel. We need to determine whether allowing airports and airlines to be responsible for such a critical piece of our national security is appropriate in light of these recent acts of terrorism.

At a hearing on the issue of airport security in the House of Representatives last week, Transportation Secretary Mineta announced one short-term fix that would require the imposition of stricter qualifications and training requirements for airport security personnel. Like most of my colleagues, I believe this is a necessary first step, however more must naturally be done. I look forward to discussing what additional steps today's witnesses believe should be taken to increase passenger safety and restore public confidence in air travel. I am pleased to report that this public confidence is already beginning to return; my flight from Cleveland to Washington earlier this week was packed. As Ranking Member of the District of Columbia Subcommittee, I understand the concerns both economically and symbolically of keeping National Airport closed. If the security needs can be addressed completely and thoroughly, which are our first priority, we should re-open the airport.

I am also interested in discussing some of the issues raised in recent reports by the General Accounting Office and the Transportation Department's Office of the Inspector General; reports that are critical of the airport security industry for its alarmingly high rate of personnel turnover and the lack of incentives for airport security personnel. From my own experience as a chief executive of the City of Cleveland and of the State of Ohio, I know that such personnel concerns can only have a negative effect on the productive operation of one's enterprise. And when one's enterprise directly impacts the safety of millions of Americans, it is of particular concern to the U.S. Congress. I believe that adequate time and attention must be refocused on improving employee incentives and addressing the high rate of turnover that plagues this profession.

Finally, we need to remain vigilant in our effort to ensure the safety of air travel in this country. This can't be something that we react to during a time of crisis and then forget about once things settle down.

Mr. Chairman, I would like to thank you again for calling this hearing today and I look forward to discussing how we can all work together to improve airline safety.

Senator VOINOVICH. I would like to get back to the cost of paying for this federalizing of screening. Does your national organization have some information about the percentage of your costs that go into security? For example, the thing that I would love to see is you have a ticket, and what portion of that ticket is attributable to security? How much of that is going for security?

I would also like to know, and I would, for the record, like to get the answer, the percentage increase that you have experienced over the last several years in your security costs, in terms of how it has impacted upon your bottom line. I would like to see how much the cost of living percentages have gone up. Has it been about what the cost of living is? Because we are going to have to get a handle, I think, on what the public is now paying as part of the ticket, in terms of screening. It gives us an idea of how much we should earmark for that purpose.

Mr. BAKER. We can try to develop those numbers through our industry association by asking the carriers to submit what they believe. These are difficult numbers to come by because the costs fall in lots of different buckets in the typical cost accounting system, but we will take that off and see if we can give you those kind of numbers.

Senator VOINOVICH. I think it is important because I know when we finally get to this whole business, there is going to be an argument here in the Senate, and in the House, and maybe with the administration, about how do you allocate the costs of this, and it would be interesting to find out just how much right now the public is paying for security and does not know it. Thank you.

Senator DURBIN. I might say, Senator Voinovich, that I spoke to Senator Hollings this morning, and most of the bills that we are considering have a $1 surcharge on tickets. For the screening aspect of this, it is believed that the total cost, and I do not know how they come up with this number, would require a $4 surcharge for the screening part of this. So the question is how much would be general revenue, how much would be a ticket surcharge, and that has not been determined.

Senator VOINOVICH. If he says $1 for a surcharge, if you look at what people are already paying for security, and I have no idea what it is, they could be paying $2 right now and not even know it or maybe it is more than that.

Senator DURBIN. That is right. I am sure we are going to explore that further.

I want to thank the witnesses on this panel for coming forward today and really providing extraordinary testimony for this Governmental Affairs Committee. I thank you so much. I cannot think of anything more important for us to focus on, and you are going to help us understand it.

The official record of the hearing will be open for Members to include statements and questions for the record, and the Committee stands adjourned.

[Whereupon, at 5:50 p.m., the Committee was adjourned.]

APPENDIX

PREPARED STATEMENT OF SENATOR CLELAND

Mr. Chairman, thank you for the opportunity to speak on such an important issue as airport security. The terrorist attacks on New York City and the Pentagon on September 11 forever changed the way Americans travel by air. Increased security at the nation's airports has become standard procedure but there is still much more to do to protect the traveling public.

We need to ease the fears of flying Americans while we take steps to ensure that the events of September 11 never happen again. We should adopt measures that assure the traveling public that from the moment they cross the first airport checkpoint until they reach their destination, they will have the benefit of the best technology, the most highly trained professionals, and the most secure aircraft that this nation can provide. These measures may include the federalization of screeners as professionally trained as our Customs agents, the use of high-tech explosives detection equipment, state-of-the-art identification and expanded background checks of airport personnel, improved coordination of intelligence information, to name just a few of the proposals.

In fact, I am cosponsoring Senator Hollings' Aviation Security legislation to improve airport safety, which is one alternative which must be considered. This legislation establishes a deputy administrator at the Federal Aviation Administration for Aviation Security; establishes an Aviation Security Council that will coordinate national security, intelligence, and aviation security information among several agencies; federalizes Airport Security Operations and improves training and testing for screening personnel; and improves the screening procedures for passengers by checking names against a coordinated database comprising criminal, national security, intelligence, and INS information.

This hearing will examine whether the screening of passengers and baggage should be managed and operated by the Federal Government within an existing agency or a newly created not-for-profit Federal corporation. This entity would have the security of airport and air travelers as its primary focus. Such an organization would also ensure that passenger and baggage screeners have uniform, more strenuous training and performance standards that apply throughout the nation. According to transportation and airport experts, such a system would take time to develop even though a lot of the current proposals were suggested years ago. It is vital, now more than ever, to do more than just authorize commissions and reports that only define and analyze the problem. We must develop a comprehensive strategy for responding to the September 11 tragedies and we must give the appropriate agencies the ability to implement new security measures. We must do this now.

I personally support fast tracking regulations which directly impact upon our national security. Too often and for far too long we have put on hold publishing final airport security rules because of political pressures. In the past, more stringent security measures have been recommended and rejected due to cost or pressure to keep fares reasonable and avoid undue inconvenience to travelers. In fact, the use of government employees to screen passengers and baggage was considered and rejected when passenger screening procedures first were implemented in 1973.

Mr. Chairman and members of our distinguished panel, the threat of terrorism remains as high today as it was throughout the 1990's when a plot to destroy 12 United States airliners was discovered and thwarted in 1995. We must do better. The future of aviation security hangs on the actions that we take today to prevent future terrorist attacks on Americans. The American people and the world expect us to follow through this time—God only knows what may happen if we do not. Thank you Mr. Chairman. I look forward to hearing from today's witnesses on how together we can achieve a safer aviation industry.

PREPARED STATEMENT OF SENATOR BUNNING

Thank you, Mr. Chairman.

I also want to thank our guests for being here today.

What we witnessed on September 11 illustrates just how deeply certain groups hate America and the desperate measures they are willing to undertake to destroy us.

I doubt there is anyone who questions whether we need to improve our airport security.

Over the next couple of months, I expect Congress will be making many changes to our aviation system.

We will be debating everything from hiring additional sky marshals to changing cockpit doors to possibly allowing pilots to carry weapons.

Today, we are looking at the baggage and passenger screening system, and whether the Federal Government should play a role in this process.

As several of our witnesses will testify and many government reports have indicated, the airport screening system has many flaws.

Employees are paid low wages, with few or any benefits. Turnover is high. In fact, a GAO study indicates that the average turnover rate at 19 of the country's largest airports was 126 percent during a 1-year period.

Other issues we will have to look at include the amount of training screeners receive along with the type of technology used to detect dangerous weapons.

Commercial aviation is a critical industry in this country, and we do need to make some changes to ensure we have the best airport security possible.

The American people are looking to us for answers and solutions during this difficult time. We have already seen the horrific damage terrorists can inflict when our airport security fails.

The challenges of balancing increased security against the economic necessity of a vibrant airline industry is great.

However, I am confident that we can strike that balance. Today's hearing should be another good step toward that goal.

STATEMENT OF MONTE R. BELGER, ACTING DEPUTY ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, BEFORE THE SENATE COMMITTEE ON GOVERNMENTAL AFFAIRS, ON AVIATION SECURITY MEASURES, INCLUDING THE SCREENING OF PASSENGERS AND PROPERTY. SEPTEMBER 25, 2001.

Chairman Lieberman, Chairman Durbin, Senator Thompson, Senator Voinovich,

Members of the Committee:

Thank you for the opportunity to speak with you today on the enhanced security measures that the Federal Aviation Administration (FAA) has adopted in the aftermath of the terrorist attack on September 11th. As a nation, we have suffered horrific losses, but we are resolved not to allow those losses to overwhelm us. We can be proud of America's response to this crisis; the stories of heroism, generosity, and patriotism are countless and compelling. We must gain strength from these examples as we face the many challenges that lie ahead of us. On behalf of the FAA and its employees, some of whom have suffered their own devastating losses, I would like to extend my sympathies to the many thousands of Americans who were victimized by the terrorists' actions. I assure you that all 48,425 employees of the FAA will continue to work night and day to make the air transportation system safe, secure, and ready to meet the needs of our travelling public. We are committed to meeting the challenges that the tragic events of September 11th present. Our energies are focused on maintaining a safe National Airspace System (NAS).

The nature of the threat facing America has changed. What we faced on September 11th was a new phenomenon--hijackers taking over commercial flights for the sole purpose of turning them into human-guided terrorist bombs of massive explosive power. Given the

events of last week, assumptions underlying aviation security have fundamentally changed.

We are currently working with others in government to develop a full picture of what happened on September 11th, and while our investigation continues, we have already put new security measures in place. While I understand that the focus of today's hearing is on the security screening programs at our Nation's airports, I would first like to provide an overview of new security measures that we have implemented since September 11th.

None of these actions lessen the need to take a comprehensive look at how airport screening is undertaken from workforce, technology, and procedure standpoints. The Administration is looking at all options and has not ruled out any alternative at this time.

In response to these unprecedented attacks, the FAA substantially increased security measures for U.S. airports and U.S. air carriers, and foreign air carriers with flights to the U.S. These measures were implemented immediately. Some are visible to the public, others are not. As you know, before we allowed our airports to reopen and air carriers to resume operations last week, airports and carriers had to meet these stringent new security measures through a certification process. I must tell you that we have had an unprecedented level of cooperation between the Federal government and the airport operators and carriers to implement these procedures so quickly and effectively.

Although the investigation of how the hijackers were able to gain control of the aircraft and what means they used to do so is still ongoing, it is apparent that enhanced security

measures are essential to ensuring the security and safety of the U.S. travelling public. Following the attacks, the FAA ordered all airport terminals evacuated and required a thorough physical search for explosives and other dangerous weapons or objects in the terminal, using airport personnel and FAA certified K-9 teams where they were available. Similarly, all aircraft were thoroughly inspected. Before the airports reopened (except for Reagan National Airport) and air carriers returned to the skies, new security requirements were in place.

Passengers will now find they have to adjust to new restrictions and go through more steps before boarding an aircraft—and they must adjust their arrival times at airports accordingly. Vehicles near terminals are now monitored more closely, and unauthorized vehicles near the terminal area will be removed. We have ordered the discontinuance of curbside check-in and all off-airport check-in locations. We can no longer allow passengers to check in for their flights at hotels or other locations. Instead, we ask that all passengers with luggage go to the ticket counters to check in. Passengers not checking luggage can check in at the gate, but are required to show a ticket or e-ticket printed receipt to pass through security checkpoints. Only ticketed passengers and authorized persons will be allowed to proceed past airport screeners to board their flights. The only exceptions are for those with a demonstrated need to be inside the sterile area, such as parents meeting a child who is traveling unaccompanied or passengers with special needs.

At all airports, increased numbers of uniformed and plainclothes security, law enforcement officers, and canine officers have been deployed to provide greater

deterrence, surveillance, and response in the case of an emergency. Access points to secured areas of airports have been reduced to the operational minimum, and airports have increased random security checks and ID checks throughout their entire terminal areas. All cutting instruments, including knives, box cutters, scissors, and straight-edged razors, are banned from carry-on luggage and may no longer be sold in the "sterile" terminal areas--those areas beyond the security checkpoints. Although initially no cargo or mail was permitted on passenger flights, we have now allowed an air carrier to accept cargo from shipping companies with well-documented, established relationships with the air carrier, or from freight forwarders with FAA-approved security programs. Letter class mail, certified as such by the U.S. Postal Service, is also being accepted for transport on passenger flights.

Because the focus of this hearing is on security screening, a little background may be helpful. Since the early 1970s, the FAA has required the screening of passengers and property carried on board an aircraft to ensure that no unlawful or dangerous weapons, explosives, or other destructive substances are carried aboard. Screening is conducted at the initial passenger checkpoints of people and property entering the "sterile" terminal areas. In most airports, these checkpoints are located at the entry point of airport concourses. We are all familiar with these checkpoints, with their metal detectors and x-ray machines, where carry-on bags are placed on a conveyor belt and examined as they pass through the machine.

Screeners are a critical link in the performance security chain. We can all agree that properly trained and qualified people who are on the job longer tend to perform better. Concerns over low pay, high turnover rates, and boredom on the job have spurred efforts to improve the standards for screener training and job performance. The government can indirectly influence private sector pay through higher performance standards that require more training, and more investment in individuals who do it well.

Under current law, the FAA sets the standards for screener selection, training and testing, and the airlines implement those requirements, usually through contracting with security screening companies. Before they are hired, security screeners and their supervisors are subject to an employment investigation and, in some cases, a criminal history background check (i.e. an FBI fingerprint check). Last year, under the Airport Security Improvement Act of 2000 (Security Act), Congress expanded the requirement for a fingerprint check to all new screeners, to be phased in first at major airports, which has already been done, and then to all other regulated airports by November 2003.

Among other security measures, the Security Act directed the FAA to accelerate its rulemaking on the certification of screening companies and set a minimum of 40 hours of classroom instruction or its equivalent, 40 hours of on-the-job training, and passage of a written and practical, on-the-job exam. Our rule will not only incorporate those requirements, it will also give FAA direct oversight of screening companies; provide uniform standards of testing of security screeners; and track the ability of screening companies at checkpoints to meet performance criteria. Although this rule is now ready

to be published, in light of recent events, action on the rule has been temporarily suspended as part of an ongoing evaluation of what further security measures are needed.

For effective performance, screeners must be given the best tools available to do the job, and must be trained to use them properly. In addition to the conventional screening tools, hand-held and walk-through metal detectors and the x-ray system, screeners now have Explosives Trace Detection (ETD) devices, that can detect the presence of explosive materials in a passenger's carry-on items. Currently, 778 of these devices are in use at 170 airports.

Explosives Detection Systems (EDS) is another available tool to screen checked baggage. It detects, without human intervention, the amounts and types of explosives likely to be used by terrorists to cause catastrophic damage to commercial aircraft. Currently, EDS is used to screen *checked* bags belonging to persons identified by the Computer Assisted Passenger Prescreening System (CAPPS). CAPPS allows the air carrier to focus EDS screening on a manageable number of passengers -- those who we cannot discount as potential threats to civil aviation, based on parameters developed within the counter-terrorism community and reviewed by the Department of Justice to ensure the methods of passenger selection are non-discriminatory. CAPPS also selects a certain percentage of passengers on a random basis for additional screening.

One of the new means of testing and measuring screener proficiency is software technology known as the Threat Image Projection (TIP) system, installed on conventional

x-ray machines. TIP electronically inserts images of possible threats (e.g., a gun, a knife or an explosive device) on x-ray and explosives detection system monitors as if they were within a bag being screened. Its purpose is to provide training, keep screeners alert, and measure screener performance. High scores in detecting TIP images equate to a high probability of detecting actual bombs and dangerous weapons. Not only can TIP data be potentially used to assess screener performance over time, but the results can also be used to analyze any correlation between performance and experience. New images will be added to the FAA-approved TIP library being installed on the x-ray machines at the checkpoints to improve screener vigilance and training. As of September 16th, 678 x-ray units at airports across the country were equipped with TIP.

In the immediate aftermath of the terrorist attack, the steps we took to strengthen security at our airports included, as I noted above, enhanced screening procedures at passenger security checkpoints. We have also required the constant use of hand wands by screeners. Previously, hand wands were primarily used when an individual set off the alarm when passing through a metal detector. Now, screeners will use the hand wands not only in those instances, but also for continuous random checks of people moving through the checkpoints. Also, all items must now be x-rayed or physically inspected. No item may be passed around a metal detector. In addition, CAPPS has also been adjusted and we are exploring the potential for CAPPS to be used in conjunction with checkpoint screening.

Again, only persons with tickets (or evidence showing an electronic ticket) and authorized persons such as those accompanying passengers with special needs or a minor traveling alone will be screened and allowed through security checkpoints. Generally, family and friends must stay behind. This action greatly reduces the number of persons being screened, thereby focusing the attention of screeners where it truly belongs--on passengers boarding aircraft.

As we make these changes and strive to improve the quality of our passenger screening system, we want to assure everyone that their rights will be respected. Also, people are asking if they are now going to be frisked before boarding. Some may have to be, but no one will be frisked unless that person is unable to clear screening another way and agrees to be frisked. Of course, a person who is not cleared will not be permitted on the aircraft.

It has only been a few days since the FAA's enhanced security measures were put in place by airports and carriers. Admittedly, travelers have had to adjust their travel plans to arrive at airports earlier to allow for more time in getting to their gates. As air carrier operations gradually increase and the system is brought back to a more normal level of activity, we will continuously monitor the effectiveness of these measures and work with airports and carriers to refine them, and expand them, if necessary. At the same time, we recognize that there are still lessons to be learned from the events of September 11th. We know that, in addition to the steps we took immediately following the attacks, we also need a more deliberative examination of what we have done and what we still can do to provide all Americans with the highest possible levels of safety and security. To that

end, on September 16th, Secretary Mineta created two Rapid Response Teams to provide in the near term other recommendations for improving security in the national aviation system. Working with senior DOT and FAA experts will be eight national leaders from the aviation and law enforcement communities. One Team will focus on increasing security at the nation's airports; the other will examine security on board aircraft, with particular attention to cockpit access. Ways of improving security screening are certainly part of the aviation security effort. We look forward to the Team recommendations, which are due no later than October 1st.

Mr. Chairman, I want to assure you that the Secretary, the Administrator and I are doing everything in our power to bring the Nation's air transportation system back into full operation with the highest levels of safety possible. Working together--Government, industry and American citizens--we will do it. In a democracy, there is always a balance between freedom and security. Our transportation systems, reflecting the value of our society, have always operated in an open and accessible manner. And, they will do so again.

That concludes my prepared remarks. I would be happy to answer any questions you may have.

Joint Hearing Before the Committee on Governmental Affairs and the Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia
United States Senate

For Release on Delivery
Expected at
2:30 p.m. EDT
Tuesday
September 25, 2001
Report Number: CC-2001-313

Actions Needed to Improve Aviation Security

Statement of
The Honorable Kenneth M. Mead
Inspector General
U.S. Department of Transportation

Chairmen Lieberman and Durbin, Ranking Members Thompson and Voinovich, and other Members of the Committee:

We want to first express our sorrow to the many families who have lost or are missing loved ones as a result of the terrorist attacks on September 11th. We also want to acknowledge the national response the President, Secretary Mineta and Administrator Garvey, other Department heads, the Congress, law enforcement, and the many rescue and relief workers have taken regarding these attacks.

We have been reporting on aviation security for at least a decade and have made numerous recommendations for strengthening the system covering a broad range of issues within the security system—advanced security technologies, passenger and baggage screening, airport access control, and cargo security. In the last several years alone, we have issued reports showing vulnerabilities with screening of passengers; checked and carry-on baggage and cargo; access to secure areas of the airport; and issuing and controlling airport identification badges.

We also have conducted numerous criminal investigations resulting in prosecutions involving the falsification of airport identification, security screener training records, and background checks. Most recently, a private security company was placed on 36 months probation and ordered to pay over $1 million in fines and restitution for failing to conduct background checks and falsifying training records on employees staffing security checkpoints at a major U.S. airport. Also, three days following the terrorist attacks, we arrested 12 non-U.S. citizens who illegally obtained security badges necessary to gain admittance to secure areas at another major U.S. airport. We would like the Committee to know that we temporarily detailed some of our law enforcement staff to the Federal Air Marshal Program, and we are assisting the FBI in various aspects of its investigation.

The horror and tragedy of the September 11, 2001 terrorist attacks, with the loss of thousands of lives and the resultant economic damage, illustrates the vulnerability of the current security system. It also shows that our transportation systems, in this case aviation, can be used as a weapon against us. The aviation security system, as a vital national security interest, is a critical line of defense, but it is not foolproof, particularly against terrorists who are willing to die in their criminal schemes. This is why the effort to stop terrorist attacks along with the strengthening of transportation security is so important.

Also, public confidence in the security of the Nation's transportation systems, especially aviation, has been seriously damaged and needs to be restored. The President, Departments of Justice and Transportation and others already have a broad range of security measures underway to address this issue. One such

measure is increasing the workforce in the Federal Air Marshal Program. Other additional measures currently in place at all the Nation's commercial airports include increased security such as: eliminating curbside baggage check-in, intensified passenger and carry-on baggage screening at security checkpoints, and limiting access beyond the screening checkpoints to passengers with tickets or ticket confirmations.

Today, I would like to highlight some issues concerning governance and organizational structure of how to approach aviation security and then proceed to some specific areas that need to be strengthened. We will be sharing these points in detail with the Secretary's Rapid Response Teams.

Governance, Organization and Delivery of Aviation Security

The current U.S. system has a variety of organizations responsible for various elements of aviation security. Other nations use models different from ours. In Belgium, France, and the United Kingdom, the airports are responsible for screening. In the Netherlands, the government is currently responsible for passenger screening, but employs a security company to conduct the screening operations.

Given the scope and complexity of the security challenge as we now know it, coupled with a longstanding history of problems with the aviation security program, we believe the time has come to consider the option of vesting governance of the program and responsibility for the provision of security in one Federal organization or not-for-profit Federal corporation. This entity would have security as its primary and central focus, profession, and mission. Under the current system, those charged with aviation security oversight and regulation (FAA) and those charged with providing the security (the airlines and airports) are themselves facing other priorities, missions, and, in some cases, competing economic pressures.

A centralized, consolidated approach by an organization with a security mission would require passenger and baggage screeners to have uniform, more rigorous training, and performance standards applicable nationwide. The employees of this entity would not necessarily need to be Federal employees, but would be required to meet established performance standards, and would be subject to termination if they do not perform. This should result in more consistent security at our Nation's airports.

A Federal organization or Federal corporation would be responsible for screening passengers, employees (anyone with access to the aircraft or secure areas of the airport), carry-on baggage, checked baggage, and cargo. It would also issue,

control and account for identification media at airports nationwide; search aircraft and airport facilities with canine units; and manage airport access control systems. The organization could also include the current Federal Air Marshals; and could take over responsibility for developing, purchasing and deploying advanced security technologies, such as explosives detection equipment. The organization, not the airlines, FAA, or airports, would determine when the security equipment should be used to screen baggage and be responsible for the maintenance and upgrading of this equipment.

This entity would also be able to maintain close ties to the intelligence community, revise requirements or procedures without going through a lengthy rulemaking process, require employees to be U.S. citizens and have background and credit checks, and provide screening personnel better salaries and a career path.

Any change in the governance and organization of this system will require careful analysis, cannot be done overnight, and will require a transition period. In the interim, we must sustain the current system and improve security measures now in place.

Changes Needed to Supplement and Enhance Security Actions Already Underway

The aviation security system in place today is a layered system of systems in place at the Nation's airports. This system involves prescreening passengers at check-in; screening passengers' checked and carry-on baggage, and cargo at security control points in the airports; controlling access to secure areas of the airport; and restricting access to secure areas of the airport to unauthorized individuals.

Aviation security in the U.S. is also based on a system of shared responsibilities among FAA, air carriers, and airport operators. FAA is responsible for establishing and enforcing regulations, policies, and procedures; identifying potential threats and appropriate countermeasures; deploying Federal Air Marshals on selected U.S. air carrier flights; and providing overall guidance and oversight to ensure the security of passengers, crews, baggage, cargo, and aircraft.

Air carriers are primarily responsible for applying security measures to passengers, crews, baggage, and cargo. This includes screening all passengers, and passengers' carry-on and checked baggage, which is usually performed by contractors. Airports, run by State or local government authorities, are responsible for the security of the airport environment and for providing law enforcement support for implementation of air carrier and airport security measures.

The Department of Transportation's Office of Inspector General (OIG) and the General Accounting Office (GAO) have issued numerous reports identifying weaknesses in the aviation security system and recommending corrective actions. Many of these weaknesses are still present and need to be addressed without delay. To address those weaknesses, FAA needs to take the following immediate actions to improve aviation security:

- Increase use of bulk explosives detection machines for screening of passengers' checked baggage.
- Issue the final rule on certification of screening companies to improve the screening of passengers, carry-on items, and cargo, and improve screener performance.
- Establish standards for measuring security screeners performance based on computer-assisted testing methods and unannounced testing of screeners by FAA.
- Strengthen controls to prevent access to secure areas of the airport by unauthorized individuals.
- Conduct criminal checks for all employees working at the airport with unrestricted access to secure areas of the airport.

FAA also needs to take actions to improve weaknesses in its Cargo Security program, and continue with ongoing efforts to increase the Federal Air Marshal program workforce. We will be providing this information to the Secretary's Rapid Response Teams.

Security of Checked Baggage

Explosives detection equipment such as the CTX machine was developed to assist screeners in identifying threat items in passenger baggage. In our 1998 report on Deployment of Explosives Detection Equipment, we recommended that FAA develop a strategy to more effectively utilize the CTX machines and enhance screener performance. Recently, Congress passed the Aviation Security Improvement Act of 2000, which requires FAA to maximize the use of explosives detection equipment. Today, however CTX machines are still underused, and screeners' performance needs improvement.

FAA has taken action to increase utilization of bulk explosives detection machines. However, we do not accept the utilization goals that FAA has chosen.

It is too low. Nor do we accept that FAA's goals are responsive to the requirements mandated in the Airport Security Improvement Act of 2000. The majority of the machines are still underutilized. A bulk explosives detection machine in use has an immediate, powerful, and visible deterrent effect on potential terrorist attack. One sitting idle does not.

Screening Checkpoint Security

In our 1996 report on efforts to improve airport security we found screeners frequently failed to detect threat items at security checkpoints. More recently, GAO completed a review titled Long-Standing Problems Impair Airport Screeners' Performance.[1] In this 2000 report, GAO found that long-standing problems combine to reduce screeners' effectiveness in detecting dangerous objects, most notably (1) the rapid turnover of screener personnel, and (2) human factors conditions that for years affected screeners' hiring, training, and working environment. GAO found that despite several laws enacted by Congress, concerns remain over screeners' ability to detect dangerous objects. Furthermore, FAA has acknowledged that screeners' detection of dangerous objects during testing is unsatisfactory and needs improvement. This is a long-standing problem – one that was reported on over a decade ago by the Department of Transportation and GAO.

The Federal Aviation Reauthorization Act of 1996 directed FAA to certify screening companies and improve screener performance. FAA was prepared to issue its final rule on the Certification of Screening Companies the week of September 10, 2001. However, following the September 11 tragedy, the Department of Transportation elected to delay the final rule publication so that the Rapid Response Teams could re-evaluate the certification requirements.

Threat image projection (TIP) is an important component of FAA's final rule on Certification of Screening Companies. TIP is software program installed on x-ray machines being deployed at screening checkpoints at airports nationwide. TIP exposes screeners to projected simulated threats on a regular basis to train them to become more adept at detecting threats and to enhance their vigilance. In its final rule, FAA will require that TIP be used to measure the performance of individual screeners and screening companies. However, FAA still needs to establish standards for measuring screener performance based on a combination of TIP testing and actual field testing by FAA.

[1] Aviation Security: Long-Standing Problems Impair Airport Screeners' Performance, Report Number GAO/RCED-00-75, dated June 2000.

Airport Access Controls

Controlling access to secure areas of the airport is critical in protecting the airport's infrastructure and aircraft from unauthorized individuals. During late 1998 and early 1999, we successfully accessed secure areas[2] in 68 percent of our tests at eight major U.S. airports. Once we entered secure areas, we boarded aircraft 117 times. The majority of our aircraft boardings would not have occurred if employees had taken the prescribed steps, such as making sure doors closed behind them. In addition to recommending that FAA work with airport operators and air carriers to implement and strengthen existing controls to eliminate access control weaknesses, we also recommended that comprehensive training programs be developed that teach employees their role in airport security, and make employees accountable for compliance. These recommendations along with others were incorporated into the Airport Security Improvement Act of 2000.

FAA recently issued regulations making individuals directly accountable to FAA for noncompliance with access control requirements. But testing and assessing fines for security violations is not the only answer. FAA must assist airport operators and air carriers in developing and implementing comprehensive training programs. All security training programs, not just for access control, must teach employees their role in aviation security, the importance of their participation, how their performance will be evaluated, and what action will be taken if they fail to perform.

Issuing Airport Identification

Additional actions are needed to improve the process used to ensure that employees with access to secure areas of an airport are trustworthy. Our 2000 report on Controls Over Airport Identification Media looked at industry's compliance with FAA's background investigation requirements at six U.S. airports and found that the requirements were ineffective, and airport operators, air carriers and airport users[3] frequently did not comply with these requirements.

We made recommendations to FAA to: strengthen background investigation requirements to include initial and randomly recurring FBI criminal checks for all employees; expand the list of crimes that disqualify an individual from unescorted access to secure airport areas; and incorporate in background investigation

[2] OIG uses the term **secure area** to define the area of an airport where each person is required to display airport-approved identification. Each airport defines this area, which may be the entire Air Operations Area or may be limited to a smaller, more restrictive area.

[3] Airport users include foreign air carriers, non-air-carrier airport tenants, and companies that do not have offices at the airport, but require access to the secure airport areas.

requirements the use of credit checks and drug tests to help assess whether individuals can be trusted with the public's safety and be permitted to work in secure airport areas.

The Airport Security Improvement Act of 2000 incorporated some of our recommendations and required FBI criminal checks at Category X airports as of December 2000. However, other airports will not enter this program until December 2003, even though FAA has stated the capacity to process additional checks exists. We recommended that all airports be required, immediately, to conduct criminal checks for all employees that have access to secure airport areas, and for all screeners, including cargo screeners. Also, criminal checks must not be restricted to first-time applicants, as the current law provides, but should include all employees regardless of their employment date. Further, criminal checks must be recurring.

We also must consider additional methods of determining the trustworthiness of individuals, especially for individuals who have not been in the U.S. long enough for a criminal records check to be effective. FAA has stated that conducting foreign criminal checks presents numerous problems and, therefore, would not be feasible. FAA also declined to implement the use of credit checks and drug tests because Airport Security Improvement Act of 2000 did not include these requirements. But, we believe that alternate investigation methods, such as those used by Canada, must be explored, including: credit checks, requirements that applicants be U.S. citizens, and an automated profiling system that takes into consideration factors including an individual's place of birth.

Cargo Security

We just completed a follow-up audit of FAA's Cargo Security Program. We continue to find weaknesses in FAA's policy for allowing cargo on passenger aircraft. We will not discuss the details of those weaknesses here today, but will be briefing the Secretary of Transportation, the Federal Aviation Administrator, and the Secretary's recently created Rapid Response Teams.

Federal Air Marshal Program

In the 1970's, hundreds of security officers were hired through an agreement between the FAA and U.S. Customs Service. In 1973, after the Customs Sky Marshal program phased out, the FAA continued a limited Air Marshal Program using volunteer special agents from its Civil Aviation Security.

Following the Cuban refugee problems in Florida and the hijacking of Trans World Flight 847 in 1985, the Secretary of Transportation released a report, in

1987, which concluded there was a need for an expanded Federal Air Marshal (FAM) Program to supplement ground security measures. Initially, all FAA security specialists hired between 1985 and 1992 were required to also serve as FAMs. Currently, FAA has a dedicated staff of FAMs, but the actual number of FAMs is classified. We think it is a wise decision to substantially increase use of this Program in the interest of restoring public confidence and as a deterrent to criminal on aircraft.

This concludes my statement. I would be pleased to answer any questions.

Attachment
(4 Pages)

AVIATION SECURITY TESTIMONY AND REPORTS
AS OF SEPTEMBER 14, 2001

TESTIMONY

Date	*Title*	*Report Number*
04/06/2000	Aviation Security Statement of Alexis Stefani, Assistant Inspector General for Auditing Before the Subcommittee on Aviation, Committee on Commerce, Science, and Transportation, U.S. Senate	AV-2000-076
03/16/2000	Aviation Security Statement of Alexis Stefani, Assistant Inspector General for Auditing Before the Subcommittee on Aviation, Committee on Transportation and Infrastructure, U.S. House of Representatives	AV-2000-070
03/01/2000	Improving Aviation Safety, Efficiency, and Security: FAA's Fiscal Year 2001 Request For Research, Engineering, and Development Statement of Alexis Stefani, Assistant Inspector General for Auditing Before the Subcommittee on Technology, Committee on Science, U.S. House of Representatives	AV-2000-054
03/10/1999	Aviation Security Statement of Alexis Stefani, Deputy Assistant Inspector General for Aviation Before the Subcommittee on Transportation and Related Agencies, Committee on Appropriations, U.S. House of Representatives	AV-1999-068
05/14/1998	Aviation Security Statement of Alexis Stefani, Deputy Assistant Inspector General for Aviation Before the Subcommittee on Aviation, Committee on Transportation and Infrastructure, U.S. House of Representatives	AV-1998-134

AVIATION SECURITY TESTIMONY AND REPORTS
AS OF SEPTEMBER 14, 2001

AUDIT REPORTS

Date	*Title*	*Report Number*
12/07/2000	Controls Over Airport Identification Media	AV-2001-010
11/18/1999	Airport Access Control	AV-2000-017
10/21/1999	Deployment of Explosives Detection Equipment	AV-2000-002
07/16/1999	Security of Checked Baggage on Flights Within the United States	AV-1999-113
10/05/1998	Deployment of Explosives Detection Systems	AV-1999-001
07/17/1998	Dangerous Goods/Cargo Security Program	AV-1998-178
06/01/1998	Management Advisory on Review of Security Controls Over Air Courier Shipments	AV-1998-149
04/17/1997	Federal Air Marshall Program	R9-FA-7-006
07/03/1996	Efforts to Improve Airport Security	R9-FA-6-014
09/20/1993	Audit of Airport Security	R9-FA-3-105

AVIATION SECURITY - INVESTIGATIONS
February 3, 1999, through September 14, 2001

Subject Area	*Date*	*Summary*
Screeners & Baggage Handlers	September 14, 2001	Employees who are non-U.S. citizens without proper INS status were authorized to enter secured areas of Dulles, ongoing investigation.
Security Badges	September 14, 2001	Arrest warrants were issued against non-U.S. citizens who obtained security badges at Miami International Airport.
Security Badges	September 13, 2001	Employee at Miami International Airport pleads guilty to using job in ID section to make false security badges for coworkers.
Cockpit Access	June 7, 2001	Civilian used false FAA ID card to obtain unauthorized cockpit access on three separate flights.
Access Control	June 5, 2001	Non-employee of Miami International Airport illegally used an Airport Secured ID Display Area access badge to gain entry to a secured area.
Access Control	February 1, 2001	Miami International Airport employee gained access to secured areas by providing false data on Airport ID Badge application.
Screeners	October 25, 2000	Private firm (Argenbright) failed to conduct background checks on checkpoint screeners at Philadelphia Airport. Company fined $1 million, $350,000 restitution and $200,00 in investigative costs.
Access Control	May 1, 2000	Employees at Dallas-Ft. Worth Airport allowed unauthorized personnel to use their security badges to gain access to secured areas.

AVIATION SECURITY - INVESTIGATIONS
February 3, 1999, through September 14, 2001
(continued)

Subject Area	*Date*	*Summary*
Screeners	March 27, 2000	Private firm (Aviation Safeguards) falsely certified on at least 70 occasions that criminal background checks had been accomplished on employees seeking access to secure areas at Miami International Airport.
Access Control	February 3, 1999	A former Miami-Dade County Police Officer working for a private security firm falsely certified that criminal background checks had been accomplished on 22 employees seeking access to secure areas at Miami International Airport. Upon hiring, applicants had clearance to enter secured areas of the airport.

United States General Accounting Office

GAO

Testimony

Before the Committee on Governmental Affairs and Its Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, U.S. Senate

For Release on Delivery
Expected at
2:30 p.m. EDT
Tuesday
September 25, 2001

AVIATION SECURITY

Vulnerabilities in, and Alternatives for, Preboard Screening Security Operations

Statement of Gerald L. Dillingham,
Director, Physical Infrastructure Issues

GAO/-01-1171T

Messrs. Chairmen and Members of the Committees:

A safe and secure civil aviation system is a critical component of the nation's overall security, physical infrastructure, and economic foundation. Billions of dollars and a myriad of programs and policies have been devoted to achieving such a system. Although it is not fully known at this time what actually occurred or which of the weaknesses in the nation's aviation security apparatus contributed to the horrendous events two weeks ago, it is clear that serious weaknesses exist in our aviation security system and that their impact can be far more devastating than previously imagined.

We are here today to discuss the vulnerabilities that we have identified in the safeguards to protect passengers and prevent unauthorized access to or attacks on aircraft. Our testimony is based on our prior work and a review that we have under way for the Subcommittee on Aviation, House Committee on Transportation and Infrastructure, and includes assessments of security concerns with (1) airport access controls, (2) passenger and carry-on baggage screening, and (3) alternatives to current screening practices, including practices in selected other countries.

In summary:

- Controls for limiting access to secure areas, including aircraft, have not always worked as intended. As we reported in May 2000, our special agents used counterfeit law enforcement badges and credentials to gain access to secure areas at two airports, bypassing security checkpoints and walking unescorted to aircraft departure gates. The agents, who had been issued tickets and boarding passes, could have carried weapons, explosives, or other dangerous objects onto aircraft. FAA is acting on the weaknesses we identified and is implementing actions to more closely check the credentials of law enforcement officers. The Department of Transportation's Inspector General

has also documented numerous problems with airport access controls, and in one series of tests, the Inspector General's staff successfully gained access to secure areas, including ramps and aircraft, 68 percent of the time.

- As we reported in June 2000, testing of screeners shows that significant, long-standing weaknesses—measured by the screeners' abilities to detect threat objects located on passengers or contained in their carry-on luggage—continue to exist. In 1987, screeners missed 20 percent of the potentially dangerous objects used by FAA in its tests. At that time, FAA characterized this level of performance as unsatisfactory. More recent results have shown that as testing gets more realistic—that is, as tests more closely approximate how a terrorist might attempt to penetrate a checkpoint—screeners' performance declines significantly. A principal cause of screener performance problems is the rapid turnover among screeners. Turnover exceeded over 100 percent a year at most large airports, leaving few skilled and experienced screeners, primarily because of the low wages, limited benefits, and repetitive, monotonous nature of their work. Additionally, too little attention has been given to factors such as the sufficiency of the training given to screeners. FAA's efforts to address these problems have been slow. We recommended that FAA develop an integrated plan to focus its efforts, set priorities, and measure progress in improving screening. FAA is addressing these recommendations, but progress on one key effort—the certification of screening companies—is still not complete because the implementing regulation has not been issued. It is now nearly 2-½ years since FAA originally planned to implement the regulation.

- Weaknesses in the current system in which airlines are responsible for screening passengers and controlling access to secure areas have raised questions about whether alternative approaches should be considered. In our ongoing work, we surveyed aviation stakeholders and aviation and terrorism experts and have identified four options for assigning screening

responsibilities: continue with air carriers but with new requirements, assign responsibility to airports, or shift responsibility to the federal government, either through the creation of a new federal agency or the creation of a federal corporation. In assessing alternatives, respondents identified five important criteria: improving screening performance, establishing accountability, ensuring cooperation among stakeholders, moving people efficiently, and minimizing legal and liability issues. The majority of respondents believed that screening performance and accountability would improve if screening were placed with the federal government. Many indicated that assigning screening responsibility to the airports would not likely improve screeners' performance and accountability. Still, some respondents believed that a professional screening workforce could be developed in any organizational context.

The events of September 11, 2001, have changed the way this country looks at aviation security. Since then, FAA and the air carriers implemented new controls that promise a greater sense of security. We support these actions. Yet, to further minimize the vulnerabilities in our aviation security system, more needs to be done. Aviation security has truly become a national security issue, and as we will discuss today, responsibility for screening may no longer appropriately rest with air carriers. It has been observed that previous tragedies have resulted in congressional hearings, studies, recommendations, and debates, but little long-term resolve to correct flaws in the system as the memory of the crisis recedes. The future of aviation security hinges in large part on overcoming this cycle of limited action that has too often characterized the response to aviation security concerns.

Background

Some context for my remarks is appropriate. The threat of terrorism was significant throughout the 1990s; a plot to destroy 12 U.S. airliners was discovered and thwarted in 1995, for instance. Yet the task of providing security to the nation's aviation system is unquestionably daunting, and we must reluctantly

acknowledge that any form of travel can never be made totally secure. The enormous size of U.S. airspace alone defies easy protection. Furthermore, given this country's hundreds of airports, thousands of planes, tens of thousands of daily flights, and the seemingly limitless ways terrorists or criminals can devise to attack the system, aviation security must be enforced on several fronts. Safeguarding airplanes and passengers requires, at the least, ensuring that perpetrators are kept from breaching security checkpoints or gaining access to ramps and doorways leading to aircraft. FAA has developed several mechanisms to prevent criminal acts against aircraft, such as adopting technology to detect explosives and establishing procedures to ensure that passengers are positively identified before boarding a flight. Still, in recent years, we and others have often demonstrated that significant weaknesses continue to plague the nation's aviation security.

The current aviation security structure and its policies, requirements, and practices have evolved since the early 1960s and were heavily influenced by a series of high-profile aviation security incidents. Historically, the federal government has maintained that providing security is the responsibility of air carriers and airports as part of their cost of doing business. Beginning in 1972, air carriers were required to provide screening personnel, and airport operators were required to provide law enforcement support. However, with the rise in air piracy and terrorist activities that threatened not only commercial aviation but also national security, discussions began to emerge as to who should have the responsibility for providing security at our nation's airports. With the events two weeks ago, concerns have arisen again as to who should be responsible for security and screening passengers at our nation's airports. This issue has evoked many discussions through the years and just as many options concerning who should provide security at our nation's airports and how security should be handled. But as pointed out in a 1998 FAA study, there was no consensus among the various aviation-related entities.[1]

---

[1] *Study and Report to Congress on Civil Aviation Security Responsibilities and Funding*, Dec. 1998.

To identify options for assigning screening responsibilities, we surveyed aviation stakeholders—security officials at the major air carriers and the largest airports, large screening companies, and industry associations—and aviation and terrorism experts. We asked our respondents to provide their opinions about the current screening program, criteria they believe are important in considering options, the advantages and disadvantages of each option, and their comments on implementing a different screening approach. It is important to understand that we gathered this information prior to September 11, 2001, and some respondents' views may have changed.

Weaknesses in Airport Access Controls

Control of access to aircraft, airfields, and certain airport facilities is a critical component of aviation security. Existing access controls include requirements intended to prevent unauthorized individuals from using forged, stolen, or outdated identification or their familiarity with airport procedures to gain access to secured passenger areas or to ramps and doorways leading to aircraft. In May 2000, we reported that our special agents, in an undercover capacity, obtained access to secure areas of two airports by using counterfeit law enforcement credentials and badges.[2] At these airports, our agents declared themselves as armed law enforcement officers, displayed simulated badges and credentials created from commercially available software packages or downloaded from the Internet, and were issued "law enforcement" boarding passes. They were then waved around the screening checkpoints without being screened. Our agents could thus have carried weapons, explosives, chemical/biological agents, or other dangerous objects onto aircraft. In response to our findings, FAA now requires that each airport's law enforcement officers examine the badges and credentials of any individual seeking to bypass passenger screening. FAA is also working on a "smart card" computer system that would verify law enforcement officers'

[2] *Security: Breaches at Federal Agencies and Airports* (GAO/T-OSI-00-10, May 25, 2000).

identity and authorization for bypassing passenger screening. The Department of Transportation's (DOT) Inspector General has also uncovered problems with access controls at airports. The Inspector General's staff tested the access controls at eight major airports in 1998 and 1999 and gained access to secure areas in 68 percent of the tests; they were able to board aircraft 117 times. After the release of its report describing its successes in breaching security,[3] the Inspector General conducted additional testing between December 1999 and March 2000 and found that, although improvements had been made, access to secure areas was still gained more than 30 percent of the time.

Inadequate Detection of Dangerous Objects by Screeners

Screening checkpoints and the screeners who operate them are a key line of defense against the introduction of dangerous objects into the aviation system. Over 2 million passengers and their baggage must be checked each day for articles that could pose threats to the safety of an aircraft and those aboard it. The air carriers are responsible for screening passengers and their baggage before they are permitted into the secure areas of an airport or onto an aircraft. Air carriers can use their own employees to conduct screening activities, but mostly air carriers hire security companies to do the screening. Currently, multiple carriers and screening companies are responsible for screening at some of the nation's larger airports.

Concerns have long existed about screeners' ability to detect and prevent dangerous objects from entering secure areas. Each year, weapons were discovered to have passed through one checkpoint and to have later been found during screening for a subsequent flight. FAA monitors the performance of screeners by periodically testing their ability to detect potentially dangerous objects carried by FAA special agents posing as passengers. In 1978, screeners failed to detect 13 percent of the objects during FAA tests. In 1987, screeners

[3] *Airport Access Control* (AV-2000-017, Nov. 18, 1999).

missed 20 percent of the objects during the same type of test. Test data for the 1991 to 1999 period show that the declining trend in detection rates continues.[4] Furthermore, the recent tests show that as tests become more realistic and more closely approximate how a terrorist might attempt to penetrate a checkpoint, screeners' ability to detect dangerous objects declines even further.

As we reported last year, there is no single reason why screeners fail to identify dangerous objects.[5] Two conditions—rapid screener turnover and inadequate attention to human factors—are believed to be important causes. Rapid turnover among screeners has been a long-standing problem, having been identified as a concern by FAA and by us in reports dating back to at least 1979. We reported in 1987 that turnover among screeners was about 100 percent a year at some airports, and according to our more recent work, the turnover is considerably higher.[6] From May 1998 through April 1999, screener turnover averaged 126 percent at the nation's 19 largest airports; 5 of these airports reported turnover of 200 percent or more, and 1 reported turnover of 416 percent. At one airport we visited, of the 993 screeners trained at that airport over about a 1-year period, only 142, or 14 percent, were still employed at the end of that year. Such rapid turnover can seriously limit the level of experience among screeners operating a checkpoint.

Both FAA and the aviation industry attribute the rapid turnover to the low wages and minimal benefits screeners receive, along with the daily stress of the job. Generally, screeners are paid at or near the minimum wage. We reported last year that some of the screening companies at 14 of the nation's 19 largest airports paid screeners a starting salary of $6.00 an hour or less and, at 5 of these airports, the starting salary was the minimum wage—$5.15 an hour. It is common for the

---

[4]Information on FAA tests results is now designated as sensitive security information and cannot be publicly released. Consequently, we cannot discuss the actual detection rates for the 1991-99 period.
[5]*Aviation Security: Long-Standing Problems Impair Airport Screeners' Performance* (GAO/RCED-00-75, June 28, 2000).
[6]*Aviation Security: FAA Needs Preboard Passenger Screening Performance Standards* (GAO-RCED-87-182, July 24, 1987).

starting wages at airport fast-food restaurants to be higher than the wages screeners receive. For instance, at one airport we visited, screeners' wages started as low as $6.25 an hour, whereas the starting wage at one of the airport's fast-food restaurants was $7 an hour.

The demands of the job also affect performance. Screening duties require repetitive tasks as well as intense monitoring for the very rare event when a dangerous object might be observed. Too little attention has been given to factors such as (1) improving individuals' aptitudes for effectively performing screening duties, (2) the sufficiency of the training provided to screeners and how well they comprehend it, and (3) the monotony of the job and the distractions that reduce screeners' vigilance. As a result, screeners are being placed on the job who do not have the necessary aptitudes, or sufficient knowledge to perform the work effectively, and who then find the duties tedious and dull.

We reported in June 2000 that FAA was implementing a number of actions to improve screeners' performance. However, FAA did not have an integrated management plan for these efforts that would identify and prioritize checkpoint and human factors problems that needed to be resolved, and identify measures—and related milestone and funding information—for addressing the performance problems. Additionally, FAA did not have adequate goals by which to measure and report its progress in improving screeners' performance.

FAA is implementing our recommendations to develop an integrated management plan. However, two key actions to improving screeners' performance are still not complete. These actions are the deployment of threat image projection (TIP) systems—which place images of dangerous objects on the monitors of X-ray machines to keep screeners alert and monitor their performance—and a certification program to make screening companies accountable for the training and performance of the screeners they employ. Threat image projection systems are expected to keep screeners alert by periodically imposing the image of a

dangerous object on the X-ray screen. They also are used to measure how well screeners perform in detecting these objects. Additionally, the systems serve as a device to train screeners to become more adept at identifying harder-to-spot objects. FAA is currently deploying the threat image projections systems and expects to have them deployed at all airports by 2003.

The screening company certification program, required by the Federal Aviation Reauthorization Act of 1996, will establish performance, training, and equipment standards that screening companies will have to meet to earn and retain certification. However, FAA has still not issued its final regulation establishing the certification program. This regulation is particularly significant because it is to include requirements mandated by the Airport Security Improvement Act of 2000 to increase screener training—from 12 hours to 40 hours—as well as to expand background check requirements. FAA had been expecting to issue the final regulation this month, 2-½ years later than it originally planned. According to FAA, it needed the additional time to develop performance standards based on screener performance data.

Options for Assigning Screening Responsibility to Other Entities

Concerned about the performance of screeners, the Subcommittee on Aviation, House Committee on Transportation and Infrastructure, asked us to examine options for conducting screening and to outline some advantages and disadvantages associated with these alternatives. This work is still ongoing, but I will provide a perspective on the information we have obtained to date.

Many aviation stakeholders agreed that a stable, highly trained, and professional workforce is critical to improving screening performance. They identified compensation and improved training as the highest priorities in improving performance. Respondents also believed that the implementation of performance standards, team and image building, awards for exemplary work, better supervision, and certification of individual screeners would improve performance.

Some respondents believed that a professional workforce could be developed in any organizational context and that changing the delegation of screening responsibilities would increase the costs of screening.

Four Major Alternatives for Screening

We identified four principal alternative approaches to screening. Each alternative could be structured and implemented in many different ways; for instance, an entity might use its own employees to screen passengers, or it might use an outside contractor to perform the job. For each alternative, we assumed that FAA would continue to be responsible for regulating screening, overseeing performance, and imposing penalties for poor performance. Table 1 outlines the four options.

Table 1: Description of Screening Alternatives

Alternative	Summary
Airlines with new certification rules	Air carriers could continue to be responsible for conducting screening. However, this alternative assumes that FAA will impose new requirements on screening companies to ensure that screeners are better trained and demonstrate proficiency in using screening equipment.
Airports	Each airport management authority could be responsible for its own screening. Given the number and diversity of the nation's airports, screening operations might vary considerably throughout the country.
Federal agency	A new DOT agency (with headquarters and field structure) could be created to conduct the national screening program. It could be accountable to the Congress through the annual appropriations and oversight processes.
Federal corporation	A government corporation created solely to conduct passenger and baggage screening. Like other government corporations—such as the Tennessee Valley Authority—it would be accountable to the Congress but would have more autonomy than other agencies.

Source: GAO's analysis of Booz-Allen and Hamilton, *Independent Assessment of Airport Security Screener Performance and Retention*, Sept. 15, 2000.

Criteria for Assessing Screening Alternatives

Shifting responsibility for screening would affect many stakeholders and might demand many resources. Accordingly, a number of criteria must be weighed before changing the status quo. We asked aviation stakeholders to identify key criteria that should be used in assessing screening alternatives. These criteria are to

- improve screening performance;
- establish accountability for screening performance;
- ensure cooperation among stakeholders, such as airlines, airports, FAA, and screening companies;
- efficiently move passengers to flights; and
- minimize legal and liability issues.

We asked airline and airport security officials to assess each option for reassigning screening responsibility against the key criteria. Specifically, we asked them to indicate whether an alternative would be better, the same, or worse than the current situation with regard to each criterion. Table 2 summarizes their responses.

Table 2: Summary of Respondent's Views of Alternatives to the Current Program

Options	Screener performance	Accountability	Stakeholder cooperation	Legal and liability	Passengers moved efficiently
Airlines with new rules	Better	Better	Same	Same	Same
Airports	Undecided	Undecided	Undecided	Undecided	Undecided
Federal agency	Better	Better	Undecided	Undecided	Undecided
Federal corporation	Better	Better	Undecided	Undecided	Same

Note: The views expressed about the airlines' and airports' options are based on the opinions of 17 major air carriers and airports we interviewed; views about the federal agency and the federal corporation are based on the opinions of 9 and 4 of these respondents, respectively. A consensus of Better, Same, or Worse was determined by having about 60 percent agree on the response.

Leaving Responsibility to Air Carriers With New Certification Rules

At the time of our review, FAA was finalizing a certification rule that would make a number of changes to the screening program, including requiring FAA-certification of screening companies and the installation of TIP systems on X-ray machines at screening checkpoints. Our respondents believed that these actions would improve screeners' performance and accountability. Some respondents approved of the proposed changes, since they would result in FAA having a direct regulatory role vis-a-vis the screening companies. Others indicated that the installation of TIP systems nationwide could improve screeners' awareness and ability to detect potentially threatening objects and result in better screener performance. Respondents did not believe that this option would affect stakeholder cooperation, affect passenger movement through checkpoints, or pose any additional legal issues.

Assigning Screening Responsibilities to Airports

No consensus existed among aviation stakeholders about how making airports responsible for screening would affect any of the key criteria. Almost half indicated that screeners' performance would not change if the airport authority were to assume responsibility, particularly if the airport authority were to contract out the screening operation. Some commented that screening accountability would likely blur because of the substantial differences among airports in management and governance. Many respondents indicated that the airport option would produce the same or worse results than the current situation in terms of accountability, legal/liability issues, cooperation among stakeholders, and passenger movement. Several respondents noted that cooperation between air carriers and airports could suffer because the airports might raise the cost of passenger screening and slow down the flow of passengers through the screening checkpoint—to the detriment of the air carriers' operations. Others indicated that

the legal issue of whether employees of a government-owned airport could conduct searches of passengers might pose a significant barrier to this option.

Creating a New Federal Agency Within DOT

Screening performance and accountability would improve if a new agency were created in DOT to control screening operations, according to those we interviewed. Some respondents viewed having one entity whose sole focus would be security as advantageous and believed it would be fitting for the federal government to take a more direct role in ensuring aviation security. Respondents indicated that federal control could lead to better screener performance because a federal entity most likely would offer better pay and benefits, attract a more professional workforce, and reduce employee turnover. There was no consensus among the respondents preferring this option on how federal control might affect stakeholder cooperation, passenger movement, or legal and liability issues.

Creating a Federal Corporation

For some of the same reasons mentioned above, respondents believed that screening performance and accountability would improve under a government corporation charged with screening. The majority of the respondents preferred the government corporation to the DOT agency, because they viewed it as more flexible and less bureaucratic than a federal agency. For instance, the corporation would have more autonomy in funding and budgeting requirements that typically govern the operations of federal agencies. Respondents believed that the speed of passengers through checkpoints was likely to remain unchanged. No consensus existed among respondents preferring the government corporation option about how federal control might affect stakeholder cooperation or legal and liability issues.

Potential Lessons About Screening Practices From Other Countries

We visited five countries—Belgium, Canada, France, the Netherlands, and the United Kingdom—viewed by FAA and the civil aviation industry as having effective screening operations to identify screening practices that differ from those in the United States.[7] The responsibility for screening in most of these countries is placed with the airport authority or with the government, not with the air carriers as it is in the United States. In Belgium, France, and the United Kingdom, the responsibility for screening has been placed with the airports, which either hire screening companies to conduct the screening operations or, as at some airports in the United Kingdom, hire screeners and manage the checkpoints themselves. In the Netherlands, the government is responsible for passenger screening and hires a screening company to conduct checkpoint operations, which are overseen by a Dutch police force. We note that, worldwide, of 102 other countries with international airports, 100 have placed screening responsibility with the airports or the government; only 2 other countries—Canada and Bermuda—place screening responsibility with air carriers.

We also identified differences between the United States and the five countries in three other areas: screening operations, screeners' qualifications, and screeners' pay and benefits. As we move to improve the screening function in the United States, practices of these countries may provide some useful insights.

First, screening operations in some of the countries we visited are more stringent. For example, Belgium, the Netherlands, and the United Kingdom routinely touch or "pat down" passengers in response to metal detector alarms. Additionally, all five countries allow only ticketed passengers through the screening checkpoints, thereby allowing the screeners to more thoroughly check fewer people. Some countries also have a greater police or military presence near checkpoints. In the

[7] See *Aviation Security: Long-Standing Problems Impair Airport Screeners' Performance* (GAO/RCED-00-75, June 28, 2000).

United Kingdom, for example, security forces—often armed with automatic weapons—patrol at or near checkpoints. At Belgium's main airport in Brussels, a constant police presence is maintained at one of two glass-enclosed rooms directly behind the checkpoints.

Second, screeners' qualifications are usually more extensive. In contrast to the United States, Belgium requires screeners to be citizens; France requires screeners to be citizens of a European Union country. In the Netherlands, screeners do not have to be citizens, but they must have been residents of the country for 5 years. Training requirements for screeners were also greater in four of the countries we visited than in the United States. While FAA requires that screeners in this country have 12 hours of classroom training before they can begin work, Belgium, Canada, France, and the Netherlands require more. For example, France requires 60 hours of training and Belgium requires at least 40 hours of training with an additional 16 to 24 hours for each activity, such as X-ray machine operations, that the screener will conduct.

Finally, screeners receive relatively better pay and benefits in most of these countries. Whereas screeners in the United States receive wages that are at or slightly above minimum wage, screeners in some countries receive wages that are viewed as being at the "middle income" level in those countries. In the Netherlands, for example, screeners received at least the equivalent of about $7.50 per hour. This wage was about 30 percent higher than the wages at fast-food restaurants in that country. In Belgium, screeners received the equivalent of about $14 per hour. Not only is pay higher, but the screeners in some countries receive benefits, such as health care or vacations—in large part because these benefits are required under the laws of these countries. These countries also have significantly lower screener turnover than the United States: turnover rates were about 50 percent or lower in these countries.

Because each country follows its own unique set of screening practices, and because data on screeners' performance in each country were not available to us, it is difficult to measure the impact of these different practices on improving screeners' performance. Nevertheless, there are indications that for least one country, practices may help to improve screeners' performance. This country conducted a screener-testing program jointly with FAA that showed that its screeners detected over twice as many test objects as did screeners in the United States.

In view of the tragic events of September 11, 2001, it is clear that we need to thoroughly assess and improve aspects of our aviation security system, including screening. Reassigning the screening functions may be one of the key improvements needed; however, we all recognize that implementing an alternative to the current approach will take time. Many of the stakeholders we consulted expected that changes would be difficult and may require much time and labor to avoid disruption of screening operations. Incremental actions might be necessary, such as testing a new alternative at selected sites while maintaining the current situation elsewhere.

In the meantime, DOT and FAA should continue with efforts under way to improve screeners' performance. We also believe that in the immediate future, additional actions should be considered. These actions could include prioritizing outstanding recommendations that address security, developing a strategic plan to address the recommendations, assigning specific executive responsibility for carrying out this plan, and identifying the sources and amounts of funding needed. A key action needed is to complete the promulgation of the screening company certification regulation, which also implements the requirements of the Airport Security Improvement Act of 2000, enacted by the Congress last November. Furthermore, this committee and others are considering various types of assistance for the airline industry. Consideration of the role of air carriers in

conducting passenger screening could be examined as part of the ongoing effort to identify and structure mechanisms to provide such assistance to help the carriers emerge from the current crisis.

This concludes my prepared statement. I will be pleased to answer any questions that you or Members of the Committees may have.

Contacts and Acknowledgments

For more information, please contact Gerald L. Dillingham at (202) 512-2834. Individuals making key contributions to this testimony included Samer W. Abbas, J. Michael Bollinger, Colin J. Fallon, Libby Halperin, Gail F. Marnik, Belva M. Martin, John R. Schulze, and Daniel J. Semick.

(540011)

STATEMENT OF ROBERT W. BAKER
VICE CHAIRMAN AMERICAN AIRLINES

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, THANK YOU FOR THE OPPORTUNITY TO TESTIFY TODAY REGARDING THE FEDERAL GOVERNMENT'S ROLE IN ADDRESSING AIRCRAFT AND AIRPORT SECURITY ISSUES.

SEPTEMBER 11TH HAS CHANGED WORLD AVIATION FOREVER. WE CAN ONLY SPECULATE ON THE PRECISE CHANGES THAT WILL RESULT FROM THIS HORRIBLE EVENT. HOWEVER, I THINK THERE ARE TWO BROAD DIRECTIONS THAT WE MUST PURSUE PROMPTLY TO PRESERVE OUR AIR TRANSPORTATION SYSTEM.

FIRST, WE MUST DECIDE ON SPECIFIC CHANGES TO AIRLINE AND AVIATION SECURITY OPERATIONS THAT WILL PROVIDE A HIGHER LEVEL OF DETERRENCE AND MAKE IT MUCH MORE DIFFICULT FOR TERRORISTS TO REPEAT THE ATTACKS ON OUR COUNTRY. SECOND, WE MUST MAKE THOSE CHANGES WHICH WILL PROVIDE CONFIDENCE IN OUR AVIATION SYSTEM TO BOTH THE TRAVELLING PUBLIC AND OUR EMPLOYEES. IF WE DO NOT RESTORE CONFIDENCE IN AVIATION, WILL NOT BE ABLE TO RESTORE OPERATIONS AND THE AMERICAN PUBLIC WILL NOT BE WILLING TO TRAVEL BY AIR. THIS WOULD OBVIOUSLY HAVE PROFOUND IMPACTS ON OUR INDUSTRY AND THE U.S. ECONOMY, SINCE THERE IS NO PRACTICAL ALTERNATIVE MODE FOR MOST INTERCITY TRAVEL IN THE UNITED STATES.

A WEEK AGO SUNDAY, TRANSPORTATION SECRETARY NORMAN MINETA ANNOUNCED THE FORMATION OF TWO RAPID RESPONSE TASK FORCES TO PROVIDE

RECOMMENDATIONS IN TWO AREAS: AIRCRAFT SECURITY AND AIRPORT SECURITY. I WAS HONORED TO BE ASKED TO PARTICIPATE IN THIS EFFORT. FOR THE LAST WEEK WE HAVE BEEN GATHERING INPUT, EXAMINING ALTERNATIVES, AND ESTABLISHING PRIORITIES. WE ARE COMMITTED TO PROVIDE THE SECRETARY WITH RECOMMENDATIONS NOT LATER THAN OCTOBER 1 AND WE WILL MEET THAT OBJECTIVE. I ANTICIPATE BOTH SHORT TERM AND LONGER-TERM RECOMMENDATIONS.

LET ME BRIEFLY DISCUSS TWO OF THE SUBJECTS BEING DEALT WITH BY THE RAPID RESPONSE TASK FORCES. BOTH OF THESE PROJECTS ENHANCE AVIATION SECURITY AND ALSO HAVE A POSITIVE IMPACT ON THE CONFIDENCE OF OUR EMPLOYEES AND THE TRAVELLING PUBLIC. ONE OF OUR FOCUS AREAS IS THE HARDENING OF THE COCKPIT TO PREVENT TERRORIST ENTRY. THIS WILL LIKELY INVOLVE MODIFICATIONS TO AIRCRAFT BULKHEADS AND DOORS AND THE ADOPTION OF PROCEDURES TO REDUCE THE EXPOSURE WHEN THE COCKPIT DOOR MUST BE OPENED IN FLIGHT. WE ARE PROCESSING CLOSE TO 100 IDEAS AND SUGGESTIONS.

THE SECOND AREA THAT IS RECEIVING A LOT OF INTEREST AND ATTENTION IS THE AIRPORT SECURITY CHECKPOINT. YOU OFTEN HEAR ABOUT THE FEDERALIZATION OF THE CHECKPOINT. THE AIRLINES HAVE SAID FOR MANY YEARS THAT THE OPERATION OF CHECKPOINT SECURITY SHOULD NOT BE THE RESPONSIBILITY OF THE AIRLINES. IF YOU LOOK OUTSIDE THE UNITED STATES, OTHER COUNTRIES TYPICALLY BOTH OPERATE AND FUND ALL AVIATION SECURITY ACTIVITIES. I BELIEVE THAT MAKING MATERIAL CHANGES IN THE CHECKPOINT OPERATION REPRESENTS AN

IMPORTANT OPPORTUNITY TO BOTH ENHANCE SECURITY AND IMPROVE PUBLIC CONFIDENCE.

THERE IS AN APPROACH, WHICH I BELIEVE, MAKES SENSE AND SHOULD BE DEBATED. I BELIEVE THAT THERE ARE THREE AVIATION SECURITY FUNCTIONS THAT WE NEED GOING FORWARD. FIRST, A HIGH CALIBER, PROFESSIONALLY OPERATED CHECKPOINT THAT DETERS THOSE WITH A NEGATIVE AGENDA AND A SYSTEM WHICH RESTORES PASSENGER CONFIDENCE. SECOND, THE DEPLOYMENT OF A SKY MARSHAL FUNCTION ONBOARD DOMESTIC AIRCRAFT. THIRD, AN ONGOING SURVEILLANCE AND AUDIT PROCESS TO ENSURE THAT SECURITY PROCEDURES AND POLICIES ARE ADHERED TO BY AIRLINES, AIRPORTS, AND AVIATION VENDORS. PERHAPS THESE COULD BE COMBINED AND PERFORMED BY A GOVERNMENT OWNED CORPORATION MADE UP MOSTLY OF FEDERAL LAW ENFORCEMENT OFFICERS.

IN RESPONSE TO YOUR FIRST TWO INQUIRIES REGARDING THE AIRLINE'S ROLE IN SCREENING PASSENGERS AND BAGGAGE, EACH AIRLINE IS REQUIRED TO CONDUCT SCREENING IN ACCORDANCE WITH THE PROCEDURES, FACILITIES AND EQUIPMENT DESCRIBED IN ITS FAA APPROVED AIR CARRIER SECURITY PROGRAM (ACSSP). THE PROGRAM IS DESIGNED TO PREVENT OR DETER THE CARRIAGE OF ANY EXPLOSIVE, INCENDIARY, OR A DEADLY OR DANGEROUS WEAPONS ON A PASSENGER OR IN THEIR CHECKED OR CARRY ON BAGS. THE SPECIFICS OF THE PROGRAM ARE CONSIDERED TO BE CONFIDENTIAL BY THE FAA. GENERALLY, THE PROGRAM USES VARIOUS X-RAY MACHINES, EXPLOSIVE TRACE DETECTION DEVISES AND VISUAL INSPECTIONS TO

PREVENT THE CARRIAGE OF DANGEROUS WEAPONS OR DEVICES ON BOARD OUR AIRCRAFT.

IN MOST INSTANCES, SECURITY CHECKPOINT FUNCTIONS ARE PERFORMED FOR THE AIR CARRIER BY A CONTRACT SECURITY PROVIDER IN ACCORDANCE WITH THE AIR CARRIER'S STANDARD SECURITY PROGRAM AND FAA REGULATIONS. INDIVIDUAL SECURITY SCREENERS ARE HIRED AND TRAINED IN THE SPECIFICS OF THE PROGRAM AND THE USE OF THE SECURITY EQUIPMENT BY THE CONTRACT SECURITY PROVIDER. THE HIRING STANDARDS ARE PROVIDED UNDER FAA REGULATIONS. BACKGROUND CHECKS OF THE INDIVIDUAL'S LAST 10-YEAR EMPLOYMENT HISTORY ARE CONDUCTED. A 10-YEAR CRIMINAL HISTORY CHECK WILL SIMILARLY BE CONDUCTED FOR THOSE INDIVIDUALS WITH INCONSISTENCIES OR GAPS IN THEIR EMPLOYMENT HISTORY. LOCAL AIR CARRIER MANAGEMENT PROVIDES OVERSIGHT OF THE SECURITY PROVIDER'S COMPLIANCE WITH THE FEDERAL REQUIREMENTS AND SPECIFIC SECURITY MEASURES.

MR. CHAIRMAN, I HAVE BEEN INVOLVED IN COMMERCIAL AVIATION FOR 40 YEARS. THERE HAS NEVER BEEN ANYTHING THAT HAS HAD MORE IMPACT ON OUR COUNTRY, OUR INDUSTRY, AND OUR EMPLOYEES THAN THE EVENTS OF SEPTEMBER 11TH. I DO KNOW ONE THING; WE CAN NEVER HAVE ANOTHER SEPTEMBER 11TH.

I'LL BE PLEASED TO TAKE YOUR QUESTIONS.

Statement of

RAdm. Paul E. Busick, USCG Ret.

President and Executive Director,

North Carolina Global TransPark Authority

Before the

Committee on Governmental Affairs

United States Senate

September 25, 2001

Mr. Chairman, Mr. Ranking Member, and distinguished members of the Committee, my thoughts and prayers as well as those of my industry colleagues and the entire nation go out to the people of New York, Pennsylvania and our region here around Washington and to those people in the 80 other countries where our friends and neighbors have lost their loved ones to this terrible act of violence.

I thank you for the invitation to share my perspective on the current aviation security screening process and ways to improve it. My position is not unique though I believe there are few who share my experience. I was personally involved in the decision making process that altered the way we provide for aviation security from 1993 through most of 1996 as Director of Intelligence and Security for the Secretary of Transportation, and I am pleased to offer my views now in 2001 as we revisit this important issue.

In my career as an active duty Coast Guard officer I have had the privilege of commanding the Coast Guard Air Station in San Francisco as well as the Aviation Training Center in Mobile, Alabama. I have served as the Deputy Chief of the Office of Law Enforcement and Defense Operations, at US Coast Guard Headquarters. My direct experience with this issue was garnered during my service to Secretary Peña as Director, of the Office of Intelligence and Security, at DOT, and during my tenure on the National Security Council. When I retired from active duty Governor James B. Hunt, Jr. of North Carolina asked me to run one of North Carolina's finest emerging transportation facilities, the North Carolina Global TransPark. However, my duty to my country was not over yet, and in April of last year I returned to Washington to fulfill my appointment to the Presidential Oversight Board for some Department of Defense Investigations. I am pleased to share the experiences I have gained during that time with you today.

Where we were.

The first comprehensive set of federal regulations governing airport and air carrier security were instituted in 1973. At that time the focus was on the prevention of hi-jacking. In 1973 it was deemed appropriate to concentrate on screening passengers for metal objects that could be used to overpower crew and passengers and divert the aircraft, primarily hand guns and improvised explosive devices. In response screening checkpoints were introduced. The next event of concern was an act taken by an employee. At that time we responded with requirements to conduct background checks on employees and severely limit the access to the secure area of the airports to those persons with an absolute operational need to be near the airplanes. Pan Am 103 showed us that bombs aboard aircraft were the new vector for terrorist attacks. Events in Asia in 1995 showed that terrorists persisted in planning to attack aviation targets. While the TWA 800 incident was eventually determined to be a mechanical/design failure, it reinforced the notion that changes needed to be made because it could easily have been an intentional detonation. The events of September 11, 2001, have brought us full circle. We must focus on several elements of the history of aviation security to see where we can learn from our mistakes so that we are not destined to repeat them.

How we tried to address the situation of the moment.

In 1996 on the morning prior to the TWA 800 explosion, my colleagues at the Federal Aviation Administration and I called on the aviation industry to partner with government and increase the daily operational baseline for aviation security practices. We wanted measurable, qualitative improvements in both equipment and individual performance. The initial reaction from industry was non-supportive. By the end of that day, we all had a new perspective on the need to enhance aviation security screening. Once again a crisis focused the attention and resources of the government and generated the support of the public to put measures in place that would prevent a similar event. The White House seated a special Commission, the FAA created the Baseline Working Group; Congress held hearings and introduced legislation to require new screening standards. Government and industry worked together to map out the future of the screening process. The final reports from the White House Commission on Aviation Safety and Security, and the Aviation Security Advisory Committee's Baseline Working Group, both included recommendations on the passenger and baggage screening process.

Recommendations for Action vs. Resulting Actions

Certification of Screening Companies and Employees. FAA was to initiate rulemaking for certification of screening companies and individual security screeners. These screeners were to be subjected to employment history

verification comparable to those conducted on persons granted unescorted access to the secure area of the airport. The rulemaking would have set performance standards for both companies and individuals. It also established training requirements and standardized assessments of their performance. As of February 1998, FAA had deployed only 17 computer-based training systems at airports to train screeners. They had planned to deploy 60 such systems by March of 1998, but were required to curtail that effort due to a lack of funding. [1] I have no doubt that these actions would have significantly improved the screening process, as we know it. Screeners would have received proper training, they would have been granted a "personal" certification that would transfer to other locations much like a professional license. The caliber of the position would rise and the turnover rate would have dropped. This rulemaking was originally projected to be complete by 1998. Your esteemed colleague Senator Hutchison introduced the Airport Security Improvement Act of 2000, requiring the FAA to complete this rule and finally require these persons who provide our first line of defense to undergo a background check prior to being given the responsibility of screening passengers and baggage for deadly or dangerous devices. Under the provisions of the Airport Security Improvement Act this rulemaking was to be finalized within 30 days of the enactment of the Act. This legislation was signed into law November 22, 2000. We are fast approaching November of 2001 and the rule is still pending.

Computer Assisted Passenger Pre-Screening. Between 1996-1999 air carriers were to apply an FAA approved passenger profile criteria for identification of "selectees". This system was intended to be a stopgap measure until 100% screening of all passengers and baggage could be conducted with explosive detection equipment. The Baseline Working Group estimated the cost of CAPPS at approximately $6.6 million annually[2]. On April 19, 1999, FAA issued the notice of proposed rulemaking on the use of the CAPPS system and checked baggage-screening procedures. They estimate the cost to be $280 million annually. [3] The CAPPS final rule is still pending, three years later.

Purchase and Deployment of Explosive Detection Equipment. Beginning in 1997 and concluding in 1998, the FAA was to purchase and deploy explosive detection systems (EDS) and advanced technology to supplement EDS. Full deployment and implementation of EDS at Category X and 1 airports for screening of CAPPS selectee checked baggage was to be completed by 2000. FAA was to develop EDS standards for carry on items and prescribe uniform standards to restrict the size, type and amount of carry-on property and provide for strict enforcement. Operational tests and evaluations of the screener proficiency and evaluation reporting systems to improve screener performance were to be completed. Full deployment of explosives detection equipment for screening carry-on items at Category X and Category 1 airports was to be completed by 2000.

---

[1] GAO/T-RCED-98-190
[2] Domestic Security Baseline Final Report; December 12, 1996
[3] Federal Register: April 19, 1999; Volume 64, Number 74; Page 19238

By December of 1997, FAA originally planned to deploy 54 certified explosives detection systems to screen checked bags and 489 trace detection devices to screen passengers' carry-on bags. By the end of April 1998, FAA had deployed only 21 of the certified explosive detection systems and only 250 trace detection devices. [4] In 1998, FAA estimated that the cost of acquiring and installing the certified systems at the nation's 75 busiest airports could range from $400 million to $2.2 billion dependent on the type of equipment purchased and the difficulties associated with the various installation options.[5] In that same year the Deputy Assistant Inspector General for Aviation, USDOT, Alexis Stefani, stated in testimony before Congress that "in the future FAA estimates $100 million is required annually through fiscal year 2004 to complete the deployment of advanced security equipment at US airports." [6] In 1997 the FAA spent $144.2 million on security equipment. In fiscal year 1998 no funding was appropriated for additional equipment purchases. In fiscal 1999 the Administration requested $100 million to continue the deployment of EDS equipment. In fiscal year 2000 $97.5 million was appropriated for equipment deployment, in fiscal year 2001, an additional $97.5 million was made available. According to an industry representative on the FAA Security Equipment Integrated Product Team the average cycle for security technologies approved by the Team and placed on the market is about six years. Considering the time span required to integrate new technology into the field this downward spiral of funding is ominous.

None of this is intended as criticism of the many fine personnel who work at FAA, nor of industry's right under established rulemaking procedures to challenge proposed rules, submit comments and lengthen and dilute the process of change. Using The Administrative Rulemaking Procedures Act to institute new security requirements is simply a fatally flawed approach. In fact, given what we know today, it isn't at all clear there were any failures of the screeners to enforce requirements then in existence. None of that relieves us of the duty to do what is right today.

Where We Are Now

At the present time we once again find ourselves in the midst of a crisis. Public support for increased security measures is at an all time high. The interest of the members of this august body is piqued. The questions we must now ask ourselves is where do we go from here, and how long can we sustain the support

---

[4] GAO/T-RCED-98-190

[5] Statement of Keith O. Fultz, Assistant Comptroller General, Resources, Community and Economic Development Division: "Aviation Security: Progress Being Made, But Long-Term Attention is Needed," Before the Subcommittee on Aviation, Committee on Transportation and Infrastructure, US House of Representatives, May 14, 1998.

[6] Statement of Alexis M. Stefani, Deputy Assistant Inspector General for Aviation, US DOT: " Aviation Security Federal Aviation Administration, " Before the Subcommittee on Aviation, Committee on Transportation and Infrastructure, US House of Representatives, May 14, 1998

necessary to implement a secure aviation screening system that will not doom us to repeat the mistakes of our recent history.

Where Should We Be Headed

There is a great deal of discussion and speculation regarding who should be responsible for the basic aviation screening functions, inasmuch as this is an issue of national security it seems that the answer should be a national entity. On Thursday evening, the President took an unprecedented step in creating a Cabinet-level position, the Office of Homeland Security and appointing Governor Tom Ridge of Pennsylvania as its leader. The aviation industry must take a similar bold step. Governor Ridge's responsibilities will be many and varied. His office will serve as a single point of contact for intelligence for all threats to our homeland. Aviation is one of many targets and as such should remain under the direct supervision of the Secretary of Transportation.

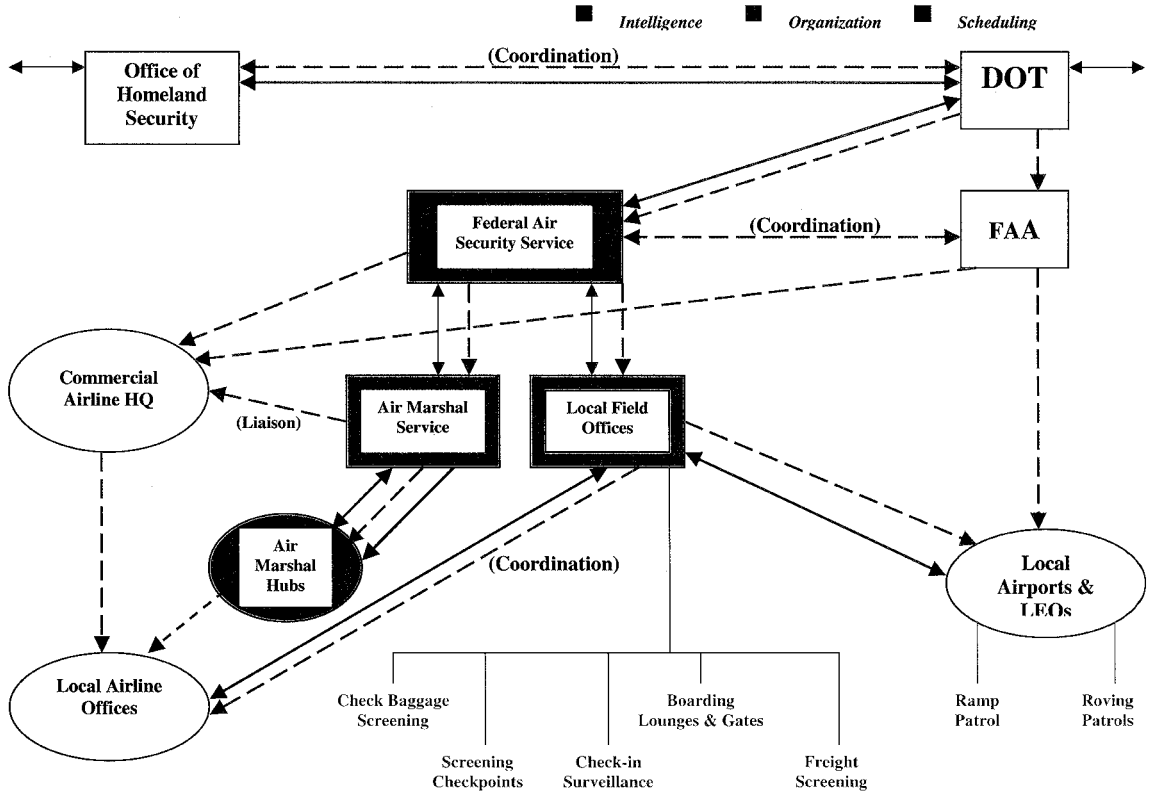
Secretary Mineta will soon be asked to consider methods by which he can ensure the safety and security of our nation's entire transportation infrastructure. Each of the varied modes offers their particular operational expertise to the Secretary to allow him to make sound policy decisions. This synergistic relationship between the diverse modes will be enhanced by the focus of intelligence needs created by this new Office.

Operational measures can continue to be developed by the FAA, and approved by the Secretary, but we need to consider who will carry them out in the field. I believe that the operational measures need to be removed from the airline industry because of inherent conflicts of interest between their bottom line financial performance and the cost of good security. The best option to date seems to be a federal security service with law enforcement powers. This service can be tasked with a single mission: provide effective security screening. As a federal entity this service would be in a key position to receive intelligence on the next threat, the newest vectors utilized by the terrorist, and devise the best methods to counter them. Most importantly, they would be responsible to the American people, not a bottom line. That accountability must include routine measurement of their effectiveness through continuous testing processes. They would also be freed from the Gordian knots of the Administrative Rulemaking Procedures Act, which has effectively defeated the best intentions and worthy efforts of those who have attempted to improve our aviation security baseline in the past.

If such an entity is established it will only be successful with a continuous stream of funding to support its active mission, as well as research and development and acquisition needs. Funding should come from both national security funds as well as dedicated user fee funds.

The on-going viability of the aviation industry is essentially dependent upon public confidence and perception in the industry's ability to provide safe, efficient, timely, and reliable transportation. The observable skills and personal qualities of all personnel engaged in aviation security has particularly strong impact on public confidence levels. A cadre of security professionals is needed now. I hope that you will make the commitments necessary to establish a new system, and provide the ongoing support necessary to make our national aviation system safe and secure.

AVIATION SECURITY FEDERALIZATION CONCEPT



LAMBERT-ST. LOUIS INTERNATIONAL AIRPORT
City of St. Louis Airport Authority
P.O. Box 10212 • St. Louis, Missouri 63145 • Telephone (314) 426-8000

Leonard L. Griggs, Jr., P.E.
Director

Francis G. Slay
Mayor
City of St. Louis

Prepared Statement of
LEONARD L. GRIGGS, JR.
Director of Airports – City of St. Louis
Before the
Committee on Governmental Affairs
United States Senate
on "Weak Links: How Should the Federal Government Manage Airline Passenger and Baggage Screening?"
September 25, 2001

Mr. Chairman and Members of the Committee: I am Leonard L. Griggs, Jr.,[1] Director of Airports for the City of St. Louis.

Lambert-St. Louis International Airport served more than 31 million passengers last year. Lambert, historically TWA's hub, is becoming a major hub airport for American Airlines, as American takes over TWA's operations and personnel.

I appreciate being invited to share Lambert Airport's views on how the nation's aviation security system can be improved so that our citizens will have renewed confidence that our skies are safe and that the Federal Government is protecting airports and aircraft operations from the full spectrum of possible terrorist activities. I am pleased that the focus of this hearing is airport screeners since they are a key element in the defense against terrorists.

[1] Member, National Civil Aviation Review Commission (1997) and FAA Assistant Administrator for Airports (1989-93).

First, Mr. Chairman, I would like to thank the Congress and President Bush for having developed and enacted S. 1450, the "Air Transportation Safety and System Stabilization Act," within a single week's time. This legislation, which makes available $5 billion in direct grants to the nation's scheduled airlines, will eliminate the likelihood of carrier bankruptcies due to business lost when the Federal Government closed all our airports two weeks ago. The bill's loan guarantee program could reverse the industry's loss of creditworthiness resulting from the terrorist acts of September 11. The bill also provides for faster payment of claims resulting from the New York City, Pentagon and Pennsylvania plane crashes that will benefit the families of those lost on those flights. Congress wisely added a provision authorizing $120 million for continued air service to smaller communities. Finally, we understand that $3 billion of the $40 billion authorization enacted by Congress on September 14 will help airlines with the security upgrades that have since been put into the system.

There is one important item that won't require Congressional legislation – and that's the prompt reopening of Ronald Reagan Washington National Airport. I understand this issue will be resolved by the Federal security agencies. However, Reagan National Airport is an important symbol as well as a highly important destination airport serving the National Capital area. To paraphrase Washington Mayor Tony Williams, Reagan National Airport is the front door of this city. Keeping it closed symbolically keeps Washington closed and tells the terrorists that they have won an important perceptual objective – not allowing our

pre-September 11 civil aviation system to be fully restored. I am confident security measures can be agreed to that will make flying out of National safe.

Congressional leaders indicated last week when endorsing S. 1450 that other legislation will soon be developed to deal with other consequences of those terrorist activities to civil aviation. As you know, the scheduled airlines have announced more than 90,000 employee layoffs since September 11. Thousands of TWA/AA employees in the St. Louis region will be laid off. St. Louis Mayor Francis Slay supports Federal legislation to provide continuing health benefits and extended unemployment assistance to those laid-off airline employees.

On September 16, DOT Secretary Mineta appointed two "rapid response" task forces to make recommendations by October 1 as to needed changes to airpor and aircraft security systems. Staff of the St. Louis Department of Airports will be participating in the work of those groups. We expect the Bush Administration to make legislative recommendations on how to organize Federal agencies, state and local governments, and private parties to improve aviation security during October as well.

-- Lambert-St. Louis International Airport's Response to FAA Increased Security Mandates

Security measures at Lambert have been noticeably increased in response to FAA's directives over the last two weeks. Law enforcement's presence has been expanded with Lambert police officers being stationed at all three of the passenger screening points within the terminal.

This suggestion came from Senator Durbin, and we have found that increased law enforcement presence reinforces the seriousness of passenger screening and communicates to screeners how important their functions are. Curbside baggage check-in has been eliminated and access to concourses has been limited to ticketed passengers and badged employees. I'm attaching a more complete listing of increased security measures that we have implemented at Lambert. Other security measures, not publicly discussed, have also been put into operation or are planned.

As a result, we believe that airport security at Lambert is very high. I was comfortable flying out of Lambert yesterday and believe that other travelers should feel safe resuming their flights through our airport.

-- City Of St. Louis Recommends Additional Actions To Further Improve Airport And Airline Security

As to aircraft security, St. Louis supports a substantial expansion of the Federal Air Marshal Program for on-board protection of passenger flights and improved protection of the cockpit in airline aircraft.

In addition, the following is a partial listing of additional security measures that St. Louis believes should be considered by DOT and the Congress to further improve the on-airport portion of airport security:

- ***Review of what items constitute a "weapon" for purposes of passenger screening and availability within airport concession areas.*** Setting aside questions regarding the quality of the passenger screening function conducted

under "low bid" airline contracts at our airports, it appears that the September 11 terrorists may not have violated FAA screening guidance. The short knives and box openers the terrorists may have carried through passenger screening were permitted by FAA regulations at that time. Wisely, these standards have since been tightened. Thus, it appears that these hijackings may have resulted from a failure in designing, rather than implementing, screening standards. Now that screening requirements have been tightened, airports need expanded guidance so that "weapon" materials aren't available in airport concession areas beyond the passenger screening points.

- ***Better Federal intelligence sharing.*** We have all read in the press accounts of how information about some of the September 11 terrorists was never passed on to local law enforcement or airport police. Federal intelligence agencies don't timely share their information with the FAA's Civil Aviation Security Office and, in turn, with local airport law enforcement. Some have urged that expanded Federal intelligence efforts must be approved and funded by Congress and the Executive Branch. In our view, it is important that relevant, timely information must be shared with us. Airport security is the last ground defense to forestall terrorism against civil aviation, but that defense must be based on adequate, timely information.
- ***Federal enforcement agency support for airport proprietor actions.*** The current list of enumerated crimes, the conviction for which precludes an individual from having unescorted access to an aircraft or secure area of an

airport, needs to be expanded. Additionally, the statute of limitation that precludes us from considering the relevancy of a highjacking conviction after 10 years needs to be lifted. Aggressive prosecution by United States attorneys would also be helpful. Presently, Federal prosecutors tend to rely on local prosecution. A change in the law that would allow criminal history checks of all personnel working at an airport would improve security. Currently, under Federal Aviation Regulation 107.31, only those individuals who are granted unescorted access to secure airport areas can be subject to the criminal history checks.

- ***Federalized passenger screening.*** I believe, and a majority of my colleagues believe, that the passenger screening function should be placed under control of a Federal agency, probably within the U.S. Department of Transportation, rather than being delegated, as now, to the private airlines. The federalized passenger screening program could be another branch of the Federal Air Marshal Program under the Secretary of Transportation. "Federalizing" the passenger screening function should make it easier to pass intelligence information concerning terrorist activities to locations at risk and to local law enforcement agencies that back up the passenger screening function at U.S. airports. In addition to providing for Federal agency supervision of passenger screening, individual screeners must be trained to perform at a professional level. Screener candidates should meet higher qualifications, should undergo

thorough background checks, and should receive pay and benefits consistent with the critical importance of their jobs.

- ***Restriction on carry-on baggage.*** Until a Federal agency has taken over the passenger screening function, it might be advisable to limit carry-on bags to one per passenger, with some exceptions, to reduce the screener workload.
- ***Improved baggage, cargo and mail screening.*** Congress should assure that adequate numbers of Explosive Detection System (EDS) devices and other current technology systems are available for the inspection of unaccompanied baggage, cargo, and mail packages. While these issues have not been much discussed recently, improved screening equipment as well as an expanded FAA and industry research and development program will be needed to minimize risk to aircraft from non-metallic weapons and explosive devices.
- ***Upgrade automated access control systems.*** Airports are already revalidating the badges of on-airport personnel who must have access to secure areas, badging other employees, and strenuously enforcing rules against "piggybacking" through secured doors. But in addition to using current systems to their fullest, airport proprietors should be given Federal funding to continually upgrade their access control systems for the air operations areas.

-- Congress Should Help Fund the New Security Mandates Imposed by FAA on Airport Sponsors

Lambert-St. Louis International Airport is spending millions of dollars of unbudgeted funds this year to implement the increased FAA security measures

announced since September 12. Just the costs for an increased law enforcement presence at Lambert approximates an extra $72,000 per week.

The City believes that "unfunded Federal mandates" should be covered by general Federal funds or through expanded authorizations from the Airport Improvement Program (AIP), a part of the Airport and Airway Trust Fund, or through Passenger Facility Charges (PFCs).

Another crisis we are facing is the cancellation and/or tripling of premiums by Lambert's liability insurance underwriters. Airports will need help in addressing these never-before-seen spikes in liability premiums or outright cancellations.

In addition to unexpected expenditures, St. Louis and all other public airport proprietors have seen a dramatic loss of revenues. In the last two weeks, Lambert has lost some $2 million in concession revenues. Parking revenues are being lost due to the Federal prohibitions on parking near terminals. Passenger flows are down; at Lambert, our passenger flows could be reduced 30-40% during the last quarter of the calendar year. Again, fewer passengers equals lower revenues from auto parking fees, from in-terminal concessions (news and gift, food and beverage, etc.) and from substantially reduced revenues from the Federally-authorized Passenger Facility Charge Program (PFC). Finally, because of these revenue reductions, $45.5 million in current airport projects at Lambert have been deferred.

When Congress begins to process legislation to improve airport and airline security systems and to establish Federal operational control of the passenger screening function, the City of St. Louis will urge that airport financial losses due to terrorist activities be compensated. As an example, where an airport (such as Lambert) has issued bonds secured by Federal AIP grants according to a schedule of annual payments set out within an FAA Letter of Intent (LOI), these LOI payments should be funded as the highest priority from appropriated AIP funding levels. Further, there should be a statutory set-aside to cover these new security costs so that AIP funds for needed capacity increases won't be diluted by the new security requirements.

Again, Mr. Chairman, St. Louis appreciates the opportunity to express its views and recommendations on this most important topic of aviation security. I would be pleased to answer the Committee's questions or to respond for the written record.

Thank you.

Attachment

PUBLICLY-ANNOUNCED SECURITY ACTIONS TAKEN BY LAMBERT-ST. LOUIS INTERNATIONAL AIRPORT SINCE SEPTEMBER 12, 2001

1. Have established airport police officer checkpoints at security screening locations
2. Concourses are restricted to ticketed passengers and badged employees only
3. Curbside check-in of bags has been eliminated
4. Increased foot patrol perimeter checks
5. Explosive detection dogs visible to the public
6. Increased guards and police officers at both terminals on bag claim and ticketing drives
7. Placed distance-parking restrictions at both terminal buildings
8. Prohibited trucks, SUV's, vans etc., from using the terminal parking garages
9. Added vehicle checkpoints with guards to enforce the parking restrictions
10. Installed barricades and fencing as required for security and parking restrictions
11. Increased identification badge checks in the field
12. In the process of revalidating approximately 12,000 airport ID badges
13. Badged additional 1000 employees to access the concourses that previously were not required to have badges
14. Airport-issued photo ID badges will be required to access Lambert's employee parking area
15. Added signage and security type paging announcements

TESTIMONY BY AUBREY "BILL" HARVEY, JR.

TRAINING SUPERVISOR FOR ARGENBRIGHT

SECURITY AT

O'HARE INTERNATIONAL AIRPORT

Good afternoon. My name is Aubrey William Harvey, Jr. I am a checkpoint security supervisor (CSS) for Argenbright Security at O'Hare International Airport. I appreciate the opportunity to testify before this committee and give you the perspective of the men and women who work as security checkpoint screeners at our nation's airports.

Let me say that it has been troubling to read in the newspaper a number of representations in the media over the last two weeks in regard to security screeners. Those of

us who work hard day in and day out to protect the flying public – successfully, I might add – have found the news reports pointing the finger of blame at screeners for the events of September 11 very disheartening. From all indications, there is no evidence that any activity by a checkpoint screener – all of whom were following FAA regulations correctly – contributed to this horrible tragedy.

I want to thank you, Senator Durbin, and the other members of this committee for taking the perspective of the security screener in mind as Congress debates changes to the current system. As an Air Force veteran who served with the 19th Tactical Air Strike Squadron in Vietnam, I understand and appreciate the role that security – and national security - plays in our American transportation system. I want to assure you that those of us working the

checkpoints take this issue of national security very seriously as well.

Let me give you a little bit of background about myself. I was hired as a pre-departure screener for Argenbright in November 1996 and, given my interest in taking on more responsibility, was promoted to checkpoint security supervisor. In 1999, I became certified as a Trainer and Advanced Equipment Trainer and currently train new members of the O'Hare screening team. Training new members involves both classroom instruction and on the job training. The latter is particularly important, as human interaction with passengers and attention to behavior is vital.

In 1999, I was selected as the FAA's "Screener of the Year." Candidates are chosen based on superior performances under the difficult circumstances than can present themselves at an airport checkpoint. My nomination was the result of two events that occurred at O'Hare. The first occurred in December 1998, when a passenger attempted to board an aircraft with a 12-guage shotgun. We apprehended the weapon and the passenger was arrested. In August 1999, a passenger broke through the security checkpoint; I followed and contained the passenger until a police officer made the arrest.

The activities of individual screeners are important, but new security measures and technology are also critical. At my time at Argenbright, I have seen the screening technology vastly improve. Training procedures have

become more sophisticated, using computer programs such as the TIP program and 'Safe Passage' to test screeners on the job. Screeners are also required to have additional training yearly to update them on the newest technologies and procedural changes.

We are also making ongoing efforts to attract, retain and reward qualified employees. Since I began at Argenbright, I have received two promotions and my wages have nearly tripled.

The events of September 11, 2001 were horrific and cruel. Yet, I believe that security screeners at the affected airports and even those that were not affected acted with dispatch on that day and in the days since to protect the flying public. As a trainer and a checkpoint security

supervisor, I know the difficulties and challenges of the job. I also know the value of following procedures and the importance of training. As an individual employee of Argenbright Security, I have and will continue to work with federal authorities to improve screening, security and the safety of the flying public. Thank you.

Statement of
Michael La Pier, A.A.E.

Executive Director,
Central Illinois Regional Airport

Before the
Committee on Governmental Affairs
and the
Subcommittee on Oversight
Of
Government Management

September 25, 2001

Good afternoon Mr. Chairman, members of the Committee and staff. I would like to thank the Chair for the opportunity to appear here this afternoon and to provide you with a small airports view of the current state of aviation security in our country.

I would like to thank the senior Senator from the State of Illinois, Senator Durbin, for inviting me to appear today and especially for his unyielding support and leadership of aviation issues in the State of Illinois.

I should tell you this is my first opportunity to testify before a congressional or senate committee. I am deeply honored by this experience and will always value it as an American.

In the words of a song made popular again recently, "in a New York minute, everything can change." This is eerily true of the world of civil aviation as the result of the tragic actions of September 11th. The acts of aviation piracy and subsequent terrorism have clearly changed the face of the industry that the Central Illinois Regional Airport is a part of forever. We recognize that change, Mr. Chairman, and frankly, we welcome it. We clearly don't welcome these changes in the manner in which they were presented to us, but we support fully all efforts to strengthen civil aviation security in our country.

Allow me for a moment to introduce you to the Central Illinois Regional Airport. Serving a region of about 1.2 million people from Bloomington – Normal, the airport has seen unprecedented growth in passenger traffic and scheduled commercial flights. Since 1987 passenger traffic has grown from just over 80,000 passengers annually to nearly 500,000 in calendar year 2000. At the same time, the number

of scheduled daily airline flights has grown from 12 in 1987 to nearly 50 in 2000. In fact, the number of air carriers serving the airport has grown from two (2) in 1987 to its current level of five (5). This growth is the direct result of a very robust economy in the region coupled with the offering of expanded service opportunities by the airlines. I guess you could call us a true success of the deregulation era.

In terms of passenger traffic, we were recognized as the fastest –growing non-hub airport in the United States in 1997 and over the last five (5) years, the second – fastest growing airport regardless of size in the country.

Prior to the horror of September 11th, the Central Illinois Regional Airport stood in full compliance with all applicable security directives and regulations put forward by the Federal Aviation Administration. I am also pleased to report that we achieved compliance with all new directives issued after September 11th within twenty – four hours, making us one of the first in the Great Lakes region to achieve this status. We take security very seriously at Central Illinois Regional Airport.

It is important to note, however, that full compliance does not come without a cost. Our security budget for this year totals about $125,000.00. The increased security dictated after September 11th will cost approximately $30,000.00 per month or nearly triple our budget. This expenditure, if annualized would constitute nearly 20% of our $2.1 million annual

operating budget. This, Mr. Chairman, has the potential to become a significant financial burden.

As the members of this committee are aware, there are today two distinct but intertwined areas of responsibility for aviation security at our nations airports. First, airlines are tasked with a variety of regulations regarding passenger and baggage security under the rules of Federal Aviation Regulation Part 108. These tasks include what is perhaps the most visible security mission, the passenger security checkpoint. Airlines hold the responsibility for providing trained, qualified personnel to man this operation. Currently, in most if not all situations, carriers contract these services with one of several private companies.

Airport operators support the passenger security checkpoint with law enforcement officers. These officers are not trained to operate the checkpoint but are in place to support its operators if necessary. The level of law enforcement support required varies depending upon the size or activity level of the facility. In the case of Central Illinois Regional Airport, the required level of law enforcement support is achieved through a series of alarms that alert City of Bloomington Police who will then respond to the checkpoint within five (5) minutes.

I do not wish to be viewed as critical of the current system of checkpoint security. I believe that the vast majority of companies and individuals involved in these activities are trained, and caring people that

have done and are doing a good job of protecting the safety of our airline passengers. It is important to note however that these individuals are not law enforcement personnel.

I believe that whether we like it or not, the events of September 11th have caused a change in the rules of the game. I do not believe these changes can be met with simple regulatory adjustments. We must meet these changes with significant actions that will allow us to again capture firm control of the safety of our nations skies.

There has been a great deal of discussion and debate recently about the need to standardize or perhaps even federalize the activities of all airport checkpoints. This is an idea that has significant merit and in my view warrants a very complete examination. Perhaps it is time for us to move our checkpoint security out of a regulatory posture and into a posture of law enforcement. A parallel I believe can be found in our nations' Coast Guard. While I do not feel qualified to recommend what agency should be tasked with this new effort, I would suggest that they be provided timely access to all relevant information gathered by all branches of our government so that they can rapidly and effectively adjust their training and if necessary their posture. We must demand that they take a proactive approach rather than a reactive one. Simply put, the rules of the game have changed and I believe we can expect those rules to continue to change in the future. Whoever is tasked with the responsibility of

checkpoint security must have all necessary information and tools, particularly communication tools, to anticipate pending changes before they occur.

The second area of responsibility for aviation security is that of airport security. This, in simple terms is the security of the airport facility and the environment that our air carriers operate in. These activities are the responsibility of the airport operator.

Under current regulations, the extent of airport security required varies depending upon the activity level of the airport. The level required varies from complete video monitoring and law enforcement patrols at our nations busiest airports to much less stringent, but nonetheless effective, security posture at some of our smaller airports.

When I think back to the events of September 11th and in particular the events of that day at Central Illinois Regional Airport, the one thing that stands out in my mind was the lack of information and direction that we received. I fully realize that the efforts of those in charge were probably correctly focused on much more high profile, higher activity airport facilities but while the exposure is higher at those facilities it is no less real at airports the size of Central Illinois Regional.

Going back to the Gulf War, airports and the Federal Aviation Administration working together crafted plans to implement as needed varying levels of

security depending upon the perceived threat. Without going into specific details, all airports developed under the guidance of FAA, four levels of security that airports are prepared to implement in short order when notified by FAA. This action I would call reactive at the time but one that should have put us in a proactive stance for the future.

Unfortunately, the one component that failed in this system on September 11th was again communication. We did not receive any communication from FAA regarding increased levels of security until the next day.

I again do not wish to be viewed as being critical of the individuals that were involved in these activities at FAA. I believe they do a wonderful job of regulating the security posture of our nations airports. We must however learn from these events and practice that old saying "an ounce of prevention is worth a pound of cure."

I believe the agency in charge of aviation security must be provided with the tools necessary to communicate with all partners in aviation security promptly and thoroughly. If all of the partners are not on the same page at the same time, the system is bound to fail.

It will likely become a part of the discussion in the next few weeks that the security posture of our airport operators needs to be improved as well. I would caution here that "one size does not fit all" in

this discussion. However, if airports are required to vastly increase their security posture, they must be provided with the resources to do so.

It is important to note one distinction here between airlines and airports. Airlines are intended to be for profit enterprises. Particularly at this time in our economy, we hope that they are in fact for profit.

Airport operators, on the other hand, are with few if any exceptions, not for profit, government agencies. Particularly in the case of smaller airports, operators are typically supported by some form of property or ad valorum tax revenues. In our case, the Central Illinois Regional Airport is approximately 38% tax dependent.

As recently as September 20th, the financial markets recognized the gravity of the situation surrounding commercial air transportation and elected to place all North American airports on "credit watch." This action will have significant impact on all airports that have bonding authority and will severely hamper our ability to raise capital. Further, Standard and Poor's has made the statement that in their view "airports and airlines are inextricably linked. Airports are suffering from the same problems as airlines---increased costs due to security.....and dramatically reduced revenues." In their statement, Standard and Poor's calls on Congress to grant FAA "immediate and broad authority to reimburse airports for extraordinary costs for security to maintain financial viability."

I would ask that this committee seriously consider this action but also consider providing for the resources necessary so that airport operators can improve our overall security posture. We looked at Central Illinois Regional Airport to determine what resources it would take to improve our posture. If we were to match the security levels in place at larger airports, our quick analysis of need would call for an investment of nearly $1.8 million in one - time expenses with ongoing investment of nearly $500,000.00 annually. That Mr. Chairman is a tough pill for a small airport to swallow without some help.

Mr. Chairman and members of the Committee, I would like to thank you for the opportunity to address you here this afternoon. Not only do I thank you personally but professionally as well. Often small airports are overlooked in discussions of this nature. Our needs and abilities are different than our larger brothers and sisters. It is comforting to know that in this case, we have had the opportunity to share them with you.

Turnover Rates for Screeners at 19 Large airports, May 1998-April 1999

City (airport)	Annual turnover rate (percentage)
Atlanta (Hartsfield Atlanta international)	375
Baltimore (Baltimore-Washington International)	155
Boston (Logan International)	207
Chicago (Chicago-O'Hare International)	200
Dallas-Ft. Worth (Dallas/Ft. Worth International)	156
Denver (Denver International)	193
Detroit (Detroit Metro Wayne County)	79
Honolulu (Honolulu International)	37
Houston (Houston Intercontinental)	237
Los Angeles (Los Angeles International)	88
Miami (Miami International)	64
New York (John F. Kennedy International)	53
Orlando (Orlando International)	100
San Francisco (San Francisco International)	110
San Juan (Luis Munoz Marin International)	70
Seattle (Seattle-Tacoma International)	140
St. Louis (Lambert St. Louis International)	416
Washington (Washington-Dulles International)	90
Washington (Ronald Reagan Washington National)	47
Average turnover	**126**

Source: GAO Report, Aviation Security, June 2000

1267056 GAO

Airport Security Breaches

We successfully accessed secure areas in 68 percent of our tests. Once we entered secure areas, we boarded aircraft 117 times. The majority of our aircraft boardings would not have occurred if employees had taken the prescribed steps, such as making sure doors closed behind them.

Source: Office of Inspector General, U.S. Department of Transportation, April 19, 2000

Our undercover agents were 100 percent successful in penetrating 19 federal sites and 2 commercial airports. We were able to enter 18 of the 21 sites on the first attempt. The remaining 3 required a second visit before we were able to penetrate the sites.

At no time during the undercover visits were our agents' bogus credentials or badges challenged by anyone. At the 21 sites that our undercover agents successfully penetrated, they could have carried in weapons, listening devices, explosives, chemical/biological agents, devices, and/or other such items/materials.

Source: GAO, May 2000

Actions to Improve Aviation Security

- Increase Use of Bulk Explosives Detection Machines
- Issue Rule on Certification of Screening Companies
- Establish Standards for Measuring Screener Performance
- Strengthen Controls for Accessing Secure Areas of the Airport
- Conduct Criminal Checks for All Employees

Source: Department of Transportation Office of Inspector General

ASI-01-322
September 24, 2001

The Honorable Joseph Lieberman
Chairman, Senate Government Affairs Committee
Dirksen Senate Office Building, Room 340
Washington, D.C. 20510

Dear Senator Lieberman:

I am attaching a document concerning my recommendations for aviation security improvements for the record to be included in your hearings on Tuesday, 25 September 2001. I have not included some recommended security measures because of their sensitivity. Otherwise, I believe that the document speaks for itself; however I will be happy to respond to any inquiries that you or any members of the Senate or House may have.

I also wish to call to your attention the failure of Secretary of Transportation Mineta to include consumer/passenger representatives in his Rapid Response Teams. These teams are charged with delivering " . . . detailed recommendations for improving security within the national aviation system" to Secretary Mineta by October 1, 2001.

Unfortunately, Secretary Mineta apparently feels that public participation is unneeded and unwelcome because he has repeatedly refused to name consumer representatives to the committees. He is required to ensure that any advisory committees "be fairly balanced in terms of the points of view represented" in accordance with the Federal Advisory Committee Act (FACA). Failure to do so will result in a biased set of recommendations that may not be in the best interests of U.S. citizens.

I ask that you address this failure by Secretary Mineta to comply with the FACA in your hearings. I also ask that you make this letter a part of the record of your hearings.

Sincerely,

/Signed/

Mr. Billie H. Vincent
President & CEO
(Also former head of aviation security for the FAA)

cc: Mr. James Dean, Committee Management Secretariat, GSA
Senators: Warner, Allen, Hollings, McCain, Boxer, Hutchinson, et al
Representatives: Lipinski, Wolf, et al
Members of the Media
Selected Consumer Groups/Representatives

UNITED STATES
AVIATION SECURITY REQUIREMENTS

United States aviation must be viewed as an essential national resource. Terrorist attacks against U.S. aviation have been recognized for what they are, i.e., an attack against the U.S., not the specific airline involved. Protecting aviation then becomes important to the U.S. Government as a national asset, not just protecting U.S. citizens and others flying on our aircraft.

The attached recommendations include some of what would have heretofore been considered "radical out-of-the-box" thinking. Acceptance of some of these measures has previously been an anathema to the airline industry. All of these recommendations should be considered as individual levels of security, each of which are independently essential. As an example, arming pilots should not negate the dire need to considerably enhance the detection probability of the security screening process. In other words, the people in the passenger cabin should not be left to the mercy of terrorists by basing our hopes solely on the fact we have armed persons in the cockpit. Good security is "layered security", i.e., multiple independent elements.

The economics, i.e., cost and efficiency, of these security requirements should be secondary considerations. Past practices by the FAA have truncated, marginalized, and rendered ineffective essential security protection measures because the airlines have the overwhelming political and economic power in the U.S. political establishment. These past practices should be guarded against in this time of tragedy as we set about building a truly effective aviation security system.

And, the actions outlined in this document should not be considered all inclusive. Other measures will have to be taken in these and other areas.

We must resolve that we will never again have to endure what happened on September 11, 2001.

Billie H. Vincent
President & CEO
Aerospace Services International, Inc.
14101 Parke Long Court, Suite V
Chantilly, VA 20151-1645
Telephone: (703) 322-1900
Facsimile: (703) 322-1911
e-mail: asi@idt.net

U.S. AVIATION SECURITY REQUIREMENTS

EXECUTIVE SUMMARY

U.S. AVIATION SECURITY REQUIREMENTS

I. IMMEDIATE ACTIONS

These are actions that can be taken without delay and are essential to the protection of U.S. commercial aviation.

Restrict carry-on articles to one per person, e.g., a briefcase, computer bag, etc., and restrict size of carry-on articles to 8" by 16" by 16".

Implement a Baggage/Passenger Match for U.S. domestic originating passengers.

Require airlines to screen a minimum of 25% of all checked baggage.

Federalize the Aviation Security Screening Workforce.

Establish a Security Screening Academy.

Arm all pilots of U.S. airlines, cargo and air taxi aircraft.

Assign a limited number of Federal Air Marshals to U.S. domestic and international flights.

The FAA should immediately issue the final rule requiring certification of all screening companies that are involved in aviation screening.

The FAA should accelerate the action to implement the law requiring 80 hours for the initial training of all screening personnel.

Assign Airport Rapid Response Teams to all medium and large U.S. airports.

Authorize all Federal Law Enforcement Personnel to carry weapons on U.S. domestic flights.

II. MID-TERM ACTIONS

Reassign aviation security responsibility to a law enforcement agency, preferably the FBI.

Require implementation of a Full-Baggage Passenger Match for all domestic U.S. flights by March 1, 2002.

Require airlines to screen a minimum of 50% of all checked baggage starting no later than March 1, 2002.

Expand the Federal Air Marshal Program.

Purchase and Deploy additional Explosives Detection Systems (EDS) & Trace Detection Units (TDU).

Provide ballistic protection for cockpit bulkheads and floors in the B-747 and the A-380.

III. LONGER-TERM ACTIONS

Require airlines to screen all checked baggage starting no later than January 1, 2003.

Screen all employees, other persons and the articles in their possession and inspect all vehicles on entry to airport secured areas.

Enhance Airport Access Control Systems by requiring the use of a Personal Identification Number or Biometric correlation with all electronic access cards.

Provide ballistic protection for selected vital components within an aircraft from small firearm projectiles.

Initiate Research to examine possible uses of Biometrics for security.

Examine the installation of CCTV Cameras in cockpit and passenger cabin for security purposes.

Change-out, on a periodic basis, all X-ray and metal detectors to ensure that the technology used is state-of-the-art.

Provide blast protection for passenger overhead luggage compartments.

Integrate Law Enforcement/Intelligence Databases with aviation security systems.

Provide more information to the public re security system impact at U.S. airports.

Billie H. Vincent
President & CEO
Aerospace Services International, Inc.
14101 Parke Long Court, Suite V
Chantilly, VA 20151-1645
Telephone: (703) 322-1900
Facsimile: (703) 322-1911
e-mail: asi@idt.net

U.S. AVIATION SECURITY REQUIREMENTS

I. IMMEDIATE ACTIONS

These are actions that can be taken without delay and are essential to the protection of U.S. commercial aviation.

A. Restrict Number and Size of Carry-On Articles

Action: Restrict carry-on articles to one per person, e.g., a briefcase, computer bag, etc., and restrict size of carry-on articles to 8" by 16" by 16".

The FAA would have to issue instructions to the airlines. The airlines would be responsible for this security measure until, and if, the federalization of the security screening function becomes a reality.

A woman would be permitted a small handbag in addition to a briefcase or computer bag. Any briefcase, computer bag, handbag, etc., would be restricted to no larger than 8" depth, 16" high by 16" wide. Exceptions would be made for persons with small children, handicapped persons, etc.

The purpose for this restriction would be to reduce the number and amount of articles that have to be inspected/searched at screening points. In other words, trying to find the proverbial needle in a haystack, we need to reduce the size of the haystack by requiring more items to be consigned to checked baggage.

Added benefits that will accrue from this security measure will be a reduction in queuing and increased safety. This latter benefit is realized by the reduction of heavy articles in passenger cabin overhead bins. A number of persons are injured each day from heavy articles that have shifted during flight and fall on the heads, shoulders, etc., of passengers. And, in the event of a crash a reduction of these articles should also increase the survivability of passengers in reducing the number of these potential heavy projectiles.

Finally, airlines object to this security measure because it:

1. Increases the number of checked articles they have to handle,
2. Increases their costs because it may require additional staffing, and
3. Decreases cargo space, and therefore revenue, in their passenger aircraft.

Aircraft manufacturers and/or aircraft interior designers may object to this security measure because they have responded to some airline's specifications for increased space in passenger cabin overhead storage bins.

U.S. AVIATION SECURITY REQUIREMENTS

B. Require Immediate Implementation of an Originating Baggage Passenger Match

Action: Implement a Baggage/Passenger Match for U.S. domestic originating passengers.

This would be the first of a two-step process in implementing a Full-Baggage/Passenger Match in the Domestic U.S. aviation system.

The FAA would have to issue instructions to the airlines requiring this security measure. The implementation of the security measure would be the responsibility of the airlines.

This involves matching all baggage with domestic passengers at their point of origin in the U.S. The more difficult intra- and inter-line and second (and subsequent) flight segment(s) baggage/passenger match will be implemented in a mid-term timeframe (see Section II below). The reason for a two-phased approach is to allow the airlines to muster the necessary personnel, accomplish the needed training, acquire the necessary software and hardware, etc., to implement the process.

A Full-Baggage/Passenger Match (Reconciliation) has been an international (ICAO) requirement since April 1, 1989. In fact it has been a U.S. requirement since July 7, 1985 for U.S. airlines operating from high-threat international airports. U.S. airlines have fought having to implement a Full-Baggage/Passenger Match in the domestic U.S. for the past decade. U.S. airlines are fully cognizant of the processes of accomplishing a full-baggage/passenger match – moreover they have the skills necessary to do so. In fact, U.S. airlines are now doing a limited originating baggage/passenger match process for persons that meet the FAA CAPPS profiling process.

C. Phase I of Interim Screening of Checked Baggage on all U.S. Domestic and International Flights

Action: Require airlines to screen a minimum of 25% of all checked baggage.

The FAA would have to issue requirements for this security measure and the implementation would be the responsibility of the airlines.

Airlines would be required to use (in the following order of method of examination depending on the availability of equipment) Explosives Detection Systems, Advanced Technology X-ray, conventional X-ray, and/or physical search in examining a minimum of 25% of all checked baggage.

D. Seek Emergency Passage of a Law to Federalize the Aviation Security Screening Workforce

Action: Federalize the Aviation Security Screening Workforce.

The FAA/DOT would have to forward proposed legislation to the U.S. Congress to mandate this change.

Given the continued controversy over the training, pay, performance, rapid turnover, and low skill level of the current aviation security screening program, it is now necessary to federalize this function. Specifically, we should enact legislation that will authorize the hiring of qualified persons to accomplish this function to:

1. Meet rigid physical and mental standards,
2. Pass criminal history checks,
3. Pass a periodic drug examination,
4. Have quasi-law enforcement authority and responsibility,
5. Receive security clearances to the Secret level,
6. Have quasi-law enforcement status,
7. Have the authority to detain persons for investigation,
8. Have the authority to carry firearms,
9. Receive training commensurate to their job performance (16 or more weeks in law essentials regarding their functions, firearms, aviation security procedures, operation of X-ray, EDS, Trace Detectors, history of unlawful interference against aviation, etc.),
10. Receive 20 year retirement and other federal benefits, and
11. Receive preferential consideration for entry into U.S. Government Law Enforcement Agencies (FBI, INS, USCS, etc.) after 3-5 years of satisfactory performance in the U.S. Government Aviation Security Screening Service.

E. The establishment of an Aviation Security Training Academy

Action: Establish a Security Screening Academy.

The FAA should take action to establish this screening academy.

Establish a Security Screening Academy where screening personnel receive training commensurate to their job performance (law, firearms, aviation security procedures, operation of X-ray, EDS, Trace Detectors, history of unlawful interference against aviation, etc.).

F. Arm all Pilots of Commercial, Cargo and Air Taxi Aircraft with handguns.

Action: Arm all pilots of U.S. airlines, cargo and air taxi aircraft.

The FAA would have to take multiple actions to implement this security measure.

1. Enact legislation giving pilots law enforcement authority to detain, arrest, and to take lethal action where necessary, when they are performing their aviation functions as pilots,
2. Enact enabling legislation should include federal firearms authority to carry concealed weapons on a U.S. commercial airplane anywhere in the U.S., its territories, possessions, etc.,
3. Issue standard weapons to all pilots (same as U.S. Federal Air Marshals),
4. Issue standard ammunition to all pilots (same as U.S. Federal Air Marshals),
5. Establish/designate firearm training centers at strategic locations in the U.S.,
6. Establish training guidelines and standards based on U.S. Federal Air Marshal guidelines,
7. Provide supervision over designated airline pilot firearm training centers by U.S. Federal Air Marshals,
8. Require recurrent training for firearm qualifications.

G. Assign Air Marshals to Selected Domestic and International Flights

Action: Assign a limited number of Federal Air Marshals to U.S. domestic and international flights.

The FAA has the existing authority to implement this security measure.

This should be done with the view that this force must also serve as the focal point in training, overseeing and mentoring the arming of all pilots of commercial flights. In other words, assigning all the full-time professional force of Air Marshals to flights might be counter-productive to the pressing need to "get-guns-in-all-cockpits-in-the-hands-of-friendlies". Past experience (1970s & 1985) in the assignment of law enforcement personnel from other agencies, e.g., INS, USCS, U.S. Marshals, etc., as Federal Air Marshals should be employed as a temporary measure.

H. Certifying of Screening Companies

Action: The FAA should immediately issue the final rule requiring certification of all screening companies that are involved in aviation screening.

Note: This is a necessary interim action while awaiting the federalization of the aviation security screening function.

U.S. AVIATION SECURITY REQUIREMENTS

I. Number of Hours of Training for Security Screeners

Action: The FAA should accelerate the action to implement the law requiring 80 hours for the initial training of all screening personnel.

Note: This is a necessary interim action while awaiting the federalization of the aviation security screening function.

J. Airport Rapid Response Teams

Action: Assign Airport Rapid Response Teams to all medium and large U.S. airports.

This security measure would be the responsibility of U.S. airports.

These Airport Rapid Response Teams (two or more persons) should be armed with automatic weapons and should be positioned at all medium and large U.S. airports on the basis of the ability to respond to the scene of an incident within 1 minute. The purpose for this action is to be able to counter armed attacks against an airport, e.g., Rome, Italy and Vienna, Austria on December 27, 1985 and other similar attacks in the 1980s.

K. Allow Traveling Federal and Selected Local/State Law Enforcement Personnel to carry their Weapons on U.S. Domestic flights.

Action: Authorize all Federal Law Enforcement Personnel to carry weapons on U.S. domestic flights.

This security measure would require the FAA to amend regulations and/or submit legislation to the Congress.

Generally all FBI Agents travel armed on U.S. commercial airliners in the U.S. on the basis that they will need the use of their weapon immediately on arrival at an airport. All persons so armed must have completed training for weapons in aircraft. This program could be expanded with other federal law enforcement organizations. This could increase quickly the number of armed officials on U.S. airlines.

Billie H. Vincent
President & CEO
Aerospace Services International, Inc.
14101 Parke Long Court, Suite V
Chantilly, VA 20151-1645
Telephone: (703) 322-1900
Facsimile: (703) 322-1911
e-mail: asi@idt.net

II. MID-TERM ACTIONS

Mid-Term actions are those that will probably require at least four months (from the September 11, 2001 disaster) before implementation can begin. The fact that these recommendations are included in this section does not lessen their importance or the need for quick implementation.

A. Reassign Aviation Security Responsibility

Action: Reassign aviation security responsibility to a law enforcement agency, preferably the FBI.

The Bush Administration would have to take action with the U.S. Congress to implement this measure.

The reason for this is that the FAA has failed miserably in its responsibility to protect commercial aviation. One of the principal reasons for this failure is because the U.S. airline industry has the controlling influence on the FAA in all safety matters. Removing the responsibility for the aviation security function to a law enforcement agency will provide more insulation of the function from the direct control of the airline industry.

B. Implementation of a Full-Baggage Passenger Match

Action: Require implementation of a Full-Baggage Passenger Match for all domestic U.S. flights by March 1, 2002.

The FAA would have to issue requirements for this security measure and the implementation would be the responsibility of the airlines.

This would be the second step of a two-step process (see Item A in Short-term actions) in full implementation of a Full-Baggage/Passenger Match system in the U.S. Domestic Aviation System. Action to implement this second step would have to commence immediately to meet this deadline. As with implementing the Originating Baggage/Passenger Match in step one, the airlines must muster the necessary persons, accomplish the needed training, acquire the necessary software and hardware, etc. to implement the process. Again, this is not a new process to airlines as they have been doing a Full-Baggage/Passenger Match at designated high-threat international airports since July 7, 1985, and at all international airports since April 1, 1989.

C. Phase II of Interim Screening of Checked Baggage on all U.S. Domestic and International Flights

Action: Require airlines to screen a minimum of 50% of all checked baggage starting no later than March 1, 2002.

The FAA would have to issue requirements for this security measure and the implementation would be the responsibility of the airlines.

Airlines would be required to use (in the following order of method of examination depending on the availability of equipment) Explosives Detection Systems, Advanced Technology X-ray, conventional X-ray, and/or physical search in examining a minimum of 50% of all checked baggage, courier packages, express packages, and other articles in the cargo hold of their aircraft.

D. Federal Air Marshal Program

Action: Expand the Federal Air Marshal Program.

This is the responsibility of the FAA.

This action should be taken to continue to place Federal Air Marshal teams on selected domestic and international flights. While the Air Marshals primary focus should remain on international flights, there will be a need for their services to:

1. Provide standards for the arming and training of pilots (see Item F in the Immediate Action list in Section I),
2. Provide oversight of the pilot weapons program,
3. Provide a resource for special protective activities.

Note: If responsibility for the aviation security screening function is transferred to a law enforcement agency, then the Federal Air Marshal program should also be considered for transfer to the same agency.

E. Explosives Detection Systems (EDS) & Trace Detection Units (TDU)

Action: Purchase and deploy additional Explosives Detection Systems (EDS) & Trace Detection Units (TDU).

The FAA may already have the authority for a limited purchase of additional EDS and TDUs but additional authority/appropriations may be required from the U.S. Congress.

Immediate action should be taken to purchase and deploy additional EDS and Trace Explosives Detection Units at U.S. and foreign airports. Among other uses, attention should be given to deploying smaller EDS machines such as the InVision CTX EDS 2500 at airport security screening points. These EDS machines would be used to examine articles that arouse the interest or concern of screening personnel.

U.S. AVIATION SECURITY REQUIREMENTS

F. Ballistic Protection for Cockpit Bulkheads and Floors

Action: Provide ballistic protection for cockpit bulkheads and floors in the B-747 and the A-380.

The FAA has the responsibility for this measure but will have to coordinate with the aircraft manufacturers. Implementation will require rulemaking action by the FAA.

This is a subject that has been discussed several times over the past three decades. Objections have been raised in the past by airline representatives because of the added weight of the ballistic materials and the life cycle costs associated with carrying this added weight. This security measure is now needed as a result of the anticipated increase in the number of weapons that may be carried in the cockpit and cabin of an aircraft.

Billie H. Vincent
President & CEO
Aerospace Services International, Inc.
14101 Parke Long Court, Suite V
Chantilly, VA 20151-1645
Telephone: (703) 322-1900
Facsimile: (703) 322-1911
e-mail: asi@idt.net

III. LONGER-TERM ACTIONS

These areas of consideration will require study and analysis to see if they are mature or applicable technologies for the threat scenarios now facing the aviation industry.

A. Screening of Checked Baggage on all U.S. Domestic and International Flights

Action: Require airlines to screen all checked baggage starting no later than January 1, 2003.

The FAA would have to issue requirements for this security measure and the implementation would be the responsibility of the airlines.

Airlines would be required to use (in the following order of method of examination depending on the availability of equipment) Explosives Detection Systems, Advanced Technology X-ray, conventional X-ray, and/or physical search in all checked baggage, courier packages, express packages, and other articles in the cargo hold of their aircraft.

B. Screening of Employees and other Persons Entering Airport Secured Areas

Action: Screen all employees, other persons and the articles in their possession and inspect all vehicles on entry to airport secured areas.

The FAA would have to issue requirements for this security measure and the implementation would be the responsibility of U.S. airports.

All persons entering airport secured areas must be screened using metal detectors and any article that they are carrying should be subject to X-ray examination, Trace Detectors or physical search. Vehicles entering secured areas from non-secured areas should also be examined, and physically searched (including the undercarriage) as necessary. A random predetermined number of vehicles shall be subject to examination using Trace Detectors.

C. Enhancement of Access Control Systems at U.S. Airports

Action: Enhance Airport Access Control Systems by requiring the use of a Personal Identification Number or Biometric correlation with all electronic access cards.

The FAA would have to issue requirements for this security measure and the implementation would be the responsibility of U.S. airports.

Not all U.S. airports require the authentication of an employee's access control card with the individual assigned the access privilege. This action would require that any use of an

electronic access control card be accompanied by the input of a Personal Identification Number known only to the individual, or the use of a biometric confirmation, e.g., Hand Geometry, Retina Scan, etc.

D. Ballistic Protection for Selected Vital Components within an Aircraft from Small Firearm Projectiles.

Action: Provide ballistic protection for selected vital components within an aircraft from small firearm projectiles.

The FAA has the responsibility for this measure but will have to coordinate with the aircraft manufacturers. Implementation will require rulemaking action by the FAA.

If measures are taken to arm all pilots, increase the number of Air Marshals and the number of armed federal law enforcement officers on board U.S. airplanes (see Item Section I & II) then attention should be given to protecting aircraft components essential to continued safe flight operations. The implementation of this security measure will raise airworthiness issues and will have to be addressed by aircraft manufacturers and airworthiness experts.

E. Facial and other Biometric Systems

Action: Initiate research to examine possible uses of Biometrics for security.

The FAA has the responsibility for this measure.

Research should be instituted to examine the possible use of Biometrics in the aviation system. One such area to be examined is the application of facial recognition technology for persons on "Watch Lists". Other technologies are already in use at some airports, e.g., Hand Geometry (San Francisco) to verify identity in electronic access control systems, etc.

F. Passenger Cabin and Cockpit Cameras

Action: Examine the installation of CCTV cameras in cockpit and passenger cabin for security purposes.

The FAA has the responsibility for this measure but will have to coordinate with aircraft manufacturers, airlines, Airline Pilots Association, and the Association of Flight Attendants, among others. Implementation may require rulemaking action by the FAA.

Cockpit CCTV cameras are a controversial issue with commercial airline pilots but may offer valuable post-incident data to investigators. Other benefits can accrue from cockpit camera installations but cannot be articulated in this public document. Gathering this data may

enable government officials to develop future countermeasures against terrorist and other types of hijackings.

The pilots need a means of selectively viewing all areas of the passenger cabin during periods of unlawful interference, during air rage incidents and other situations. Having the capability of viewing any area of the passenger cabin will enable the pilots to make an assessment of the seriousness of an incident before opening the cockpit door.

G. Maintaining state-of-the-art X-ray and Metal Detectors for Security Screening

Action: Change-out, on a periodic basis, all X-ray and Metal Detectors to ensure that the technology used is state-of-the-art.

The responsibility for this would depend on where the aviation security screening function is assigned, e.g., the FAA or a law enforcement agency, and the enabling legislation.

A standard should be set, and funds appropriated, to replace all X-ray, Metal Detectors, Trace Explosives Detectors, etc., used in the aviation screening system on a periodic basis. The purpose of this action would be to ensure that security screeners have the technology that will offer the greatest probability of successfully detecting contraband articles.

H. Limited Blast protection for Passenger Overhead Luggage Compartments

Action: Provide blast protection for passenger overhead luggage compartments.

The FAA has the responsibility for this measure but will have to coordinate with aircraft manufacturers and the U.S. airlines.

The FAA has done considerable research and development on the effects of explosive devices in pressurized aircraft. Some of these data have application to strengthen the overhead carry-on baggage compartment in the passenger cabin of aircraft. Consideration should be given to the application of this R&D developed data to the U.S. commercial fleet.

I. Use of Law Enforcement/Intelligence Data Bases by Aviation Security

Action: Integrate Law Enforcement/Intelligence Databases with Aviation Security Systems.

Implementation of this security enhancement would require the cooperation of multiple U.S. Government agencies and might require enacting legislation.

There is currently no electronic interface between law enforcement and intelligence databases regarding terrorist or other unlawful activity that may affect aviation. A project

should be initiated to study the possibility of passing text as well as visual data from law enforcement and intelligence databases to airline reservation systems.

J. Public Access to U.S. Airport Information

Action: Provide more information to the public re security system impact at U.S. airports.

Airlines, airports, the FAA, and others would have to jointly develop and implement this measure.

There is a need to keep the public better informed about the impact of the security system at U.S. airports. A means should be sought to dispense this information to the general public for all major airports, and locally for small airports, via the internet, local, national and satellite TV systems, etc.

Billie H. Vincent
President & CEO
Aerospace Services International, Inc.
14101 Parke Long Court, Suite V
Chantilly, VA 20151-1645
Telephone: (703) 322-1900
Facsimile: (703) 322-1911
e-mail: asi@idt.net

U.S. AVIATION SECURITY REQUIREMENTS

Billie H. Vincent – ASI President & CEO

General Background

- Over 49 years of experience in aviation and associated disciplines (33 years U.S. Government).
- Senior Executive in U.S. Government and Corporate Executive in commercial operations.
- Founder, President and CEO of Aerospace Services International, Inc., and two other businesses,
- Member of U.S. Government counter-terrorism and aviation security study and analysis groups.
- Legislative Fellow in U.S. Congress on aviation, security, transportation, defense activities 1980.
- Directed U.S. Government Aviation Security operations, including Federal Air Marshals 1982-1986.
- Directed the U.S. Government effort in explosives detection research and development 1982-1986.
- Provided testimony and information to U.S. Congress Committees & Subcommittees.
- Member, American Society for Industrial Security, Airport Consultants Council, American Association of Airport Executives, Air Traffic Control Association, and others.

Specific Experience

- Executive management of international airport security projects within the U.S., Middle East, and Asia 1986 - 2000.
- Director of FAA Off. of Civil Aviation Security from 1982 to 1986 - Developed, implemented and operated U.S. Civil Aviation Security System to protect U.S. aviation worldwide.
- Played a key policy and crisis management role in the handling of all hijackings of U.S. aircraft between 1982 and 1986. Investigated aviation security incidents, criminal violations of aeronautical statutes, conduct of aviation operational and security personnel.
- Trained and directed the FAA's law enforcement unit, i.e., the Federal Air Marshals 1982-1986.
- Served as the key fact and expert witness in the trial on the Pan Am 103 tragedy re Warsaw Convention limitations of liability 1989 - 1992.
- Member, U.S. Congress' special Advisory Panel on use of technology against terrorism 1990 -1993.
- Expert witness and Advisor to Vice President Bush's Commission on Aviation Security and Terrorism 1985 - 1986. Also served as the FAA Representative on '85/86 U.S. Govt. Drug Enforcement Policy Coordinating Comm.
- U.S. Government Liaison with the 25–nation European Civil Aviation Conference security subgroup.
- U.S. Dept. of Transportation member of U.S. Intergovernmental Group on Terrorism.
- Special Assistant to the FAA Administrator for Aviation Standards; Executive in charge of Training for the FAA; Chief of the FAA's New York Air Traffic Control Center; Supervisor and Air Traffic Controller at several U.S. and two foreign air traffic control facilities 1952 - 1982.

Education

- Bachelor of Science, Dowling College, Long Island, New York.
- Master of Public Administration, Auburn University, Alabama.
- Graduate, United States Air Force War College.
- Graduate, numerous U.S. Government Courses.

Responses by The Honorable Kenneth M. Mead, Inspector General, Department of Transportation, to Additional Questions for the Record Submitted by Senator Daniel K. Akaka

"Weak Links: How Should the Federal Government Manage Airline Passenger and Baggage Screening?"

September 25, 2001

Question No. 1: Give a detailed account of the current procedures for screening all airport employees regardless of whether they work in a Category X airport, are new employees, are screeners, or are allowed to enter secured areas unescorted. What changes do you recommend to these procedures and what impact does the Bush Administration plan have on the background checks?

Response: ***PROCEDURES FOR CONDUCTING BACKGROUND INVESTIGATIONS***

The Federal Aviation Administration (FAA) has revised and strengthened the requirement for a background investigation several times since 1985 when a limited requirement was first established. However, each time background investigations were strengthened, current employees were exempted from the new requirements. On December 3, 2001, FAA issued a new rule that now requires background investigations, including FBI criminal history records checks (FBI checks), for all employees with unescorted access to secure airport areas, screeners, and screener supervisors.

- *Effective January 31, 1996, FAA required a 10-year background investigation for individuals applying for positions with unescorted access privileges to secure areas of U. S. airports. If the investigation revealed one of four conditions (triggers), such as an unexplained employment gap of 12 months or more, an FBI check was required. Individuals convicted within the past 10 years of any of 25 disqualifying crimes were denied access.*

> OIG defines **"secure area"**, versus **"secured area"**, as the area of an airport where each person is subject to a background investigation and required to display airport-approved ID. Each airport defines this area, which may be the entire Air Operations Area or may be limited to a

- *Effective November 24, 1998, FAA extended the requirement for a background investigation to individuals hired as screeners and their supervisors. An FBI check*

was required only when the background investigation revealed one of the four triggers.

- *Effective December 23, 2000, FAA expanded the use of FBI checks to individuals applying for positions with unescorted access privileges, or as screeners, at Category X airports. The effective date for applicants at all other airports was December 23, 2003. FAA also expanded the list of disqualifying crimes.*

None of these revisions applied to individuals already employed at the airport when the requirements took place. To correct this problem, FAA issued a rule on December 3, 2001, requiring FBI checks for all individuals with unescorted access to secure airport areas, screeners and screener supervisors. Effective December 6, 2001, new employees at all airports must have background investigations, including FBI criminal checks. Current employees that have not had an FBI criminal check must have their fingerprints submitted by December 6, 2002.

The recent changes are consistent with our previous recommendations. However, the changes do not address other weaknesses in FAA's background investigation policy such as the need to conduct recurrent FBI checks, expand FBI checks to baggage handlers who do not work in secure airport areas such as skycaps, and conduct foreign criminal record checks for individuals who have lived in foreign countries prior to applying for access privileges. We also recommend that FAA consider including credit checks and drug tests to help assess whether individuals can be trusted with the public's safety and be permitted to work in secure airport areas.

Question No. 2: ***How would improved screening measures improve concerns surrounding unauthorized access to secure areas and what oversight mechanisms should be in place to prevent future lapses?***

Response: *The following are recommendations we have made in the past on ways to strengthen airport access control:*

Limit the number of access points to secure airport areas.

Require airport operators and air carriers to strengthen access control points in sterile areas[1] *to ensure the security of passengers and aircraft. FAA permits lesser controls in sterile areas such as cipher locks and alarmed emergency doors that are used in combination with passenger screening. We found that these controls are easily circumvented and passenger screening is not always reliable.*

Utilize access control technology that does not rely on the human element, such as cheese grater-type turnstiles to prevent piggy-backing.

---

[1] *Once a person passes through passenger screening, he/she enters the* ***sterile area****. Airport concourses that include the gates for aircraft departures and arrivals are sterile areas.*

Improve compliance with access control requirements by:

Developing and implementing comprehensive training programs that teach employees their role in airport security, the importance of their participation, how their performance will be evaluated, and what action will be taken if they fail to perform. Training must be recurring.

Developing and implementing programs that foster and reward compliance with access control requirements, and discourage and penalize noncompliance.

Since September 11, FAA has taken action to strengthen access controls by requesting airports to limit the number of access points and increase law enforcement presence. As requested by the President, we are currently conducting under-cover audits of airport security. As part of this review, we are testing access controls and will make recommendations for improving access controls.

RESPONSES FROM DR. GERALD DILLINGHAM
ASSOCIATE DIRECTOR, TRANSPORTATION ISSUES, GENERAL ACCOUNTING OFFICE,
TO QUESTIONS FOR THE OFFICIAL RECORD
SUBMITTED BY SENATOR DANIEL K. AKAKA

"Weak Links: How Should the Federal Government Manage Airline Passenger and Baggage Screening?"

September 25, 2002

1. Currently, security at airports has been supplemented by the U.S. Marshals and local law enforcement officers. In addition, the President has asked our governors to allow the National Guard to help with airport security. What impact is this having on our law enforcement resources, and how is this affecting their daily job duties? Furthermore, what steps should be implemented to prepare for such events in the future in order to prevent any diversion of our much-needed resources?

   Answer: Our past aviation security work has focused on issues regarding checkpoint screening and on the security of the ATC system; we have not examined the role of law enforcement at airports. Consequently, we do not have any information or perspective on the impact on law enforcement resources resulting from the increased airport security procedures.

2. Since the event of September 11th, reports have surfaced that enhanced screening equipment such as Explosive Detection Systems as well as passenger screening procedures like the Computer Assisted Passenger Screening are already in place, but are used in limited circumstances. Do you feel that such equipment and procedures are sufficient so long as their use is increased or should new equipment and procedures be implemented? Please explain.

   Answer: Enhanced screening equipment, such as explosive detection systems, are among the best technologies currently available for locating dangerous objects. Following the crash of TWA 800 in July 1996, Congress provided $144.2 million in the Omnibus Consolidated Appropriations Act of 1997 so that FAA could purchase commercially available advanced explosive detection equipment for checked and carry-on baggage. FAA continued to receive additional funding in subsequent years for the purchase and deployment of the equipment. However, throughout FAA's deployment, delays in this equipment's use occurred for a variety of reasons that included, among others, issues over licensing agreements with vendors, training personnel to operate the equipment, and the discretion granted air carriers as to how extensively these units were used. Better utilization of the enhanced screening equipment currently available should be a priority. Nevertheless, it is essential to recognize that terrorist activities are a constantly evolving threat and the aviation system must keep pace; therefore, we believe that new technologies will likely be needed on a continual basis to thwart new and ever challenging approaches terrorists may undertake.

   All but one of the major air carriers planned to implement the Computer Assisted Passenger Screening, called CAPS, by September 30, 1998. This system, which is integrated into each carrier's reservations system, enables air carriers to more quickly separate passengers into two categories—those who do not require additional security attention and those who do. This automated screening process permits air carriers to focus on a smaller percentage of passengers who may pose a security risk and whose bags should be screened by advanced explosive detection equipment or matched with the boarding passenger. According to FAA, all six major air carriers had implemented and were using CAPS by late 1998 or early 1999. In addition, as of October 11, 2001, many regional air carriers were also using CAPS. With the use of CAPS, many air carriers

began to use the advanced explosive detection equipment for only those domestic passengers who required additional security screening of their checked baggage and, on other passengers randomly selected. We believe that CAPS, if used as intended, can enhance passenger screening procedures; however, in light of the events of September 11, 2001, FAA and the air carriers may need to re-evaluate the criteria used in CAPS to further improve its screening capabilities.

3. Just as it is important to screen those passing through our nation's airport security checkpoints, it seems more can be done to identify terrorists before they reach pre-board security screeners. As chairman of the Senate Governmental Affairs Subcommittee on International Security, Proliferation and Federal Services, enhanced interagency approached to preserve our national security is of particular interest to me. Do you have any suggestions on how to increase airline security by drawing on the resources and information of other federal agencies to address this problem?

Answer: GAO has not performed any in depth work in this area. However, it is clear that more could be done to use the information and resource of all federal agencies to increase aviation security. For example, information existed prior to the September 11 events that concerns existed about certain of the suspected terrorists. Such information, if used in conjunction with airline reservation data, may have prevented these individuals from boarding or at least raised concerns. We believe it would be prudent develop the necessary mechanisms so that passengers purchasing air travel tickets within, out of, or into the United States are checked against various federal law enforcement data bases to identify passengers who may be potential security risks.

Additional Questions for the Record
Submitted by Senator Daniel K. Akaka
Weak Links: How Should the Federal Government Manage
Airline Passenger and Baggage Screening?
September 25, 2001

Robert Baker, Vice Chairman
American Airlines

1. Reports have surfaced that some of the terrorists involved with the events of September 11th had been placed on the FBI's watch list prior to the hijacks. Since the attacks, questions have been raised concerning the screening of passengers prior to their check-in at an airport to determine if they are wanted by US or international law enforcement. What, if any, screening of this type is performed by the airlines and what steps do you believe should be implemented to distribute this kind of information to the proper transportation and other law enforcement officials?

   The aviation security rules and procedures for US airlines are provided by the FAA. Prior to September 11, the airlines would infrequently receive security alerts from the FAA about particular individuals. Beginning with the events of September 11, the FBI and other US government agencies have provided lists to the airlines via the FAA security directive procedures. American has designed and implemented software that precludes the issuance of a boarding pass to any customer that is on one of these lists. We load and update these lists in our realtime system, Sabre. Law enforcement is notified immediately if such an individual presents him or herself for travel.

2. As you are well aware, air transportation is vital to the geographically isolated states of Hawaii and Alaska as well as to the U.S. Territories. It is of primary importance for the transport of medical supplies and for mail delivery. However, in your testimony, you stated that American Airlines has currently suspended the transportation of cargo on its flights in accordance with FAA requirements. What security measures are needed to resume the carrying of cargo and ensure that such vital shipments are not delayed?

   Since the hearing held on September 25, 2001 there have been some modifications to the rules covering the carriage of cargo and mail on US passenger airlines. We are now able to carry freight shipments from "known" shippers. Without getting into all of the detailed requirements, "known" shippers are those that have been inspected and found to abide by proper security measures to ensure the safety of their shipments given to airlines. The carriage of priority mail is still a restricted operation in that items above a certain weight are not currently permitted on aircraft that also carry passengers. The FAA and the US Postal Service are attempting to find a suitable procedure to allow this cargo to flow in the future.

○