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HAS AIRPORT SECURITY IMPROVED?

JOINT HEARING

BEFORE THE

COMMITTEE ON
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

AND THE

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

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HAS AIRPORT SECURITY IMPROVED?

WEDNESDAY, NOVEMBER 14, 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 met, pursuant to notice, at 10:33 a.m., in room SD–342, Dirksen Senate Office Building, Hon. Joseph I. Lieberman, Chairman of the Committee, presiding.

Present: Senators Lieberman, Durbin, Levin, Cleland, Carnahan, Thompson, and Voinovich.

OPENING STATEMENT OF CHAIRMAN LIEBERMAN

Chairman LIEBERMAN. Good morning and welcome to this hearing. Today, the full Committee on Governmental Affairs and the Oversight of Government Management, Restructuring, and the District of Columbia Subcommittee, asks the question that I would guess millions of Americans are asking. Has aviation security improved since September 11?

The fear and loss of life caused by the attacks that day have focused an intense and very personal spotlight on the question of aviation security. Since September 11, the number of airline passengers has fallen off dramatically.

The crash just this past Monday of American Airlines Flight 587 in New York, of course, has renewed concerns in the minds of many Americans about the safety of air travel. Our hearts go out to the families of those who died in that crash even as we continue to work to find ways to allay concerns about the security of air travel. If the cause was mechanical, we need to find out what went wrong and take steps to prevent future accidents. If it was a terrorist act, of course, we must urgently redouble our efforts to make our airports and airplanes more secure.

As one airline executive told the *Washington Post,* "While it is tragic under any circumstance, the impact to the psyche of the traveling public would be greater if it were a security-related cause."

Because its investigation is just beginning, I do not intend to ask the FAA or other witnesses today questions directly related to the Monday crash. This hearing was scheduled well before that incident and is more broadly focused on the measures that the FAA, the airports, and the airlines have taken in the wake of the September 11 attacks.

We in Congress began our most recent round of investigations on airline security immediately after September 11. This Committee held a hearing just about 2 weeks later, on September 25. The Senate finished work a month later, October 11, on an aviation security bill that makes sweeping changes in the way that airline and airport security is handled, including expanding the air marshal program and federalizing passenger and baggage screening services.

I am very proud that amendments to this bill sponsored by Senator Durbin and me on the one hand and Senator Thompson on the other, which emerged from our earlier hearing, were adopted by the full Senate and are part of the bill and make it stronger.

The House later passed a very different bill, and as we all know, the conferees are now at work. I want to plead with the conferees, our colleagues in both parties from both Houses, to really stretch to quickly reach an agreement because it will be truly outrageous if Congress leaves for Thanksgiving without passing aviation security legislation and sending it to the President to be signed. It is, after all, now more than 2 months since our aviation system was used by terrorists to attack us. We have acted very rapidly on a host of other measures in response to those attacks, including $15 billion of aid to the airlines. It is long past the time when we should find common ground and pass this aviation security legislation.

Remember, as Congress also struggles to find similar common ground on an economic stimulus package for our receding economy, that aviation security also means economic security and economic growth. So passage of the aviation security legislation, I think, both in direct terms and in its psychological effect, is one of the best things we can do to help our economy grow again.

But even if enacted today, the changes in the aviation security legislation would not have an immediate effect. The focus of this hearing is, therefore, on what has been done, what is being done, and what should be done to improve aviation security.

Since September 11, the FAA has issued a series of new security directives to airports and airlines. Some of them are familiar to those of us who fly frequently, like the restrictions against anyone but ticketed passengers in sterile areas and the conspicuous presence of uniformed National Guard personnel at screening checkpoints. Other less visible measures are also being undertaken, such as the use of computer programs to pre-screen passengers and stepping up security in the ramp areas.

And consistent with Transportation Secretary Mineta's zero-tolerance policy, FAA is more willing today to take stronger actions in response to perceived security breaches, such as bringing taxiing planes back to the gate, evacuating a concourse, or holding a flight, as has been done on numerous occasions since September 11, and those are all welcome developments.

Nonetheless, there continue to be embarrassing and potentially dangerous lapses in security, the most egregious of which occurred a week and a half ago with the passenger at O'Hare National Airport.

Today, we want to explore how such incidents still occur in spite of the heightened vigilance. We need to ask how unusual are these

incidents. Are there more such incidents today than there were last year or are we just more aware because of heightened public and media scrutiny? And bottom line, are airline passengers safer today than they were on September 11?

We need to question if the new FAA requirements are stringent enough to deter violence in our skies and if they are being properly carried out by security personnel on the ground. How consistently are the orders being implemented across the Nation? Why, for instance, as we hear, does it seem that random carry-on baggage checks are standard in some airports but not in others?

We also want to find out how aggressively airlines are examining checked baggage. For example, in spite of the fact that the government has ordered that greater use be made of explosives detection systems, passengers have reported to us seeing these machines sitting idle in some airports. In fact, we will hear from the Department of Transportation's Inspector General today that a spot check conducted at nine airports during the past weekend showed that fewer than 30 percent of the machines are in continuous use. And it turns out that the American Airlines terminal at Kennedy International Airport, where Monday's ill-fated flight originated, apparently has no bomb detection equipment at all. How can that be so?

President Bush's announcement that he will increase the National Guard presence at airports by 25 percent over the holidays, as well as expand their duties, is, of course, welcome, but the Committee and I think a lot of the American people would like to know more about the National Guard's role and its effectiveness.

Americans who want to fly ought to be able to look forward in this season of celebration to celebrating and not to feeling rampant insecurity. Those are the lines of inquiry that I hope we are going to pursue today as part of an ongoing oversight role for this Committee in pursuit of greater aviation security.

Let me now turn to Senator Thompson, the Ranking Member of the full Committee.

OPENING STATEMENT OF SENATOR THOMPSON

Senator THOMPSON. Thank you, Mr. Chairman, and thank you for your leadership in this area, especially in crafting the bill on the Senate side. I think we will have a bill because we should, and we oftentimes do what we should do and I think this is going to be one of those times.

But I want to focus in on one particular aspect of the discussion. We are hung up right now, apparently on the question of federalization or non-federalization, and the point I would like to make is that it is not going to make any difference as to where we come out on that unless we have actual people on the ground, screeners and others, doing their job. So what can we set up to more likely produce a good situation on the ground?

I think we did something good in the Senate bill. It is not in the House bill. And I would hope, above all, even above the Federal/non-Federal discussion, that we wind up with provisions in there that will clearly set performance goals and measures and then hold those responsible strictly accountable for meeting them. I think that is what has been lacking. And whichever direction we go, surely we can have a provision like that.

Performance subject to accountability is not yet institutionalized within the industry as it is in many industries, but it must be. Where are the incentives for the top safety executives to ensure that their workforce is up to this enormous challenge? What drives the head of security at each airport to guarantee that his or her employees are trained, rested, and alert? How motivated is each individual screener to perform his job, knowing that good performance will be rewarded and poor performance might mean the end of that job?

Across all levels of this enterprise, accountability has largely been missing except when the TV cameras are watching. Instead of merely reacting to each unfortunate discovery of dangerous items that make it through the screening process onto an airplane, we must be proactive, making sure that the right tools are in place from the start. Until each employee has a clear understanding of what his job is and has a reason to do it the right way, we will keep playing catch up.

Therefore, we must begin with a comprehensive performance plan which gives the entire airline security sector a clear strategic direction. We then must establish performance goals for all levels of management, not just the screeners, that flow from the plan, and leave no doubt about what is expected throughout the organization. Finally, we ought to include bonuses for superior performance as well as provisions that allow employees who fail to meet these goals to be suspended or terminated.

The Senate airline security bill included an amendment that I drafted to put such a management system in place and I urge my colleagues to consider the amendment and make that a part of the law.

We have had a lot of discussion about the upsides and downsides of federalizing this system, more or less. One of the main objections to federalizing it, for lack of a better term, has been that it is so difficult to discipline those who are found to be not up to the job in the Federal system. The Federal employee does have a number of appeal rights. In addition to whatever internal appeal rights might be available to the employee at his or her agencies, they may also appeal through the Merit Systems Protection Board and the Equal Employment Opportunity Commission.

I found very interesting a recent review of this appeal process by the Inspector General of the Railroad Retirement Board. He said this. Under the current system, Federal Government management is often reluctant to take necessary disciplinary action to contest dubious claims filed by employees. The result is a bureaucracy that accommodates employees who cannot or will not perform their jobs, because at times, management is unable to meaningfully and efficiently deal with the problem and the ensuing burdens of litigation. Now, that employee may be removed from the specific job while the appeal process is going on, but this does not do much to instill accountability.

Now, the Senate bill, I think, addressed this and allowed, really removed screeners from any of the protections afforded under Title V. What we did was add on to that. In the first place, our amendment does not, as you know, does not just apply to screeners. It applies to every employee hired under the Act. It requires the Depart-

ment to prepare a performance plan setting out goals and objectives necessary to ensure aviation security and that every employee who is hired must enter into a performance agreement where they commit to being evaluated based on their performance and achieving goals related to the aviation industry. The head of aviation security can take performance into account when deciding to fire screeners.

So I think it is a responsible approach. You do not want to just fire people willy-nilly based on somebody's whim. We have a system here. We have got performance goals. We have got a system set up to see whether or not people are meeting those goals and then we have got the opportunity for people to act on that.

Now, there are certainly other reasons to believe that federalizing the system is not going to solve all of our problems, and I do not even want to get into that debate. The point is, whether you have a Federal system or whether you have a system where you contract with Federal supervision, this provision that I just discussed can be placed within either one of those systems so that we can have some accountability and some motivation and reward and punishment for the people actually on the ground doing the job, and that is what we are going to have to wind up having in order to get this job done.

So I urge that we keep that in mind as we go along. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thanks very much, Senator Thompson. I fully support your amendment and I am proud that it emerged, at least in part, from a hearing we held on September 25, as did the amendment that the Senate also adopted that Senator Durbin and I worked on that would expand background checks of airport personnel, employ more effective passenger and baggage screening procedures and equipment, and fund some accelerated research and development of promising new technologies.

Senator Durbin is the Chairman of the Subcommittee who is cochairing this hearing and has been a passionate and persistent advocate for aviation security. Senator Durbin.

OPENING STATEMENT OF SENATOR DURBIN

Senator DURBIN. Thank you, Chairman Lieberman and Senator Thompson, for this important hearing. It is an opportunity for us to get an update on what has occurred since September 11 by way of airport and aviation security.

I am glad that Bruce Carter, who is Director of Aviation at the Quad City International Airport in Moline, is going to be a witness later on. He will bring a perspective to this discussion which is important. And Jacqueline Mathes of Woodstock, Illinois, representing the flight attendants, will also be here to share with us some of their feelings on the front line of the war against terrorism on our airplanes and in our airports.

Let me say that it is a curious situation that we now across America are confiscating nail clippers at a time when we learned that a man got on a plane yesterday with two meat cleavers in Miami and made it to Chicago through the screening process. It is odd to me that we are confiscating cuticle scissors at a time when a man ten days ago was able to get through the screening check

at O'Hare with seven knives, a stun gun, and a can of mace in his baggage. It is a suggestion to me that the current system, despite the disaster of September 11 and all of the negative publicity, has been unresponsive.

And the largest private contractor, Argenbright, announced last Friday that they got the message. Now they understand there is a problem. Excuse me. This is a death bed conversion. This company has known since September 11 that this is a national crisis, and the fact that they have not responded in a way to create peace of mind across America is an indication to me that this system is fatally flawed as it currently exists.

I want to commend Senator Thompson for bringing out some of the specifics of the Senate legislation, which passed on a bipartisan roll call vote of 100–0. The critics of this legislation have not considered the specifics, which provide for, first, no right to strike, and second, the performance contracts which he referred to which make it clear that if people are hired under the Senate provision, they can be dismissed for failure to perform in a professional manner. That, to me, is an assurance to all the critics of our bill that we are not creating a bureaucratic nightmare that will protect people in positions when they are incompetent, and we have seen clear indication and evidence of incompetence in the current system.

Allow me to add one other point. Let me concede the obvious. No matter who wins this debate, whether we federalize the screeners or keep them in the private sector, there are bound to be lapses in security in the future. That is going to happen. But it is our responsibility in Congress to take the most prudent course and the safest course to try to make airports and airline travel more predictable and safer for people across America.

There used to be an old saying, would you buy a used car from this man? I think when we look at the current system, American families are saying, would I trust the safety of my family to the current system, to Argenbright and all of the other screeners at the airports? And the answer to that question, unfortunately, is demonstrated by the fact that people are reluctant to get back on airplanes.

So here we are, weeks after having passed a bill 100–0. It is now sitting in a conference committee. I hope it is resolved this week. The people who are against the bill have made it clear where they are coming from. Mr. DeLay has said he does not want Federal employees. Mr. Armey has said we cannot have people joining unions, and that seems to be the motivating force in opposition to what the Senate has proposed.

Just for the record, let us put in a reminder that those firefighters, those police officers, those postal employees, those people who have given their lives on the front line of the war against terrorism were public employees and members of unions and we have been very proud of them as Americans. We have called them our heroes.

Today, we are going to hear from the front line what is going on across America. I hope that this hearing will be a motivation for the members of the conference committee to waste no time. Pass this bill this week. Get it in place, moving forward. Restore con-

fidence so that people can return to the airlines and airports. Thank you, Mr. Chairman.

PREPARED STATEMENT OF SENATOR DURBIN

Chairman Lieberman, I am pleased to co-chair this important hearing with you this morning. I commend you for bringing the Committee together to assess the progress made in securing our national aviation system since the September 11 attacks.

First, let me express my sympathy to the families of the passengers and crew of American Airlines Flight 587 and to those who were affected in Queens, New York.

I would like to take this time to thank our witnesses. In particular, I want to recognize Bruce Carter, Director of Aviation at Quad City International Airport in Moline, Illinois. Bruce has a wealth of aviation and airport management knowledge and has managed a number of Illinois airports. Quad City International Airport is the third largest commercial airport in Illinois, enplaning about 400,000 annual passengers. I look forward to his testimony.

Jacqueline Mathes of Woodstock, Illinois is here representing the flight attendants. By the way, Jackie is someone I met on an airplane. She has been a familiar face on United Airlines flights from the Washington, DC to Chicago, O'Hare market. She will testify as someone who is on the front lines, both in airports and on board commercial airplanes.

Mr. Chairman, today's hearing is a follow up to the joint Subcommittee-Full Committee hearing on September 25. We want to explore the changes that have been made since September 11 at our nation's airports, on board airplanes, and within the Federal Government.

This hearing is not designed to point fingers or assign blame. What has been done? What still needs to be addressed? How effective is the Federal Government working with state and local governments and private industry?

Before we move to the witnesses, I'd like to share a few observations. First, it has been just over 2 months since the September 11 attacks and we still do not have an aviation security bill. This is inexcusable. The American traveling public should not have to begin the busy holiday travel season with anything less than the peace-of-mind that Congress and the Administration have done everything possible to improve aviation security. This is not the time for partisan politics. But it's also clear that simple internal reforms at private security firms, like Argenbright, won't do the trick. If these firms didn't get the message on September 11, they never will.

In fact, just last night, a 76-year-old chef was being held in Chicago after he flew from Miami to O'Hare with two meat cleavers in his carry-on bag. These cleavers were only found when he went to board another flight. And recently in Boston, a security guard left her post unattended for several minutes, causing hundreds of passengers to be cleared from the terminal. While it may be hard to make the case that this man was a terrorist or that the Boston incident posed an immediate threat to our national airspace, it is disturbing that these security breaches continue to happen. Inspector General Mead has noted in his written testimony that since October 30, approximately 90 incidents ranging from concourse evacuations to passenger deplaning and rescreening have occurred. In my opinion, that's 90 too many.

Second, while law enforcement officials and National Guard troops have been deployed at our nation's airports, we need to do more to clearly define their roles and ensure that effective communication and coordination exists.

For example, 2 weeks ago at Chicago O'Hare International Airport, a 27-year-old man with an expired student visa was able to sneak seven knives, a stun gun, and a can of pepper spray past a security screening checkpoint and enter the boarding area of a United Airlines flight to Omaha. He was able to accomplish this despite the fact that screeners took two knives from him as he initially passed through the screening checkpoint. His bag was not search and he was not otherwise detained. When a United employee subjected him to a random search in the boarding area and these additional weapons were discovered, he was simply charged with a misdemeanor and sent home. It wasn't until the next day that the FBI moved to arrest and hold him on more serious charges. And this was done only after he returned to the airport to claim his bag. Furthermore, two of his knives were stolen, allegedly by security screeners who were later fired.

You know something is truly wrong when toe nail clippers are being confiscated by the thousands yet someone makes it to the gate with an arsenal of weapons.

The O'Hare incident raises some important questions. What's the role of local law enforcement at our airports? The role of Federal agents? The National Guard's function? If it's window dressing, reassurance, peace-of-mind for jittery travelers, that's

great. But, let's ensure that in addition to a show of force there's also real coordination and an effective common security strategy.

Let me again put a plug in for seamless security from curbside to cockpit. I'm anxious to hear of the changes not only on board commercial airplanes but in our airports—both large and small—since September 11. While there are certainly specific challenges at O'Hare or Washington Dulles or at Quad City International Airport, the basic procedures and effectiveness of overall security should not be any different in Washington, DC or Moline, Illinois. Afterall, all these airports are also gateways to the national-international aviation system and U.S. airspace.

Finally, I want to talk about perimeter security and employee access to secure areas. Do we know who our airport/airline employees are and have they been subjected to comprehensive background checks? Are airport employees required to undergo the same scrutiny as passengers? I know how it should work, I've read the press releases and seen the hidden camera investigations, but my question to our witnesses today—Is it working?

With that Mr. Chairman, I want to welcome our witnesses, including FAA Administrator Jane Garvey and Inspector General Mead. I thank you again for co-hosting this hearing with me.

Chairman LIEBERMAN. Thank you, Senator Durbin.

Senator Voinovich is the Ranking Member of the Subcommittee.

OPENING STATEMENT OF SENATOR VOINOVICH

Senator VOINOVICH. Thank you, Mr. Chairman, and I would like to thank you and Senator Durbin for calling today's hearing on aviation security. I think that when you decided to have this hearing, none of us would have anticipated the recent tragedy of American Airlines Flight 587 that we had in New York City. The only consolation there is that preliminarily, at least, it has not been attributed to terrorism, but that really does not make me feel any better, particularly if it is through defective equipment, lack of maintenance, or pilot error that was the cause of that tragedy.

I think we ought to understand that there is a great deal of fear and anxiety out there today among the American people, anxiety and fear that I have never seen before in my almost 35 years in government. People are comforted, Mr. Chairman, by the fact that they believe the President is doing a good job and is making his decisions based on what he feels is in the best interest of the American people, and also because of the fact, and this came through loud and clear when I visited the Toledo Post Office 2 weeks ago, that it appears to them that Republicans and Democrats in Congress are working together and putting aside partisan politics for the betterment of the people of this country.

I also would like to let you know that I was encouraged that when I met with the postal workers I learned that what we heard from the Postmaster General and the union leaders that cooperation has filtered down to the rank and file front line workers in our domestic war against terrorism. I made it very clear to them that we are going to do everything that we can to help them, to make sure that they are secure in their jobs, because we knew that if they are secure in their jobs and the mail is secure, that the American people would feel secure about their postal delivery and that would help lessen this tension that we have today out there in our country.

I have seen a large increase in the security at airports that I travel to, and I think members of Congress know more about this maybe than anyone else because we travel so often. I wish that Congress had worked and moved quickly to pass legislation to in-

crease airport security. The fact of the matter is that the President is right. We need to get that legislation passed before we go home for Thanksgiving, period.

I want to say to Ms. Garvey that I have seen an improvement in it, and I know there are the stories of the meat cleavers and the rest of it. I am most concerned about the inconsistency in enforcement.

For example, I was flying out of Boston. I have a little screwdriver that I use to tighten the frames of my glasses so that the glass does not come out. It was confiscated. Now, that was the first time. I have had that in there time and time again.

The other thing that bothers me is the inconsistency when they check the luggage and how they go about doing it. There doesn't seem to be any kind of standards that are involved.

One thing that you and I have talked about is that when I travel within 24 hours of purchasing a ticket, I have my bags checked. I do not know whether you have experienced that or not, but I have almost every time now that I have traveled, because my ticket is usually purchased within 24 hours. I get stopped as a result of that. Last week in Boston, twice I spent 15 minutes having my bags checked.

Senator THOMPSON. You are suspicious looking.

Senator VOINOVICH. I am suspicious. A member of the U.S. Congress, they knew it and so on and so forth, but spent all of that time with me, and you wonder to yourself, again, is this a mindless type of operation? I do not mind the time. That is fine. But it seems to me that it is ridiculous that you take all this time with members of Congress when there are greater risks.

So there is a real problem there, and whatever kind of legislation that passes, I agree with Senator Thompson that you have to do a really good job in improving the standards so that there is consistency across the country, so when I travel from Columbus or Cleveland or wherever I am traveling from, that I can see that it is uniform across the board.

It seems to me that we ought to be able to pass some type of hybrid legislation. If you do not want to federalize it, then maybe there is another solution. I would be interested in hearing your opinion today. If government set the standards, could we allow some private companies to do the job and then maybe federalize those that are not getting the job done? But there has got to be a way of getting this thing done now and not have it drag on.

I agree with Senator Durbin that to argue that we ought not to federalize this function because these people are going to join the union is ridiculous. I think one of the reasons why people want, perhaps, to federalize this is because they trust their police department, they trust their sheriffs, they trust their fire departments. I have high regard for those employees. They have done a good job, and I think that if we federalize this, they would do an outstanding job. Now, if we cannot get an agreement on doing that, let us get on with something.

But we certainly should not demean the people who are doing an outstanding job, we have seen it, have we not, what they have been able to do in New York and in Arlington and right across the country. I am very proud of them.

So I am anxious to hear what you have to say. What are your observations? Has security improved? Do you see the traveling public coming back?

One other thing that you need to understand is that not only is this important for our personal safety, but this has had a devastating impact on the economy of the United States of America. A couple of weeks ago, I had breakfast with Alan Greenspan and I said, what is the first thing that you would do to get the economy off the ground? He said, get the planes in the air, No. 1. It is having a terrible impact right across this country today.

So this is important not only to the security of the traveling public and the national security, but, by golly, this is important to the economy of this country and it really needs a boost today because it is tumbling. Thank you.

Chairman LIEBERMAN. Thanks, Senator Voinovich. I was thinking as you were talking, I have had my baggage opened and searched three or four times in the last couple of months and one constructive result of that I have found is that it brings great pleasure to my fellow airline passengers who watch this happening to me, so that is a good result. [Laughter.]

We will go now to our two witnesses, and I welcome them with thanks for their time and the leadership they have given in a very difficult period of time.

We will begin with the Hon. Jane Garvey, Administrator of the Federal Aviation Administration.

TESTIMONY OF HON. JANE F. GARVEY,[1] ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION

Ms. GARVEY. Good morning, Mr. Chairman, Senator Thompson, Members of the Committee. I appreciate very much the opportunity to be with you this morning to discuss the steps taken in the aftermath of September 11.

Before I begin my remarks, I would like to offer a few words on the recent crash of American Airlines Flight 587. Certainly, Mr. Chairman, I join with you in saying that our thoughts and prayers are with the families of the victims of this tragedy and also with the people of New York, who have suffered a great deal since September 11.

The National Transportation Safety Board is leading the investigation, and while it may be too early to theorize on the causes of the crash, as Members of the Committee have indicated, certainly the early signs lead us to believe that this was a tragic accident. The FAA will support the NTSB and lend whatever expertise is necessary, and I am confident that, in the end, a cause to this accident will be determined.

What I would like to do this morning is to address two critical issues. First, the security measures that we have put in place since September 11, and second, the areas where we will focus on in the coming days and weeks ahead.

The approach that we have taken has had one guiding principle and that is to put in place layers of security, a series of redun-

[1] The prepared statement of Ms. Garvey appears in the Appendix on page 61.

dancies to significantly increase the security throughout the Nation's aviation system. There is a recognition that there is no one single solution, no one single approach that will provide the complete answer. Rather, it is a layered approach using various procedures and various technologies.

I know a number of you have mentioned some of the measures that are in place, but I will just highlight a few. One calls for the airlines to reinforce the cockpit doors, and I am very pleased to report that the major airlines have completed that work—that is good news—with a lot of support, by the way, from Congress in terms of financial support in that area.

Chairman LIEBERMAN. So that all the cockpit doors——

Ms. GARVEY. For all the commercial aircraft, that is about 4,000, that is 100 percent complete.

Chairman LIEBERMAN. All done?

Ms. GARVEY. All done.

Chairman LIEBERMAN. Great.

Ms. GARVEY. The regional airlines are making progress, as well. They are not fully complete yet, but making good progress. So that is good news.

We have significantly increased the number of Federal air marshals, again, with enormous support from Congress. We could not have done that without Congress's help.

We are calling for more random searches throughout the airports. We are requiring positive identification for all passengers before they board. We are reducing the number of access points to secure areas and we are increasing the use of explosives detection.

I want to make a comment about the use of explosives detection systems, because the IG and I have talked a great deal about that. We are not where we want to be. We are calling for continuous use. We know we need to keep on the airlines to make sure that those are being used continuously. We have seen an increase of about 30 percent, but we are not there yet and we know that is a focus for us.

We are also requiring that all airports and airline employees with access to the secured areas have their IDs reissued, undergo background checks, and are compared to "watch lists."

We have also increased the number of uniformed security at our Nation's airports. One of the most visible aspects, as you have mentioned, is the deployment of the National Guard. Last week, the President announced a 25 percent increase in the numbers of National Guard troops deployed at the airports. I want to just mention that the increase really came about as a result of requests from governors, and from members of Congress who said that we need more of them but we need to use them in different places, not just at the checkpoint areas. So we have expanded their mission. They will be patrolling the perimeters of the airports. They will be used on the ramps. They will be used in other locations in addition to the checkpoint areas.

In addition, as you have mentioned, we are taking swift and immediate enforcement of all the security directives at the Nation's airports. That was a real concern for Secretary Mineta. When there are lapses or other deficiencies, rescreening of passengers and baggage is ordered. In many instances, this has resulted in closing

gate concourses and emptying planes so that passengers or baggage can be rescreened.

In order to prepare for the holiday travel season ahead, we are hiring an additional 225 people to augment our special agent workforce. I want to mention that many of these individuals have security backgrounds. They are, as a matter of fact, a number of them laid-off airline employees and we are going to use them to augment the work that our special forces are doing.

Each of these steps, I believe, represent the right measures, but they are not the only measure. In the days and weeks ahead, there are several areas that we will continue to be very focused on. One is to make sure that the security directives are implemented and that they are implemented consistently. You have raised that as an issue and I would be happy to talk about that more in questions and answers.

Second, we have got to be ready when we transition to a new agency. We know we are going to restructure screening. We know it is probably going to be a new agency. How that transition takes place is taking a great deal of our time. We have listened carefully to the debate in Congress. We have got screening performance measures that are ready, and that will be put in place, and training packages that are ready no matter what the structure is. So we want to be able to transfer that and be able to turn that over to a new agency.

Focusing on technology. We are ordering more EDS equipment and getting that out to the airports. I will tell you, if it is manufactured and ready to go, we are going to be ready to get it out there. We have received, as you can well imagine, hundreds of proposals on technology and we have assembled a very expert team of outside folks who are helping us evaluate those proposals. We expect the first report by the end of this month and I am looking forward to that.

We are continuing to ramp up on the Federal air marshal program. We are bringing back former Federal air marshals, and retired Secret Service agents who can help us in the training that is needed. It is a very aggressive program and we are working very hard on that.

We are developing and see a real need for a shared database among all Federal agencies, including the intelligence agencies, and I am particularly encouraged by the leadership of Governor Ridge and the Homeland Security Office in this area.

And finally, I just want to mention that we have received some wonderful recommendations from the flight crews. We spent some time on Sunday with some of the flight attendants. We will be spending some time this afternoon with the pilots. There are some recommendations that they have that we have already put in place, but others that we have not yet acted on. I think we need to consider those and move forward on those very quickly.

Our goal must be an integrated and seamless security web, one that leads to 100 percent screening of all passengers, baggage, and airport and airline employees. I certainly look forward to working with Congress to achieve that goal and I would be happy to answer any questions that may arise in the discussion today. Thank you very much.

Chairman LIEBERMAN. Thank you, Ms. Garvey.

Now we are very happy to have back with us, and thank him for his continuing good work, the Hon. Kenneth Mead, who is the Inspector General of the Department of Transportation. Mr. Mead.

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

Mr. MEAD. Thank you, Mr. Chairman. It is a pleasure to be here with Administrator Garvey again. I would like to commend the Committee for its persistent and comprehensive oversight of this subject.

It is difficult to believe that roughly 80 days ago, the main debate in the aviation community was the need to lay more runways, put out more concrete, and deal with congestion and capacity. How times have changed.

What I would like to do today is focus on improvements that have been made since September 11, and, of course, improvements that still need to be made.

The observations of our auditors and investigators across the country are that security is noticeably tighter, as I think most of you would acknowledge. That is not just a statement to help restore confidence. That is a fact. We are not nearly where we ought to be, but it is our judgment that the Department has been moving very forcefully in the right direction, and fairly quickly, if you stop and think about the changes that have occurred in the past 60 days.

I would add to what you say about the aviation security legislation. This is not just any piece of legislation dealing with a passing issue or dealing around the edges. This legislation deals with very fundamental changes. The measures we are speaking of today are a temporary patchwork quilt, and I think the legislation will put the fundamental changes in place and give a more systemic approach to it, particularly with the points that Senators Lieberman, Thompson, and Durbin made about the amendments that were offered. I think the performance measures that Senator Thompson mentioned represent an area that is ripe for that type of application.

Everybody has mentioned so far today a number of the different security improvements. I would just like to list ten that our auditors and investigators think are making a difference.

Watch lists and intelligence sharing. Perhaps we do not see 100 percent improvement compared to pre-September 11, but it is pretty close.

Intensified passenger and carry-on baggage screening, including secondary screening at the gate. Despite the imperfections, it has been beefed up.

Limiting access beyond the screening checkpoints to passengers with tickets.

Greater use of explosives detection machines for checked baggage.

Revalidating airport IDs.

Increasing the law enforcement presence.

[1] The prepared statement of Mr. Mead appears in the Appendix on page 67.

Expanding the Federal Air Marshal program.

Deploying Guard troops.

Reinforcing cockpit doors.

Banning cargo from unknown shippers, a fairly substantial list.

Despite those measures, Mr. Chairman, there are still alarming lapses of security and some systemic vulnerabilities that we think need to be addressed. You may know that the President, the Secretary, and the Attorney General called on the Inspector General to assist in the oversight of airport and aircraft security, most recently Friday in his news conference. He has instructed us to conduct undercover audits at airports nationwide, and I want you to know that our teams will be in place before the Thanksgiving weekend and we will be conducting a variety of unannounced tests nationwide.

I would like to say a word about Secretary Mineta's zero-tolerance policy, which he announced on October 30. If security lapses are found, the Secretary authorizes concourses to be evacuated, passengers rescreened, and flights halted, if necessary. This is really in the best interests of aviation security. It shows that there will be consequences when there is a compromise of security and noncompliance with the rules. It also demonstrates to air carriers and screening companies that it is more cost effective and efficient to do it right the first time.

In implementing the zero-tolerance policy, our office and FAA have found instances where the air carriers were not continuously using the explosives detection systems to check baggage. Staff at screening points were frequently not identifying dangerous items in carry-on baggage. And air carriers were not randomly screening passengers before boarding aircraft. These are not the general rule, but they are instances that we noted and we need to do away with those instances.

Actions taken by FAA included the de-planing of the aircraft, evacuating a concourse, halting flights, and rescreening passengers. There have been about 90 incidents across the country that have necessitated that type of action.

I would like to turn now to five action areas that I would recommend we pay attention to in the near term, and this will be the case when that legislation passes, as well.

First on my list is ensuring that the air carriers maximize the use of bulk explosives detection machines for screening of checked baggage. During our observations this past week, most carriers were not selecting enough passengers to supply the machines with a constant stream of bags. These machines are still underutilized, yet we found one carrier who was trying to make sure that every bag went through the explosives detection machines. So it is that inconsistency that you were referring to earlier, Senator Voinovich.

We also observed instances where the explosives detection machines were not adequately staffed or the staff had been working extremely long hours on the machine—in one instance, 15 to 20 hours. In our opinion, that screener was no longer alert. In that instance, due to the lack of available staff, the machine was shut down.

FAA needs to issue a rule or order on screening checked baggage and set a minimum usage level on the number of bags screened.

The current guidance of "continual use of the machine" is too vague. I think we ought to be, on average, requiring the screening of 125 to 150 bags per hour. These machines are certified to do 225, and I think that is about the only way to ensure continuous use. If there were 125 bags available, we ought to be requiring that many, on average, per hour.

They need to work towards 100 percent screening of checked baggage and cargo, but I would like the Committee to know that the present approach of putting these machines in lobbies of airports is not the way that you will ever get there. The machines will have to be integrated into the baggage systems of the carriers, which is going to require some construction in the basements of the terminal buildings and so forth. But just putting the machines around the lobbies will result in an inefficient process. I do not care how many machines we come up with, it is like running the bags through a baggage system twice, once through the security machine, then once through the regular baggage system.

The second area is issue the final rule on certification of screening companies to improve the screening of passengers, baggage, and cargo. The rules for this should have been out in March 1999. FAA was prepared to issue them on September 10. I think they are still on hold, pending recommendations of the Secretary's rapid response teams. Once issued, though, those rules will serve as a baseline for performance, which is exactly what Senator Thompson is referring to. Whether screeners are Federal employees, contract employees, or some mix of the two, you are going to need performance standards no matter what. And if the screeners, be they Federal or contract people, will not perform and meet those standards, they ought to be terminated.

The third area is strengthening controls to prevent access to secure areas of the airport by unauthorized individuals. We will be doing testing in this area over the next several weeks. Testing in the past, before September 11, showed weaknesses. Since September 11, FAA has closed a lot of the access points to the secured areas (by secured area, I am referring to access to the runway area or to aircraft).

The fourth area is criminal history checks for everybody, meaning all employees of all airports, not just new employees at the top 20 Category X airports. I think there is a rule about to come out from FAA on that particular subject.

And finally, cargo security. We recently completed a follow-up audit of FAA's cargo security program and briefed FAA on our results. FAA took action to strengthen that program since September 11. I cannot go into all the details here, but basically, they no longer allow people that are known as "unknown shippers" to ship cargo.

We think additional action is needed for a group of people called "indirect air carriers." Essentially, an indirect air carrier is a freight forwarder that is known to FAA and gets freight and packages from other people, consolidates the shipment, and then puts it into stream of commerce into the cargo bays of aircraft. So that is one area where I think additional attention is needed.

I would just like to close by saying that it is very noteworthy that the Senate bill has a reference in it to the Government Per-

formance and Results Act, which had its origins, I believe, in this Committee——

Chairman LIEBERMAN. That is right.

Mr. MEAD [continuing]. And its companion committee on the House side. This is an opportunity for the real world application of that statute. Thank you, sir.

Chairman LIEBERMAN. Thanks very much, Mr. Mead.

We will begin the questioning now and we will give a few extra moments to our colleagues who did not make opening statements so they can do that during their time for questioning.

Mr. Mead, I particularly appreciate your focus on the bomb scanning machinery. Because of the unevenness here and your previous statement on the House side that I have read earlier in October, it struck me, particularly the part that the FAA's goal, which is to screen 100 percent of the checked baggage, seems like, obviously, a worthy goal, but at that time, it was not going to be fully phased in until 2009. Mr. Mead, you testified in the House that the goal assumes the replacement of all machines deployed through 2006 with a faster, cheaper technology.

So my question is, does this mean that the goal of 100 percent screening cannot be achieved with current technology, and obviously more urgently, my question both to Mr. Mead and Ms. Garvey is, how can we speed up that process now so that well before 8 years from now, we have 100 percent screening of checked baggage?

Mr. MEAD. Well, I would counsel moving out on two fronts. First, you are not going to get there overnight, although it would be nice to get there overnight. In our opinion, going to 100 percent screening of checked baggage, it would be appropriate to set a statutory target of 2004.

In the meantime, we have all these machines we have already purchased. We still have them in line and they are still being produced, so we want to put them in the lobbies and get them used while we are transitioning to 100 percent checked baggage. I alluded to what, in our opinion, was required to accomplish that: The FAA needs to come up with a rule, and it needs to enforce how many bags will go through screening.

As to going to the 100 percent, there are different approaches in terms of what machines to get, but in all scenarios, you will have to put the machine in line with the regular baggage system. That will require a lot of work at the nearly 400 commercial airports around the country.

There is one construct where you use two machines and you put them in the baggage line. The first machine does sort of a prescreen and has a rapid flow-through.

Chairman LIEBERMAN. Do these machines screen just for explosives or do they also screen for weapons of other kinds?

Mr. MEAD. The machines automatically detect explosives, but they also detect metal objects such as guns and knives.

Chairman LIEBERMAN. Let me get Ms. Garvey in here and ask, just for information, is there any screening of checked baggage for other dangerous material, weapons, for instance, that might be in the baggage?

Ms. GARVEY. Explosives really are the focus for the EDS machines. Just to pick up a little bit on what Mr. Mead said, I think there are three issues in terms of meeting a more aggressive schedule. One is funding, and a steady stream of funding. The second is site preparation, because these are very heavy machines. You have to often reinforce the floors, etc. Mr. Mead spoke about retrofitting that may need to be done. And the third is what the manufacturers actually can produce.

Congress has answered the first question extraordinarily well. I mean, the funding seems to be there, and from all indications of what we have heard, it is going to be there.

Chairman LIEBERMAN. That is true. In our amendment, we did include authorization to use monies from the Airport Improvement Program——

Ms. GARVEY. That is right.

Chairman LIEBERMAN [continuing]. For the acquisition and conversion of locations for these bomb scanning devices.

Ms. GARVEY. Yes. And in terms of site preparation, we have laid out where we think they need to go, where the next most critical machines will be needed. There is some site preparation and work that needs to be done, but I think airports are poised and ready with us to move very quickly in that area.

The third is probably the most challenging of all, and that is what can the manufacturers produce. There are currently two manufacturers that are certified. One has machines that are very well accepted by the airline community and they are certainly being used and out there. But how many those two companies can actually get into production is a challenge. They have said they will ramp up. They have said they can meet a schedule that would be much closer to 2004. I know yesterday, Secretary Mineta met with one of the manufacturing companies and was really challenging them to see if there were other ways that we could——

Chairman LIEBERMAN. A way to do it sooner. So right now, the earliest we are going to get 100 percent screening will be 2004?

Ms. GARVEY. If we look at what the manufacturers are currently saying. But again, we will deploy them as quickly as they come out. We are ordering them even in anticipation of the money.

Chairman LIEBERMAN. What percentage do you think we are at now? In other words, what percentage of baggage or flights are now covered by bomb detection equipment?

Ms. GARVEY. That is a question that it probably would be best to get back to.

Chairman LIEBERMAN. Fine.

Ms. GARVEY. I know it is certainly significantly higher since September 11 because we have required air carriers to apply CAPPS to all passengers, so that means the number is higher.

Mr. MEAD. You are not close to a double-digit number. You are not close.

Chairman LIEBERMAN. We are in single digits as to what percentage of baggage checked on the planes is screened for bomb detection?

Mr. MEAD. Yes, sir.

Chairman LIEBERMAN. That is really stunning. I did not realize it was that low. Let me ask, then, what the current requirement—

for instance, I was quite surprised to see in the news coverage of the accident on Monday that American Airlines terminal at JFK has no bomb scanning equipment. Are they not required to have any?

Ms. GARVEY. There are EDS machines at most of, and again, I am reluctant to give a lot of the numbers, but most of the larger Category X airports. There are machines in those airports. The challenge in a place like JFK is, was it at the exact American checkpoint location. So that is one of the challenges.

Chairman LIEBERMAN. Is there any requirement on the airlines now?

Ms. GARVEY. We have a rule that was ready to go right before September 11, but frankly, it was geared towards a much later date for having EDS machines screen 100 percent of checked baggage. We obviously are revisiting that, and the question of whether it is 2004 or can be even sooner is critical. But it is definitely a requirement that I think the airlines and the public is anticipating.

Chairman LIEBERMAN. My time is up, but how long have we had any requirement for the bomb detection equipment?

Ms. GARVEY. We have had it in place——

Chairman LIEBERMAN. Because it is a long time, obviously, since planes were exploding, going back to the 1970's for fear of bombs on the planes.

Ms. GARVEY. Lockerbie and then the concern over TWA really, I think, generated the——

Chairman LIEBERMAN. Lockerbie, I guess, was 1988, I think.

Ms. GARVEY. I cannot remember the time, Lockerbie.

Chairman LIEBERMAN. Late 1988, I believe that is right. Is that when the requirement began?

Ms. GARVEY. I think TWA generated the most interest in really getting the equipment out there. A lot of the equipment has been around about 10 years.

Chairman LIEBERMAN. Yes. I mean, this is another classic example of how we all sort of pull back after the initial period following what we suspected and in one case certainly knew was a terrorist attack on a plane. We pulled back from pushing to require the airlines to put this equipment on board, and obviously we cannot let that happen anymore.

Mr. MEAD. No. That is another reason why this legislation is so urgent, because under the current construct, it is discretionary with the airline whether it accepts a machine or not.

Chairman LIEBERMAN. Right.

Mr. MEAD. The corollary to that is one reason why there has also been resistance to a mandatory figure on how many bags ought to be put through the machine.

Chairman LIEBERMAN. Yes. My last word here, but bottom line, that is another indication that security for the airlines for too long has been just another cost of doing business. In other words, it has not been isolated as a priority. I say that respectfully. So if you are pressing to produce a good quarterly report for your shareholders, unfortunately, that is going to be one item that is going to fall down on your priority list unless you are required by law or regulation to do it, and that is why I think the Senate bill moves in this and other ways in the right direction.

I am sorry I took a little extra time. Senator Thompson.

Senator THOMPSON. Thank you, Mr. Chairman. You know, it seems to me that what is happening in the airline industry and what is happening with the Department of Transportation is indicative of what is happening throughout the entire government, two things. One, we are improving our planning, and two, we are getting worse in our performance.

If you look at the Department of Transportation, I think you would have agreed—we on this Committee who look at all these things—that the Department of Transportation has some of the best outcome-oriented goals in terms of the goals that they set forth as required by the Results Act, GPRA, that you mentioned, Mr. Mead, really good goals as to what we need to accomplish. But yet we see in terms of the screeners, for example, the results have been getting worse for a decade, have they not?

Mr. MEAD. Yes.

Senator THOMPSON. And with all due respect to the compromise I understand that is being attempted, the results for the smaller airports are worse than the results for the bigger airports, are they not? I think I recall that. Somebody is shaking their head affirmatively back there. We will take their word for it. [Laughter.]

But I think the record indicates—I mean, I was struck by that when I looked. It has been a little while since I looked at that, but I think you will find that that is the case.

And the Department of Transportation is quite candid in its report of the year 2000 results. It says DOT did not meet this year's performance targets. Then you look to see what they are doing. Well, they purchased new machines, awarded new contracts for baggage checks, awarded grants, and conducted regional assessments. Somebody has got to follow through in order to get the job done. You can have good plans, good goals, and so forth, but when you are not meeting those goals, you do not just come back next year and say, we did not meet them again, which is what we do up here. We watch this all the time in every department.

There are no consequences to bad performance anywhere. Usually, you get some kind of a budget increase. We do not do it, but they go before the Appropriations Committee and there is no tie-in between performance and budgeting.

So, clearly, now we have got an absolute disaster on our hands, so maybe this is, Mr. Mead, as you say, a way to get the foot in the door and maybe it will not take disasters in every department in government to make some progress here. But how do we move from having good goals and good intentions and good ideas, and between the two of you, you have laid out an additional 30 or 40, probably, things we need to do, but what happens when we do not do it? All of these terrible things that have happened in the last few days in terms of the meat cleavers and the mace cans and all violated some rules. We had the rules in the charge of companies that have been cited time and time again, fined in some cases time and time again.

I guess I am touting my own pet horse here again, but clearly, is it not clear that we have got to have some consequences for bad performance? Somebody has got to take responsibility. Somebody has got to hold the right people accountable. Some people need to

be promoted and rewarded and some people need to be fired and some people need to be fined.

Mr. Mead, getting to that point, we see where some of these security firms have been fined, some airlines have been fined and so forth, but I am wondering in terms of aviation security and passenger security, we all want to get along and say nice things about each other here, but accountability has got to go all the way to the top. How is the FAA doing? I know they are doing better. We are all doing better since September. But over a period of time, in terms of their relationship to the airlines and so forth, in terms of watching the planning go up and the performance go down, what is your assessment of the FAA as they try to get a handle on this?

They point out in the report some of these things do not look as good after the fact, but this report in March 2001 FAA puts out said we have got to take into account the speed of processing passengers and baggage through screening checkpoints and other security measures must improve to accommodate the rapid growth in passenger traffic. So before September 11, one of the things we were concerned about, passenger traffic is picking up. We have got to speed up. And these challenges must be met while protecting civil liberties. Well, we are all concerned about that. But those were the kinds of things that were on our mind before September 11, and rightfully so.

But in terms of priorities and in terms of accountability, what has the FAA been doing with regard to all of this? We hear that sometimes the airline industry has too much influence. We know they are all in trouble financially. Nobody wants to unduly burden anyone. We also hear that sometimes they get caught in negligent conduct and it takes forever to process a claim and they continue on with the same practices while they get their lobbyists to come up here and talk to us and the FAA and everyone else.

Straighten us out a little bit about that. What is your candid observation over the years as to what has been going on there?

Mr. MEAD. I think the Senate and House bills both have it right on the security function per se. It is a tall order for FAA, whose principal mission is the safety of aircraft, safety of air crews, and running the air traffic system. FAA is not fundamentally a security agency. I think there are a lot of competing missions there, and that is why I think it is a good idea that you have an entity that is dedicated to, focused on security, where they do not have to balance and juggle and all these other competing values.

Second, last year, our office with the Justice Department did pursue the case against one of the security firms, the one that got a $1 million fine plea, criminal plea agreement. At the time that case came out, it got very little attention here in the Congress, frankly, in the Department, or even in the news media. Certainly in Philadelphia, it got pretty extensive coverage. Now, I would wager that 90 percent of the Congress is aware of that case, maybe 100 percent.

So, with all respect, I think it is important that Congress take issues like this Government Performance and Results Act and have hearings on it, on the important things. It keeps the pressure on, keeps the focus on the important issues.

And finally, the airlines have been subjected to fines for security violations, but I think they have been the cost of doing business. When we go to this new system, I believe we are going to have to be very firm. When people do not perform, there have to be consequences, as you say, and sometimes it takes a wake-up call like September 11 for people to realize we have to really be firm here.

Senator THOMPSON. My time is up, but is what you are saying, the FAA is not established or set up or equipped to crack the whip in terms of security? Ms. Garvey may want to, of course, comment on that, too.

Mr. MEAD. I will defer to Administrator Garvey.

Ms. GARVEY. Well, I think, Senator, the role that we have played in terms of the screening companies is essentially through the airlines. The airlines hire the screening company, and frankly, from my perspective, one of the most frustrating elements since September 11, in particular, is to see those violations and know that legally, the only immediate things that we can do are to close a concourse, or close down the operation. You hate to do that for passengers. People are traveling. You want to serve customers and serve the public. But we can close the concourse, take an immediate action, and we have the ability to fine. We have fined in ever single case. But, as Mr. Mead has suggested, to some degree, that is the cost of doing business.

So the direct Federal control and management to be able to do just exactly what you are saying, set the standards and then take the right action, set the pay level, and put training programs in place. We, meaning DOT, the FAA or, more appropriately, another agency can do all of that. I think it does make sense, as Mr. Mead has suggested, to have an agency who has a single combination of security and law enforcement ability.

But I think we have taken the law as far as we can. We have put the civil penalties in place. If it is a safety action, by the way, and a civil penalty has to be levied, even with due process, you can keep something shut down until that due process continues. If it is not a safety action and we feel it has been corrected, then it does have to go through the due process, but it can be a very frustrating and long process, as you have suggested.

Senator THOMPSON. Thank you very much.

Chairman LIEBERMAN. Thanks, Senator Thompson. Senator Durbin.

Senator DURBIN. Thank you, Mr. Chairman.

First, I want to thank Ms. Garvey and Mr. Mead for being here. You have done a great job since September 11 in your capacity at FAA and as Inspector General in helping us to understand the problem and to address it.

Ms. Garvey, when I met with pilots and flight attendants in Chicago, Illinois, shortly after September 11, one of the things they brought to my attention was the lack of dialogue between the FAA and the pilots and flight attendants who were on the planes and clearly on the front line when we talk about safety in the air. Has that changed?

Ms. GARVEY. I think it has changed very definitely. As a matter of fact, as a result of our conversation, we have had a couple of meetings that have occurred since that time. In addition, as I men-

tioned, we have received some very specific suggestions from the flight crews. Some, we have implemented. Some, I think we really need to have even more discussions and move out on.

The unions have also suggested, which I think is an excellent suggestion, naming representatives from their organizations that we can work with on a regular basis as we move forward with some of these initiatives. I mentioned earlier we have a meeting this afternoon with one of the pilots' unions that we have not had a chance to meet with and I am looking forward to that and know there will be lots of other discussions, as well.

Senator DURBIN. Thank you.

Mr. Mead, when you talked about the people who were operating the detection devices for explosives and baggage and working 15 to 20 hours, like the screeners, are these also airline or contract employees of airlines?

Mr. MEAD. Yes, sir, contract employees.

Senator DURBIN. Let me raise an observation based on an experience of a television station in Chicago. This television station, the FOX station, sent one of their reporters to the Argenbright training course. Several things occurred during the course of her training which really raised some serious questions.

First, they did a background check, but they did not complete the background check until she had gone through training. I do not think you have to go to the FBI Academy to understand that is backwards. You would not want to put someone through training who is a security risk so that they understand how to defeat the system. That is exactly how Argenbright was doing it.

Second, if I am not mistaken, the FAA rules require 12 hours of training for these screening employees at the current time. That is being debated as to changes. Several hours of the 12 hours of training were spent on appearance and dress, as well as trying to interest these prospective employees in buying insurance policies and bail bond cards. That does not strike me as really directed to the question of airline and airport security.

This young woman came back from the experience and said that she felt that they were woefully unprepared to take on the responsibilities at the screening station. All of these things occurred long after September 11. At the time, Argenbright had been paying $6.75 an hour. I think they are up to $10 an hour at O'Hare, but still, we find all of these lapses.

If you have the power to put the rules in place to make this training meaningful—Mr. Mead has raised the question in his testimony—why has the FAA not done that?

Ms. GARVEY. That is a very fair question and one we have looked at and asked ourselves since September 11. First of all, the rule was ready last March, and as I think I have had a chance to say to some of you, we had actually scheduled something with the Secretary on September 21 because it was a rule that was very important to him.

But one of the considerations for us right now is really seeing what is going to come out of the legislation. For example, we may not need a rule. We may be able to do these things without putting a rule in place, but just do them as the Federal Government. For

example, we would not need a rule to establish the right kind of training. We could just do it.

So we have got it ready. We are ready to go. Again, I think it speaks to the urgency and the importance of this legislation.

Senator DURBIN. Let me go to another aspect and that is background checks and let me ask you where we are today. Have we done background checks and reissued identification to all employees that have access to ramp as well as to any aspect of the airplane?

Ms. GARVEY. Well, right after September 11, Senator, we did require that the airlines and airports revalidate all of their badges, issue new badges if they needed to. We required that of both the airlines and the airports. We also asked them to match their employees against the watch list, and they are doing that on a continual basis because the watch list has changed several times since September 11, as you would expect.

But we are also, as the Inspector General indicated, getting ready to issue a rule within the next day or so, really within the next couple of days, to require criminal background checks of all of those people who are within the secured area. Congress, in 2000, passed legislation that allowed us to do that at Category X large airports for new hires. We are sort of pushing that a little bit further and requiring it for all employees, not just the new hires, and also we will be expanding that to the smaller airports. We understand from the smaller airports, they are eager to take this on.

Senator DURBIN. So currently, we do not have a background check mandated on all employees who have access to the airplane, on the ramp or otherwise?

Ms. GARVEY. For the large airports, the legislation called for year 2000, right, and 2003 for the smaller ones.

Senator DURBIN. So it is only at the smaller airports where the criminal background checks are not taking place?

Ms. GARVEY. We are pushing for the new hires, that is correct. It is only new hires, I want to be clear about that. What our rule would contemplate is expanding that to not just the new hires, but be all employees who have access to that secure area.

Senator DURBIN. Do you have any knowledge as to the cost of these explosives detection devices that we have talked about?

Ms. GARVEY. Senator, they are about $1 million a machine. I will say that we are testing and looking right now at a machine that is smaller that would probably be more appropriate for some of the smaller and mid-size airports, and while it is still just in development stage, that may be a machine that would cost less than $1 million.

Senator DURBIN. Any idea of its cost?

Ms. GARVEY. I think they are anticipating it would be about $300,000 to $500,000.

Senator DURBIN. Thank you. Thanks, Mr. Chairman.

Chairman LIEBERMAN. Thanks very much, Senator Durbin.

Ms. Garvey, are people applying for work at the airports and those who are there now being cross-checked with watch lists?

Ms. GARVEY. Absolutely, and that, again, is occurring almost weekly because every time the list changed, the airports and the

airlines go back and run their employee list again for validation and for matching.

Chairman LIEBERMAN. So it is not just criminal backgrounds, but anybody who turns up on an FBI or——

Ms. GARVEY. Correct.

Chairman LIEBERMAN. OK.

Mr. MEAD. But there is an important clarification there. The watch list is a list of names.

Chairman LIEBERMAN. Right.

Mr. MEAD. The reason the rule needs to come out that Administrator Garvey is referring to is because with respect to existing employees, the revalidation of ID cards that she was referring to——

Chairman LIEBERMAN. Yes.

Mr. MEAD [continuing]. We do not presently require a criminal background check for existing employees at the Category X (high-risk) airports or at the smaller non-Category X airports. That is why this rule is so important. Using the watch lists alone is not enough, because these people do not always go by the name on the watch list.

Chairman LIEBERMAN. Yes, absolutely. Of course, that is another reason why some of the support for new technology is so important, so we can move to a point where we are using biometrics or retinal scanning or whatever it is to make sure the person is exactly who they say they are and then to check whether they are on a watch list.

Senator Voinovich.

Senator VOINOVICH. Yes. I would like to make an observation: One thing that I have noticed that has not changed is the availability of personnel and machinery to do the screening.

Ms. GARVEY. A challenge.

Senator VOINOVICH. I know it is important. People have to be patient. But there are people right now in this country that are calculating the time it takes to get to the airport, wait in line, get on a plane, get off and deplane and so on, and they are figuring the hours out and many of them are deciding not to fly and go by automobile.

Ms. GARVEY. Right.

Senator VOINOVICH. I think that is something that you ought to be concerned about and so should the industry.

Ms. GARVEY. Yes, very much so, Senator. As a matter of fact, last Thursday, we met with all of the airlines and met with the top 20 airports in this country. They all came into Washington and two assignments came out of it. One was to agree to a list of accepted items that you can travel with to resolve the consistency issue that you talked about, and we have got a brochure that is going to be coming out with the airlines and with the pilots, by the way, who did a lot of work on this with us. But it is an agreed-upon list of what you can travel with, and what you cannot travel with.

And the second most important point from my perspective was to ask the airlines whether they have the resources to deal with open check points, and more ticket agents on duty. They are coming back to us with what resources they will have in order to meet the demands for the travel. It is very challenging, I know, to get some of the right personnel, and I know they have, as the Senator

mentioned, a lot of financial issues. But we think opening those check points and increasing the number of ticket agents is critical and that is why we were so anxious to hire the 225 additional people from our perspective.

Senator VOINOVICH. I have been concerned, and so have the Members of this Committee, with the human capital crisis that we have across the Federal Government, and Senator Thompson in his amendment exempted the people that would be doing the screening from Title V. Do you feel that exemption gives you the flexibility that you are going to need in the event that we federalize those screeners? Can you move forward and hire them and also manage them once they are on board?

Ms. GARVEY. Certainly from our perspective, it gives us the flexibility that would be needed. I do not know if Mr. Mead has any observations on that.

Mr. MEAD. The devil is sometimes in the details on these things, and people do say FAA has personnel reform and they have procurement reform. In the personnel reform section of the law, for a large group of existing FAA employees—basically, personnel reform said, you will not be any worse off under personnel reform.

Some of the points that have been made in the hearing today would suggest that it is important to be able to remove people fairly quickly if they do not perform. So rather than just incorporating by reference the personnel reform authority for FAA, my advice would be to directly say what we want.

Senator VOINOVICH. So you would go beyond that to give the government more authority—you need more authority, you think, to get the job done?

Mr. MEAD. Yes, sir.

Senator VOINOVICH. OK.

Mr. MEAD. And I am the Inspector General. I cannot speak for the Secretary or the Administrator, but that would be my opinion as Inspector General.

Ms. GARVEY. Senator, I will go back and look at that language. I thought it actually was fairly explicit, but Mr. Mead raises a good point and we will certainly look at that.

Senator VOINOVICH. That is real important.

My understanding is that the airlines right now are in charge of the screening, is that correct?

Ms. GARVEY. That is correct.

Senator VOINOVICH. So they hire a company to do the screening. Now, that company that they hire screws up. They do not do what they are supposed to do and that is discovered. Do you then have to bring that to the attention of the airlines and the airlines then get involved and deal with the company that they have hired to do the job? Is that correct?

Ms. GARVEY. I think that is fundamentally right. If there is an issue on site, we can take immediate action, and we have done that even before September 11. So you correct the action and take an action at site. But in terms of a penalty, the penalty is levied against the airline, so you are exactly right.

Senator VOINOVICH. So it is against the airlines and then the airlines have to do something about the company?

Ms. GARVEY. That is correct.

Senator VOINOVICH. To me, that is the primary reason why we ought to eliminate that and go to federalized screeners, because if they work for the Federal Government, you do not have to go to the airlines. Then they do not have to go to the company that is doing the work. If somebody does not do the job, they are working directly for you and you can discipline them and hold them responsible and not go through the Maginot Line in order to get something done. Is that correct?

Ms. GARVEY. Well, that is correct, Senator, but I do not want to get in trouble with my Secretary, who has been up here negotiating, I know, maybe slightly differently. But even if there is a company, we could—as long as we are directly controlling and directly managing, and to me, that is the critical piece. I think that the administration would suggest that——

Senator VOINOVICH. But the company is working for the airlines.

Ms. GARVEY. As it is today, yes.

Senator VOINOVICH. OK. And right now, we know that some of the airlines are in financial trouble. Some of them are going to go out of business. So we are in a situation where they are in trouble and we are saying, add more expenses on. It seems to me that we ought to get out from under that whole business and guarantee to the public that we are not going to have to go through the airlines and the companies to hold people responsible. Would you agree with that?

Ms. GARVEY. Well, I definitely would agree we need direct Federal control, direct Federal management. You are right. We have to eliminate the middleman, if you will.

Senator VOINOVICH. The issue is this, that if you do not federalize the screeners and we go to a hybrid system, does the legislation that was passed give you adequate power to do what Senator Thompson talked about and hold people responsible?

Ms. GARVEY. Senator, we are assuming that whichever construct is finally voted on by the Senate, that we will and can and are already beginning to establish the performance standards, and the training that is necessary. If it is a new agency that implements that, we are going to be ready to turn that over so that that can be implemented very quickly.

Mr. MEAD. Under both the House and Senate bills, the entity that is created would have the authority to take summary action with respect to people that do not perform. Now, unlike the Senate bill, in the House bill, the President is given the discretion to contract, with private firms. Under that bill, though, those firms could also be removed if they did not perform.

Senator VOINOVICH. Are they working for us or are they working for the airlines?

Mr. MEAD. They are no longer working for the airlines—the airlines are out of it.

Ms. GARVEY. They are working for the government.

Mr. MEAD. The contractor would work for the government. In other words, there would be a government contractor, not an airline contractor. And the provisions of the House bill do strongly suggest that you would not be in long protracted disputes with the contractors if you wanted to get rid of them if they did not perform.

Senator THOMPSON. The problem, I would interject here, everybody agrees, whatever government you are a part of or in private industry, if you are not performing, you ought to be dismissed. The question is, what is lack of performance? What are the standards? Who is going to decide? That is what our bill does and the House bill does not do. It takes it to its logical conclusion. It does not just say, if you do not perform, you are gone. It sets out what the standards are and it requires the employees to sign on to that and to agree to do certain things, and if they do not, you have an objective standard there that is fair to the employee and can be determined before the event happens what is going to happen when someone is negligent.

So I think that is the difference. We both have the same goal, but again, everybody agrees on that goal, always has, but we have not been getting it. I think that is what the Senate bill carries out that the House does not.

Chairman LIEBERMAN. Thank you. I must say, I agree with my colleagues on this question of responsibility, but as we look back, and again, all of us were painfully awakened by September 11, the responsibility really has to go all the way up the line.

When I go back to what you said before, Mr. Mead, that 13 years after a bomb blew up the plane over Lockerbie, that less than 10 percent of the baggage going on airplanes in this country is screened for bombs is really just unacceptable. All of us are part of that mea culpa, I am afraid, including, again, the airlines for whom I am sure these machines were expensive, and so they are a cost of doing business and, therefore, among the various items in their priority list, the security of the traveling public went low.

Senator THOMPSON. And we have a lot of machines we are not using, right? We are not utilizing them. Is that not correct?

Mr. MEAD. You are not utilizing them enough, that is right.

Chairman LIEBERMAN. Right.

Senator VOINOVICH. Mr. Chairman, can I just make one point? One of the things that we have to point out in this hearing is that, overall, things are a lot better than they were before. I think that is very important to note, because there are people watching us right now and that should be mentioned.

I have always understood that if I check luggage and then I do not board the plane, that they then try to identify whose luggage it was and remove it from the plane, and that was one of the deterrents against bombs. Is that correct?

Ms. GARVEY. That happens for many airlines. It does not happen for all.

Chairman LIEBERMAN. Not for all.

Senator VOINOVICH. It does not? Well, I always thought that was one of the ways that you guarded against it. Now we have got a new dimension, that people are willing to commit suicide in order to achieve their goals.

Ms. GARVEY. Right.

Senator VOINOVICH. But that is not a universal practice?

Ms. GARVEY. And I think another point, too, as we move forward, because as Mr. Mead says, EDS will not be in place at all airports tomorrow, is stepped-up use of the dogs. It is stepped up use of CAPPS. It is all of those things, more use of the trace detectors,

continuous, and making sure that the airlines are all using the equipment that is out there. It has got to be a multiple, many faceted approach to this, and we have got to, I think, really hit it from several angles. Most important of all, getting the right information from the intelligence communities from the very beginning, can prevent some of these folks from even getting access to the system.

Chairman LIEBERMAN. Let us now go to Senator Cleland and then Senator Carnahan.

OPENING STATEMENT OF SENATOR CLELAND

Senator CLELAND. Thank you very much, Mr. Chairman, and Ms. Garvey, I have a lot of respect for you and Mr. Mead.

I will say to my colleagues and to the public here that I have sat through hours since September 11 in dealing with this question of aviation security. I am on the Commerce Committee and the Subcommittee on Aviation and it was out of that subcommittee and out of that committee that came the Senate version of how to dramatically improve the checkpoints, over 700 checkpoints at some 400 airports throughout America by federalizing, professionalizing, upgrading, paying for increased security on checked baggage. I will say, sitting through this hearing now almost 2 hours of length, I am more frustrated than ever.

I think we are just missing the point. I have this powerful sense we are all sitting here fiddling while Rome is burning and while the American airline industry is crashing and burning.

Over the last 2 months, five domestic airliners crashed and burned, killing all people on board. I think the American people, before they start flying again, are going to want to know that the U.S. Government is somehow guaranteeing their security. I do not think it is going to look to the airlines. I do not think it is going to look to a private contractor. I do not think they are going to look to some foreign-owned company. They are going to look to us and it is our responsibility to get it done and that is not happening.

Now, I have heard the phrase Argenbright. I know Frank Argenbright. But he sold his company to a foreign entity. It is no longer owned by an American company. And that company continues to provide baggage claim security for 17 of the 20 largest airports in America. That is unacceptable. That is a scandal, because, clearly, they provided baggage screening for Dulles and Newark, where two of the four hijacked planes originated. They also provide security, if you can call it that, for O'Hare, where we had that incredible incident happen in Chicago. This, despite a DOT investigation into Argenbright and fines and criminal complaints filed against them. I mean, they have had everything done to them but shot and they are still out there doing it.

I look at Atlanta, the largest, busiest airport in the world. What do we have there? A Cleveland-based company called ITS, International Total Services, cited by Federal authorities 19 times in the past 11 years, including two major violations since September 11, and they are still there. I am still flying in and out of there on Fridays and Mondays, God help us. They have filed for bankruptcy. How do you think that makes me feel? How do you think that makes all those people going through Atlanta and Hartsfield, feel?

And what is the pay? The average is $7 an hour. They can get $7.25 if they go work flipping burgers, which requires substantially less training than what even they go through.

I think continuing to allow the American people to rely on these contract baggage claim people is like letting the Boston strangler massage your neck. I think it is ridiculous. [Laughter.]

They have a staggering—in Atlanta, that company has a 375 percent turnover annually. You cannot even run a burger place with that kind of turnover.

Now, let us face it. This is a scandal. It needs correcting and we need to get it done, and I think all the things you have said today about performance and accountability are correct. We have it in the Senate bill passed 100–0, and I think the Nation ought to know that it is not the U.S. Senate holding this up. It is the House of Representatives that came back with this God-awful contract situation one more time.

I think it is a travesty. I think it is a national scandal, and I think that unless we get this good bill passed before Thanksgiving, where we normally have record travel on airlines in America, I think there is not going to be much travel on Thanksgiving Day, I am sorry to say.

So I agree with Alan Greenspan. The best thing for our economy is to get people back in those seats, and I intend to be in one of them. Pray for me, because we continue to allow these baggage claim people out there to work on a contractual basis where nobody is accountable, where the FAA can do nothing about them. Nobody fires anybody. They just continue right on.

I think unless we make a dramatic departure here and federalize this system, professionalize it, instead of sending them to charm school in Chicago, we ought to be sending all these baggage claim people to the Federal Law Enforcement Training Center in Georgia where all the Secret Service people and the Customs people go anyway. That is where they get their training. That is why they are professional and that is what we need.

We need a domestic version of the Customs Service, and not run out of the Department of Transportation. We need it run out of the Justice Department, like the Senate bill says. It is a law enforcement function that the U.S. Government ought to be responsible for and we ought to live up to that responsibility right now, because the American people are depending on us. They are not depending on the airlines anymore and they are not depending on some foreign corporation to contract out at minimum wage. I just feel that way.

Now, I want to put you on record, Ms. Garvey. Do you or do you not support the Senate bill?

Ms. GARVEY. Oh, Senator——

Senator CLELAND. Well, I mean, a thousand people have lost their lives. They have crashed and burned in five airline incidents over the last 2 months. Now do you not or do you support the Senate bill which we passed 100–0?

Ms. GARVEY. I know you did, Senator, and what I do support is strong Federal management, strong Federal control, and I certainly support passing it as quickly as we possibly can.

Senator CLELAND. Mr. Mead, do you or do you not support the Senate bill, passed 100–0 by this Senate?

Mr. MEAD. I would recommend some revisions to it. I do not want to take a position on this federalization of screeners. That is above my pay grade. I would just say that, categorically, whatever you do, you need to have, in my judgment, a law enforcement presence at every screening station at every airport in the United States. That law enforcement presence, that person, ought to be a Federal employee.

I do not think you need to have every screener be a policeman. If you want to make them all Federal employees or contractor people, I just think you need to have very powerful standards which I have tried to make in my testimony today. I am not going to go out and substitute my judgment for yours on that.

I think in the Senate bill, there is a big issue. In the House bill, there is a big issue in the placement of this function.

Senator THOMPSON. On what?

Mr. MEAD. On the placement of this function. The Senate bill places some functions in the Department of Transportation and other functions in the Department of Justice. The House bill places the functions in the Department of Transportation. The Senate bill creates something called a Deputy Secretary for Security, yet the function is placed in the Justice Department.

I think a good case could be made for the placement of this entire function in the Department of Transportation, because this is a multiple issue. It is not just an aviation issue. That would be one area I would recommend you consider changing in the Senate bill, Senator Cleland. But I am not going to get into the issue on substituting my judgment for yours, sir.

Senator CLELAND. Thank you very much. Thank you very much, Mr. Chairman.

Senator DURBIN [presiding]. Thank you, Senator Cleland. Senator Carnahan.

OPENING STATEMENT OF SENATOR CARNAHAN

Senator CARNAHAN. Thank you, Mr. Chairman. I am extremely pleased that we are holding these hearings today because I believe it is important that we continue to shine the spotlight on airport security until we see that some significant improvements are made.

I am very proud of the work that the Commerce Committee has done, under the leadership of Chairman Hollings and Senator McCain, to draft airline security legislation. The committee reported a bill that I believe will greatly enhance aviation security in this Nation. The bill ultimately passed the Senate, as you know, unanimously.

Congress has for years been hearing about the problems that exist in our aviation security system, and a multitude of people, including the Inspector General of DOT, the GAO, and others, have warned about the dangers associated with poorly trained and underpaid baggage screeners. The Senate legislation that we have been talking about here today addresses the shortfalls made by making the Federal Government directly responsible for the screening of airline passengers and their baggage.

No Senator offered an amendment to allow private screeners to continue operating at our Nation's major airports. The bill passed 100–0. I believe that it is precisely this shift in responsibility for passenger screening that will have the most profound impact on improving the safety and security of our aviation system.

The events of September 11 demonstrate quite convincingly that aviation security will forever be linked with national security. Passenger safety can no longer be left to private screening companies who are not accountable to the American people. The Federal Government does not contract out the work of Customs agents, of Border Patrol, of Secret Service, or of Capitol Police, nor should we contract out the work of protecting the safety of the American flying public.

I hope that the conference committee will conclude its work expeditiously so that we can meet our responsibility to provide a safe and secure aviation system.

Administrator Garvey, I would like to return to a question that we were talking about a little earlier, the screening of bags. It dismays me that we are checking only 10 percent of those, and I know you indicated that was because we do not have the machinery to do that at this time. Between now and the time when we can get that machinery, are there things we could do to augment the screening of these checked bags? Would bomb sniffing dogs be a possibility? Would you comment on that for me?

Ms. GARVEY. Absolutely, and as a matter of fact, we are using part of the money that Congress has appropriated since September 11, the supplemental and so forth, for more of the bomb sniffing dogs. So that is a very important element.

Using some of the trace detection equipment that is easier to use, more quickly implemented, is another piece of it. Ramping up the selectee program through CAPPS so that there is more screening, is important, as well as looking at more random screening of passengers and bags.

So I think you have to look at a whole combination of issues between now and when all of the machines can be put in. And again, as the Inspector General and we rightly agree, making sure that all the machines that are out there are in use continuously.

Senator CARNAHAN. Thank you.

Mr. Mead, as you know, there have been a number of lapses in security since September 11. What efforts has your office undertaken in recent weeks to gauge the effectiveness of the new security measures that have been put in place?

Mr. MEAD. Well, we have sent roughly 100 of our staff to visit 58 airports around the Nation, and they made about 250 extended observations of security. When we make these observations, people do not know who we are. We record what we see and we report that back to FAA. We do it in two different ways.

One is that we sometimes see a situation where the screener or the security people are not familiar with the new procedures. For example, when you are wanding somebody and it goes off when you go down by the person's shoe, it may be going off because it is picking up something under the floor or it may be going off because there is a knife in the shoe. We try to make sure that the screener understands right there on the spot what they are supposed to do,

in that event—take off the shoe or have them go somewhere else where you can screen them without the interference from whatever might be below the floor. So we are making a lot of on-the-spot corrections, and we are keeping track of those.

There have been about 50 other instances that we have referred to FAA because, in our judgment, they are the types of things that need systemic correction. In other instances, we go to the U.S. Attorney. We have done that most recently in a fairly well publicized case. Right after September 11, we caught some people in Miami who were distributing fake ID cards for the airport, and those people were arrested. Those are the types of actions we take. We are keeping track of them, and if you would like me to come by your office and share the specifics with you, I would be glad to, but I would prefer not to do it in open session here.

Senator CARNAHAN. How uniformly would you say these have been implemented?

Mr. MEAD. I would say, overall, there has been much improvement. But there are still alarming inconsistencies and you do not want to be caught up in one of those inconsistencies. So I think we need to aim for 100 percent.

The use of EDS machines is the exception to that remark. I think they are woefully inadequate on the use of the explosives detection machines. So I would not put that in the category of greatly improved. I think there is a long way to go there.

Senator CARNAHAN. Thank you, Mr. Chairman.

Senator DURBIN. Thank you, Senator Carnahan.

Before I recognize Senator Levin, can I follow up and ask you, Mr. Mead, what is the percentage of utilization now of these machines? You made a point in your testimony that we could expect as many as 250 or 225 bags an hour to go through the machines, and you said currently, the percentage that are being checked for explosives was in the single digits.

Mr. MEAD. Yes.

Senator DURBIN. How much could we increase the inspection just by utilizing current machines to capacity?

Mr. MEAD. I think for the majority of machines you could probably quadruple it, and that is probably an understatement.

Senator DURBIN. Let me make sure that is clear on the record. You think it could go up as many as four times——

Mr. MEAD. Yes, for the majority of machines.

Senator DURBIN [continuing]. By using current machines to their capacity?

Mr. MEAD. Let me give you one example. My staff saw one situation where the screening company thought that they were continuously using the machine. They were doing maybe 14 bags an hour.

Senator DURBIN. And the capacity of the machine is?

Mr. MEAD. Two-hundred-twenty-five, but when you process 225 bags per hour, you are going to get a lot of false alarms. If you take into account the time it takes to clear the false alarms, the operational real world experience, you are looking at around 125 or 150 bags an hour.

Senator DURBIN. Administrator Garvey, can you issue an order today or tomorrow to utilize these machines to their capacity?

Ms. GARVEY. We have already done that, and I think the challenge is to make sure that directive is being carried out. We have said that they must be used continuously. We have got 500 agents in the field. They are looking at a lot of security measures. The 225 that we are hiring and in the process of hiring right now, their primary focus is going to be EDS, because we would agree with Mr. Mead that is an area that needs much more focus and more attention. The great majority of them are people with a lot of background in security, and I think they are going to be very useful in getting that number up.

Senator DURBIN. Would you agree with this conclusion that as many as four times the number of——

Ms. GARVEY. I am not sure.

Senator DURBIN [continuing]. Current bags being inspected might be inspected?

Ms. GARVEY. I would like to go back to that. I am not sure I would agree fully. I would like to look at that. I can tell you, I did look at the numbers last week from November 1 through 7 just to see what we are getting for numbers. We are seeing about a 30 percent increase overall. That is certainly better. It is not, and I want to be very straight about this, it is not where we want it to be. It is not where the Inspector General wants it to be. It is certainly not where the Secretary of Transportation wants it to be. We are going to stay focused on that.

Senator DURBIN. Are you still limited by the airlines and the number of people that they will make available for this?

Ms. GARVEY. Resources have been an issue. Mr. Mead spoke about the alarm rate. If you respond to an alarm correctly, you have got to stop the machine, take the bag off, look at it and resolve what is in it. That may mean more resources and that has been an issue for them in some cases. But again, we think it is important enough that they just have to get the resources.

Mr. MEAD. Yes. Let me address the resource issue. Yes, there is a resource issue, if the truth be told in this. When you are putting these bags through the machine, and you get an alarm, you do not want to just keep going. You want to clear that alarm, which may mean that somebody has to open up that bag to see what is in it.

If you take the person that is supposed to be watching the screen on the explosives detection machine and say, go rummage through this bag to find out if there is something in there, that is what he is doing while other bags are sitting on the conveyor belt.

Senator DURBIN. So it boils down to the same question again. How much money will the airlines put into these devices so they can be used more effectively, when we have a capacity to quadruple the percentage of bags that are currently being inspected? This is a classic, your money or your life, and as far as I am concerned, we cannot explain this any longer to the American people. We have to put the resources in to make it work.

Mr. MEAD. In the example I used in my testimony of the machine where the employee had been working for almost 20 hours, that is not the employee's fault, but I do not think that employee could be alert. They did not have a replacement, so the air carrier shut down the machine.

Senator DURBIN. Senator Levin.

OPENING STATEMENT OF SENATOR LEVIN

Senator LEVIN. This is the area that I want to explore with you, too, of the checked baggage and EDS machines. You say you have entered an order now that says that all resources must be used to their full capacity?

Ms. GARVEY. They have to be used continuously, so they must always be used. Before September 11, they were used only for CAPPS selectees and that was a smaller number. We are saying, even if you do not have selectees, if you have got a machine there, you have got to be using it continuously.

Senator LEVIN. Could you get us a copy of that order?

Ms. GARVEY. Absolutely, I will.

Senator LEVIN. When was that issued?

Ms. GARVEY. Oh, it was probably 2 weeks after September 11, but let me double check on the date and we will get a copy of that.

INFORMATION PROVIDED FOR THE RECORD BY ADMINISTRATOR GARVEY'S OFFICE

On September 26, 2001, the FAA issued a Security Directive rather than an Order. A Security Directive contains sensitive security information and therefore cannot be publicly released. However, we can say that through this Security Directive, we required continual use of all explosives detection systems if available.

Senator LEVIN. What is the requirement on the airlines relative to that checked luggage? What is the current rule that you have issued?

Ms. GARVEY. Right now, there is not a requirement to have EDS. We had a rule that was ready to go, but we had as a date something that is very far out into the future, and since September 11, we have wanted to move that forward.

In the past, particularly since TWA, Congress has generously appropriated $100 million every year. We have spent that and we have gotten a number of EDS machines out to the largest airports. The requirement for when airlines, or when we had to have the EDS's all in place, again, is subject to how quickly the manufacturers can move that date forward. So the latest date that we have been given—but again, I will mention that the Secretary has challenged the manufacturers to see if there is a way we can speed this up even further—was 2004.

Senator LEVIN. And what is the date that was in the original rule that has now been——

Ms. GARVEY. Two-thousand-and-thirteen, approximately. I think there was one discussion, and I will tell you, it was still in discussion before September 11.

Senator LEVIN. And the current date? Is there a date in a rule now?

Ms. GARVEY. Well, no, there is not a date in a rule.

Senator LEVIN. That is what you are looking at?

Ms. GARVEY. Right now, we are looking at 2004. Before September 11——

Senator LEVIN. But you have not yet issued it?

Ms. GARVEY. Right. We have not yet done that, no, and——

Senator LEVIN. And when are you going to make that decision?

Ms. GARVEY. Senator, I think, in part, it is going to depend on what comes out in the legislation. Again, if it is a Federal responsibility, we may not need a rule. We may just make a determination we want to get them out as quickly as we can. Depending on what comes out in the legislation, we may or may not need the rule. We do know we want to get them out there. We do know that we have as a goal 100 percent screening for baggage and cargo.

Senator LEVIN. And will we get this in place faster if the legislation requires that this be a Federal screen, a government screen?

Ms. GARVEY. I am not sure we would get it in place faster. I think getting the legislation in whatever form will get it moving quicker.

The other point that the manufacturers have made, and I understand this, is the need to have a predictable stream of funding. Congress has been very generous, both before September 11, but particularly since September 11, in making sure that the funding is there. That is critical, as well.

Senator LEVIN. And this is not a requirement on the airlines, this is a requirement for public funding?

Ms. GARVEY. That is what it has been, Senator. We have paid for the machines. The operating and maintenance of it was the responsibility of the airlines.

Senator LEVIN. And the personnel to run them?

Ms. GARVEY. And the personnel, that is correct, Senator.

Senator LEVIN. All right. And so we would look for alternative sources of machines? We know there are only these limited sources?

Ms. GARVEY. There are two manufacturers, one that is very well accepted by the airlines, the other one that is certified by the FAA but has had some operational difficulties. An Inspector General team and the FAA team have been looking at that second manufacturer together and we have heard some promising news this week.

Senator LEVIN. A final question. Are we sure that all the checked luggage that gets into an airplane belongs to someone on that plane?

Ms. GARVEY. Whether or not it is actually matched?

Senator LEVIN. Yes.

Ms. GARVEY. Some airlines do this. Not all airlines do, and I know that——

Senator LEVIN. Should we not require that be done by all airlines?

Ms. GARVEY. Well, that has certainly been one of the issues that we have been looking at and I know it is being debated in Congress. There are two sides to it. Some have suggested, yes, that would be a big help. Others have said, when you are dealing with suicide bombers, that may no longer be an operable assumption.

Senator LEVIN. Do you have the power to do that by regulation?

Ms. GARVEY. We could do that through regulation and rule, yes, sir.

Senator LEVIN. Pardon me?

Ms. GARVEY. Yes, we do have that power, Senator.

Senator LEVIN. And are you going to exercise that power?

Ms. GARVEY. We are looking at that, but again, I think, also looking at some of the discussion that is occurring on the Hill right now.

Senator LEVIN. Thank you. Thank you, Mr. Chairman.

Senator DURBIN. Senator Thompson.

Senator THOMPSON. Yes, just a comment in listening to the testimony. I want to reiterate that this is not just a Federal or non-Federal issue. In fact, that may not be even the most important issue.

I do not subscribe to the notion that if you go the contractor route, it is all bad, and if you go Federal, it is all good. It is more complex than that. As bad as the picture has been painted, it is even worse because it is more complex and more difficult.

We need to understand, and I voted for the 100–0 bill, and I think it contains a lot of good provisions. I think you can make a very good case for everything Senator Cleland said, which I could not put it more eloquently myself.

But we have been sitting here on this Committee over the years looking at the performance of the Federal Government. I put out a report in June 2001, when I still had access to the Xerox machine of the Committee—— [Laughter.]

And it is called "Government at the Brink." Just a summary here of the 10 worst examples of mismanagement. The "Big Dig" in Boston, 525 percent increase from the original budget. Abusing the trust of the American Indians, the Department of Interior does not know what happened to more than $3 billion it holds in trust for the American Indians. There is widespread agreement that the Department of Defense finances are a shamble, wasted billions of dollars a year. It cannot account for that expense.

NASA mismanagement causes mission failures, spectacular example after example. NASA has lost billions because of mismanagement. Because of the Mars lunar polar lander failure, for example, one team used English measurements—feet, inches, and pounds—to design the program, the vehicle, while another team used metric measurements.

Medicare waste, fraud and abuse, billions of dollars every year. Security violations of the Department of Energy. The Department of Energy does not adequately safeguard America's nuclear secrets. In one case alone, an employee was dead for 11 months before Department officials noticed that he still had four secret documents signed out.

IRS financial mismanagement takes up to 12 years sometimes to record payments made by taxpayers. Veterans' affairs, put patients' health care at risk. The Department of Veterans IG found that a hospital food service shares the loading dock with environmental management services hazardous waste containers and dirty environmental management service and biohazard carts were located next to the area where food is being transported to the kitchen.

Bilking taxpayers out of student financial aid, billions of dollars. A Los Angeles man collected at least $230,000 in fraudulent unemployment payments, set up nonexistent claimants. It was years before that was discovered, and on and on and on. This is just a summary of this report. It is all in detail.

We have got to go past that. Whether we go Federal or non-Federal, we have got to do things remarkably different than we have

ever done before. It is not just as simple as passing this bill. We have got to have follow-up. We have got to have accountability. I do not know that one person was disciplined or fired for any of this stuff that I just mentioned. We have got to change that in order to have more secure airline service.

Senator DURBIN. Thank you very much, Senator Thompson.

I want to thank Administrator Garvey as well as Inspector General Mead for your testimony. It has really helped us to understand the current state of airport security and what progress has been made. Thank you very much for joining us today.

Senator DURBIN. I would like to invite the second panel to come to the table at this point, Bruce Carter, who is the Director of Aviation at the Quad City Airport, Moline, Illinois; Jackie Mathes, a flight attendant with United Airlines; Marianne McInerney, Executive Director of the National Business Travel Association; and Duane Woerth, a pilot with Northwest Airlines, Air Line Pilots Association. Thank you for joining us.

I would like to apologize in advance, but I am presiding over the Senate at one o'clock and I will stay with the panel as long as I can and Senator Lieberman will be returning very shortly.

Mr. Carter, if you would be kind enough to summarize your testimony, which will be entered into the record in its entirety.

TESTIMONY OF BRUCE E. CARTER, A.A.E.[1] DIRECTOR OF AVIATION, QUAD CITY INTERNATIONAL AIRPORT

Mr. CARTER. Good morning, Senator Durbin. Chairman Lieberman, Senators Thompson, Durbin, Voinovich, and distinguished Members of the Committee, I want to thank you for the opportunity to testify today on the concerns of aviation security at small hub airports.

The Quad City International Airport serves the citizens of Western Illinois and Eastern Iowa and has a cachement area of 2.5 million people within 100 miles. We have access to seven different hubs by five different carriers. Our aircraft mix varies from Boeing 717's to Beech 1900's. We have been one of the fastest-growing airports in the country, with a 48 percent growth.

One of the reasons for this is because of AirTran Airways to their Atlanta hub. They have provided our passengers with competitive air fares, and in turn, other carriers stay competitive with them. In fact, all of our air carriers have experienced growth and we were on track to enplane 400,000 passengers for 2001, until the tragic events of September 11.

What have the passenger declines done to our operating budget, which is about $7 million? We are experiencing about a 20 percent decline in parking lot revenue, which annualized out to a $300,000 loss. We are experiencing a 40 percent decline in rental car activity. Rental car agencies, however, guarantee a monthly minimum, which could adversely affect their existence. In fact, yesterday, Alamo and National filed for Chapter 11 bankruptcy. We are also experiencing a 15 percent loss in landed weight.

We are trying to find creative ways to further cut expenses and can see layoffs in the near future. We just opened up our new $18

[1] The prepared statement of Mr. Carter appears in the Appendix on page 87.

million terminal concourse and are not hiring the needed building maintenance and custodial personnel, and this puts added pressure and stress on our existing staff.

What changes have we seen in airport security and what do we expect those costs to be if the FAA requirements continue? Before we were able to even open up our airport on September 13, we had to tow 148 vehicles from our short-term and long-term lots and we had to cut our ready car lot for our rental cars to abide by the 300-foot rule implemented by the FAA. We then had to post two employees at the airport terminal curb to ensure that no cars were left unattended. We hired a contract employee 24 hours a day, 7 days a week, at a cost of $300 a day. If that continues, that would cost $109,000 per year.

In order to open our much-needed short-term parking lot, we hired another contract employee for a 12-hour shift at $204 per day. That would be annualized out to just about $65,000 per year.

Our public safety department and our airport staff have accumulated $11,000 in overtime just in a 6-week period, and if this continues, it would result in over $95,000 in overtime, and that is assuming that there will be no more security requirements which require additional manpower.

In late September, the National Guard was assigned to our airport and are only allowed to be present at the security checkpoint. It greatly disturbs me that our request for greater flexibility was denied. I cannot stress enough the need to allow our National Guard presence at locations other than the screening checkpoint, and many small hubs feel the same way.

As of today, we have not been able to expand the duties of the National Guard at our airport. However, President Bush outlined on Friday the need for more flexibility by the National Guard troops and that is what airports have been waiting for and wanting for the past 8 weeks. I hope that we see additional troops there when I get back to work tomorrow.

I am concerned with the discussions that are taking place that will continue to cost airports more money without additional revenue streams to offset these added expenses. As the cost per passenger increases at smaller airports, the airlines will consider their yield potential and profit margin, and I am concerned that they could eliminate service to many small communities.

There are 437 primary airports in the United States. Primary airports are defined as an air carrier airport enplaning over 10,000 passengers. Of these, 50 percent of the airports enplaned less than 100,000 passengers. Smaller airports have much smaller staffs, and one small requirement, such as inspecting vehicles, has a much greater financial impact and burden than on larger airports.

Requiring all airports to have explosives detection equipment installed for checked luggage will have significant operational and financial impacts, especially at smaller to mid-sized airports. Who will pay these initial and ongoing costs and who will be responsible? If the cost of the equipment is $1 million, it would not be unreasonable to expect the annual maintenance cost to be at 10 percent, or $100,000 per year. What happens if the equipment breaks down and there is no backup? Congressional leaders need to have

answers for these questions, and we could talk for hours on other important security issues that need to be considered.

I would like to briefly discuss the personnel that we have at our screening checkpoints. I feel our small hub airport has the same problems as large airports in hiring, replacing, and keeping personnel on the job. If the employees were paid a better wage and benefits package, would this reduce turnover and give us a better product? Does a $20 an hour employee do a better job than a minimum wage employee? We need to have these questions answered before we decide on screening point jurisdiction. Constant turnover causes problems in any type of business.

I feel that the FAA civil aviation security personnel need to do a better job of communicating with the operators of our Nation's airports. It is not unreasonable to have an airport manager and their staff invited to regional headquarters to discuss the concerns of airport security. It is a way to get questions answered in a timely manner and helps to know what other airports are going through to enhance security.

Communications is the key to success and it is our job to encourage people to get back into the Nation's skies. The airlines are doing their job in providing very reasonable fares and making the needed safety improvements to their aircraft. The FAA and airports need to do whatever it takes to provide the safest environment for all citizens that choose to fly. I hope Members of this Committee and other members of Congress will work to ensure that airports throughout the country receive the reimbursement they need to comply with the new security initiatives employed by the FAA.

In closing, I would like to thank Senator Durbin for asking me to testify today. Senator Durbin has been a great supporter of our airports in Illinois and I have enjoyed my 10-year relationship with him. And I would like to thank Pat Souders. Pat has been always available to assist our airport with aviation concerns.

Thank you again for the opportunity to let me share my thoughts with you today, and I would be pleased to try and answer any of the questions you might have. Thank you.

Senator DURBIN. Thank you, Mr. Carter. Marianne McInerney.

TESTIMONY OF MARIANNE McINERNEY,[1] EXECUTIVE DIRECTOR, NATIONAL BUSINESS TRAVEL ASSOCIATION (NBTA)

Ms. MCINERNEY. Good afternoon. My name is Marianne McInerney and I am the Executive Director of the National Business Travel Association. NBTA represents over 1,500 corporate travel managers for the Nation's Fortune 1,000 companies who are in charge of over 70 percent of all the $190 billion spent annually on business travel expenditures domestically, 46 percent which has traditionally been spent on air travel.

Monday's tragedy in Queens came at an already challenging time in our Nation's history. Now more than ever, the American public needs to be given confidence in our Nation's aviation system. As we begin to pick up the pieces and march towards economic and psychological recovery, it is critical for Congress to take every nec-

[1] The prepared statement of Ms. McInerney appears in the Appendix on page 90.

essary measure to ensure the safety and security of our traveling public and the stabilization of our aviation industry.

NBTA represents corporate travel managers and their companies that operate throughout the world. They are responsible for sending over 44 million travelers throughout our Nation's aviation system, who are, in turn, responsible, or at one point were, for 62 percent of all revenue to the Nation's carriers.

By now, we all know that the terrorist attacks of September 11 have created a tremendous amount of unease among the traveling public. Travelers have simply lost confidence in our Nation's skies, as well as our Nation's airports. In response to this uncertainty, immediately after the tragedy, many businesses dramatically curtailed and in many instances have permanently ceased employee travel. Currently, many companies are reducing travel between 30 and 50 percent.

In an effort to represent our business travelers, we have worked diligently to stay on top of their thoughts and their comments as it relates to security within our Nation's airports. Over and over, we have gotten the same response: Please improve security before we are to get on planes.

Improvement and standardization of security measures is the single most important factor in getting people to resume travel and restoring confidence in our aviation system. Seventy-one percent of our travelers have noted that federalizing the security process is extremely important for them to resume travel at previous levels.

We are now at the 2-month mark since the tragedy. Our members and our travelers are still very frustrated. There is no consistency among airports and airlines even today under new rules. Frequent travelers are noticing different protocol at different check-in points and security procedures vary from airport to airport.

Two weeks ago, I myself noticed the difference. At Reagan National Airport, I was asked to ID myself at every place throughout the check-in point. Last week at the very same airport, I was no longer asked for ID. My computer was not checked. No one was wanded. Two weeks ago, every third person on my flight was randomly checked. Last week, no one.

However, as I went through the security process and watched my computer not being checked, a senior citizen right before me had his toiletries kit opened, his eyeglass screwdrivers removed, and his cuticle scissors taken away. There seems to be a big variation.

As one traveler recently put it, I think at this point, it is just the luck of the draw. The same traveler reported a 20-minute check-in procedure at L.A., but a 2-hour experience at O'Hare. Another traveler recently reported to us that the security check-in point at Dulles was extremely stringent and well done, although time consuming, but on her return from Portland, she observed completely relaxed security staff.

A business traveler from Home Depot recently traveling from Reagan National was randomly wanded three times while sitting at the gate waiting to board a flight. She noted to us that she observed the alertness and immediate attention to bags that were no more than five feet away from their travelers, and at the same time, she had noticed on her flight in no security checks.

At some airports, identification is not required for travelers as they pass through checkpoints while personal items are confiscated from others. Similarly, while other airlines are adopting the process of matching checked-in luggage to the names of passengers on board, it is not a uniform practice, as we have heard today. Similar inconsistent stories go on and on.

My point today is simple and concise. NBTA, our members, and our frequent fliers are not seeing the necessary consistency in airport security. On TV and in the newspapers and even on the House floor, the traveling public is constantly being reassured that tighter security is in place. However, as we have been reminded by countless examples of inconsistency and failure to follow procedures, such a vast nationwide task simply cannot be coordinated and is still decentralized.

Central to this issue is returning traveler confidence and the individual's perception of risk and behavior in light of those perceptions. By virtue of their frequently travelers' experience, business travelers get to witness this on a daily basis. Often, the traveler is the one who visits multiple cities in a single day and walks away with a completely different experience at every airport.

Going forward in the near term, consumer confidence and real security improvements need to be the focus of the government. NBTA and its members feel that the only way to accomplish this is through the federalization of the airport screening process, implementation of new technologies, the screening and checking of all luggage, and the institution of a voluntary travel card to provide frequent travelers with the screening process that would apply to 6.2 million frequent travelers who account for 54 percent of all travel.

We believe action such as this must be done swiftly. They must be held to a high degree of accountability. And we believe that it is only with the federalization of this system that travelers will return to the sky. Thank you.

Senator DURBIN. Thank you very much.

Chairman LIEBERMAN. Jackie Mathes, flight attendant with United Airlines.

TESTIMONY OF JACQUELINE MATHES,[1] FLIGHT ATTENDANT, ASSOCIATION OF FLIGHT ATTENDANTS, AFL–CIO

Ms. MATHES. Good morning, Senators Durbin, Thompson, and Voinovich, and Committee Members. My name is Jacqueline Mathes and I have been a flight attendant with United Airlines for nearly 29 years. I am a proud member of the Association of Flight Attendants, AFL–CIO, and I am here today representing AFA's 50,000 members at 26 carriers. I want to thank you for giving me the opportunity to testify at this important hearing on aviation security and I refer you to my written testimony for additional details.

I know firsthand from flying after September 11 and talking with my flying partners what aviation security is like today. We have all heard the horrific story of the security breach in my hometown of Chicago earlier this month. A passenger nearly made it on board

[1] The prepared statement of Ms. Mathes appears in the Appendix on page 93.

with a number of knives, mace, and a stun gun. Luckily, a random search was conducted on this passenger, but only after he had successfully cleared the metal detectors. His checked luggage, which could have contained explosives, was not pulled off the aircraft. A similar situation happened yesterday, as Senator Durbin spoke to us about earlier.

Those who want to slip weapons through the current security system will find a way unless we work quickly to change that system.

Soon after September 11, the FAA issued new security directives. We believe these changes did not improve airport or airline security. They were merely window dressing. Flight attendants still believe there are far too many loopholes, large enough loopholes to allow for another terrorist attack on our airlines.

Every day, we go to work to ensure the safety of our passengers. In the air, we are the firefighters, the law enforcement agents, the first aid responders, and the comforters to our passengers. On September 11, the 12 flight attendants on board United Flights 93 and 175 became the last line of defense in protecting the cockpit and passengers.

Our lives and work have changed dramatically. Are we more confident in the safety of air travel since September 11? No. Do we believe that air travel can be safe? Yes, eventually, but much still needs to be done.

Let me give you examples of how different life is today for flight attendants. What is most unnerving to me is that flight attendants now start each trip by discussing what we can use on the aircraft for weapons. We actually talk about breaking wine bottles to protect ourselves in case of a terrorist attack. Without any additional training from the airlines and working in a failed security system, flight attendants believe they must prepare themselves for any situation.

On October 18, security screening at O'Hare found a small hotel sewing kit in my bag. The kit contained thread, a few sewing needles, and a small pair of sewing scissors. I had forgotten this was in my bag. It had been there for months. This was the first time any screener had seen it, and while I did not fault the screener for taking it from my bag, it is clear security screening is still inconsistent. Until this one screener spotted it, why was this overlooked by every screener on every flight?

Other flight attendants report finding passengers with scissors, various knives, screwdrivers, razor blades, box cutters, and even knitting needles. Despite the fact that small nail clippers, and in my case a tiny sewing scissor, are being taken from crew members, passengers are managing to get on board with other potential weapons.

In another example, one AFA member has been terminated and another is facing severe discipline after their flight was canceled following the discovery of a box cutter in the cockpit on the first flight out in the morning. When the flight attendants reported to the aircraft, there were already one FBI agent, five Boston police, and one representative from the carrier on board. The flight attendants were asked to help conduct a security inspection of the

aircraft to make sure no other weapons were hidden on board, even though they had no prior proper inspection training.

Given that the FBI seemed concerned, the crew was uncomfortable about taking the aircraft with the scheduled passengers and suggested they move to another plane. The carrier refused. The flight attendants were uncomfortable with the entire security procedure and expressed these concerns to their captain, who then elected to cancel the flight. The carrier is now disciplining these flight attendants simply because they were not confident in the security of the flight.

Flight crews have seemingly been targeted for extensive searches by security personnel while passengers pass through security checkpoints without a second glance. Female flight attendants have been fondled and groped by male security guards. A female flight attendant passing through security at San Francisco airport was repeatedly rubbed over her body with a screening wand wielded by a male security guard. While we strongly recognize the importance of vigilant security screening to keep weapons from being brought on board aircraft, this behavior is unacceptable.

AFA believes that Congress must move forward on the following recommendations. We must federalize the security screeners through the Department of Justice just as the Senate voted to do on its bill last month. Flight attendant training and procedures must be updated and include appropriate and effective responses to terrorism as it exists today, including self-defense training.

Strict and defined limits for carry-on baggage must be enforced. The FAA's current guidelines are vague and not enforced uniformly by all carriers. Congress must take immediate action to ensure the safety and security of on-board supplies, carry-on baggage, and all checked bags by screening everything that goes on an airplane. In addition, the airlines must put 100 percent passenger baggage match in place immediately.

While it is obvious we are screening passengers who have access to the aircraft, all persons who have access to secure areas and aircraft must be screened.

Security personnel should be responsible for all cabin searches. Some airlines have given the duty to perform these searches to their fight attendants, who are not trained for these cabin inspections nor have adequate time.

As a flight attendant, I take pride in my role as an aviation safety professional and I am pleased to have the opportunity to tell you what needs to be done to make our skies safe as we know now. While we are pleased that the carriers have quickly fortified the cockpit doors, little has been done to protect our passengers and flight attendants, who remain the first and last line of defense on the aircraft. I urge you to move swiftly on the adoption of these crucial security procedures in order to build a truly secure and safe aviation environment. Restoring faith in air travel is paramount.

Thank you for allowing me to testify before you and I welcome any questions.

Senator DURBIN. Thank you for your testimony. Duane Woerth, who is a pilot with Northwest Airlines is next.

TESTIMONY OF CAPTAIN DUANE E. WOERTH,[1] PRESIDENT, AIR LINE PILOTS ASSOCIATION, INTERNATIONAL

Mr. WOERTH. Thank you. Good morning. My name is Duane Woerth. I am President of the Air Line Pilots Association, International, and ALPA represents 67,000 airline pilots who fly for 47 airlines in the United States and Canada and we sincerely thank you, Mr. Chairman, for inviting ALPA to present its views at this hearing.

I want to say as emphatically as I can, ALPA and its safety-conscious professional pilot members believe it is safe to fly. Our members prove this each and every day when they go to work, and they have been proving it ever since just 2 days after the September terrorist attacks, when they were back in the air flying.

Unfortunately, too many passengers are still afraid to fly, despite the aviation security advances made since that time. They need to know what kind of improvements have been made and are being made in order to bolster their confidence to return to air travel. This hearing should help in that regard.

While there is still much work to be done, ALPA believes that significant progress has been made to improve aviation security, particularly in and around the aircraft, but it is the old cliche. There is good news and there is bad news. I will start with the good news.

One of the immediate safety improvements recommended by ALPA and others was to harden and enhance cockpit doors. The airlines have worked diligently to strengthen existing cockpit doors and I am pleased to report that, as of last week, 100 percent of all large-passenger aircraft have been fitted with some type of strengthening devices to make the doors, and thus the cockpits, more secure. We must now keep the pressure on to get the new high-technology doors installed on new aircraft which will also withstand gunshots or other types of forced entry.

Another short-term enhancement which the FAA has ordered to be used for all passengers beginning September 28 is the use of computer assisted passenger pre-screening, called CAPPS, which the FAA ordered to be used for all passengers, as I said, after September 28. This program uses passenger information and airline databases to determine whether an individual poses a security risk. While the use of CAPPS is not visible to airline passengers, it is providing each of them with a significant added measure of security.

The events of September 11 also created a very high level of security awareness of pilots, flight attendants, gate agents, and other airline personnel, as well as passengers. That awareness translates directly into a more secure operation. It means that pilots and flight attendants are coordinating and communicating more than ever before to ensure that each flight is secure.

The terrorists of September 11 were successful because of surprise, because of security complacency, and because of a passive response by crew and passengers. All three of these key elements of the success of the terrorists are now gone.

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[1] The prepared statement of Mr. Woerth appears in the Appendix on page 101.

However, one of the most troubling problems for our pilots is that we have yet to see any evidence of our goal of one level of security. In fact, what we are seeing instead is a disturbing level of non-uniformity and security screening from airport to airport and even from terminal to terminal within the same airport. This is both exasperating and frustrating to passengers and airline pilots, who may be screened several different ways at several different airports in a single day.

In addition, and I think this is important, security practices to protect a Boeing 747 cargo aircraft are still far less stringent than those for a passenger-carrying 747, even though both of those aircraft could be used as a terrorist guided missile.

The bottom line is this: Inconsistent, even illogical security screening practices are doing very little for security and are, in fact, eroding the confidence the traveling public has in the current system, which in turn makes it much more difficult for the industry to rebound. Fortunately, this problem is one that can be addressed, at least in part, quickly and effectively.

What is needed is a single security checkpoint screening standard for all screeners to help achieve one level of security. Such a standard already exists in the Checkpoint Operations Guide, or COG, which is used by screeners to some extent, but it is not a regulatory document. We have recommended to the FAA that they make the COG regulatory and train all screener personnel, both current and future hires, to strictly follow it. This simple action could be accomplished within a matter of a few weeks and would begin to restore public confidence in the system.

ALPA continues to believe that identity verification is a critical component of aviation security that must be given top priority. We have been urging the government and the industry since 1987 to create an electronic universal access system to positively identify authorized employees. In the mid-1990's, the FAA completed successful tests of the universal access system and standards were finalized for the system. However, there are still no airlines that have implemented the universal access system because the FAA's policy has been to leave it to the sole discretion of the airlines.

Although magnetic strip technology was used as the basis of the universal access test, there are now more advanced secure technologies that can be used to positively identify authorized personnel. One such technology is the new highly secure memory chip card system being tested by the FAA to identify armed law enforcement officers. ALPA wholeheartedly endorses the development of this memory chip card system and recommends that airlines use the memory chip card as the basis for the universal access system.

One additional important area this would help in is identification of cockpit jumpseat riders. As a result of the September 11 attacks, the safety enhancement of a qualified extra trained jumpseat pilot has been severely curtailed because of the lack of certainty in positively verifying the jumpseater's request as to his identity and his employment status.

I have much more lengthy comments I have submitted to you, Mr. Chairman. I would like those to be included in the record and I would like to answer any questions you may have.

Senator DURBIN. Thank you very much. I have to leave briefly. I will just ask a question or two.

Mr. Carter, you said you would like more flexibility in the use of the National Guard at your airport. What would you do with the National Guard if you had that flexibility?

Mr. CARTER. What would really help us tremendously would be able to replace them on the curb of checking of the vehicles, and the second item would be the area getting into our short-term parking lot. Those are two expenses that have just been hurting us terribly, and it would be great exposure, comfort level for the people coming into our lot, coming into our terminal space, and that is where I would like to see them.

Right now, we have six National Guard people that are deployed to the airport. Two work on a first shift, two work on a second shift, and then we have two at the hotel. So we could use them out there immediately, and it frustrates me that we cannot get this accomplished.

Senator DURBIN. Thank you.

I would like to ask Ms. Mathes and Mr. Woerth this question. Since September 11, have you seen any substantial or dramatic changes in the people who have access to an airplane, as to whether or not there are background checks, whether or not there is positive identification before they can get onto the ramp or near the airplane?

Mr. WOERTH. I would say that the difference is the awareness that I mentioned earlier. Everybody is a little more conscious. Everybody is looking at each other's ID card. But what we are still lacking is some form of positive electronic identification, which we believe is the only thing that is going to work. A little badge with a little picture on it the size of your thumb does not give anybody any comfort, so we need to go to the electronic system I described.

Senator DURBIN. Ms. Mathes.

Ms. MATHES. I would agree with Mr. Woerth. We are checking all the badges and we are observing everything we can, but basically, the security system in place does not allow us to do positive ID.

Senator DURBIN. When I met with your flight attendants in Chicago, and I am not sure if you were at that meeting, but you could have been, but others from AFA were in attendance, they talked about this defense question for flight attendants. If we, as the system progresses and we move toward more air marshals, does that increase the confidence and feeling of safety among the people in your profession?

Ms. MATHES. Actually, I think that it does. When I flew in this morning, one of my thoughts was that there probably was an air marshal on board when I came from Chicago to Washington, DC.

Senator DURBIN. I might just add for the record that our colleague, Senator Stabenow, was on the flight from Pittsburgh the other night that ran into a problem and there were two air marshals and an ATF agent to jump quickly to do the right thing, so I think there are extra precautions at this airport and I hope we will see that more in the future.

Thank you all for your testimony. Thanks, Mr. Chairman.

Chairman LIEBERMAN. [Presiding.] Thank you, Senator Durbin, for co-chairing this hearing.

Senator Thompson.

Senator THOMPSON. Thank you. Ms. McInerney, do you think, from talking to the people that you represent, the frequent travelers, that they are interested in the issue of whether or not this system ought to be federalized before them? Are they tuned in to that issue one way or the other, do you think?

Ms. MCINERNEY. They are extremely tuned into it.

Senator THOMPSON. What are you getting, and how does that rank in terms of feedback that you are getting, that issue?

Ms. MCINERNEY. Over 70 percent of the people that we are talking to tell us that federalization of the system, and by that, they mean an end-to-end solution, where the government is not outsourcing part of the screening process but is responsible for every piece of security from the beginning to the end, is what they need to see.

They have felt, I think, some degree of confidence when we have looked at military personnel and other law enforcement personnel in the airports. That, again, is varying from place to place, but that is what they need to see in order to resume travel.

They very much see aviation security as national security. They have put that equation together and are looking forward to, I think, an answer this week.

Senator THOMPSON. I think we all feel better when we see those uniforms in the airport, but I guess we also know that once this system is geared up, those are not going to be the kind of people who are actually going to be looking through those screeners and making those determinations and coming to work every day.

Ms. Mathes, do you have the same feeling among the people you represent, do you think?

Ms. MATHES. Yes, I feel the same way. I think that the Federal Government is in charge of it from the beginning to the end, that people will feel more confident about the security process.

Senator THOMPSON. One of the things that I think is a legitimate point on the other side, people make the point that Europeans seem to have done very well with a different kind of system, that the Israelis seem to have done very well with a different kind of system, and both of those places are more government-oriented in terms of most of their policies than we are. Do you know anything about that? Do any of you have any opinion as to why that might work better? Mr. Woerth.

Mr. WOERTH. Senator, I believe the Israeli airline is owned by the government. I think the Israeli example is one that really shows that the government took charge of this. They have not had a hijacking since 1968, since they take it deadly serious. It is a national security issue for Israel and that is why they have been successful.

Certainly, my members, and I have been on record that the Airline Pilots Association supports the Senate version. We think that is the best bill and the sooner it gets passed, and we think not only is it the best result, we also realize our passengers believe it is the best result. It has a two-pronged effect. We will have better secu-

rity and the passengers will come back quicker with the Senate bill. I really believe that.

Senator THOMPSON. Thank you very much for that.

On the issue of inconsistency, I do not know quite what to think about that. That point has been made by a lot of people. Clearly, if we go back to childhood and tell Daddy, Mama did not make us do that, so why should we do it for you? It is not the merits of the case, it is the fact that somebody else did something differently.

I am wondering what our real point is when we talk about the inconsistency. Is it aggravation, or is it that some of the more liberal conduct is not protecting us enough? It would seem to me like some inconsistency with regard to policies, like who gets checked and what gets checked, might be good. I am not sure that everybody ought to know exactly what they are going to be faced with. It looks to me like you could have some consistency as to what might be confiscated, for example, the tweezers versus the meat cleaver, but the process itself, perhaps that is not all bad.

We run into the same thing. I came back from New York and I got both my bags gone through and my briefcase gone through twice, I think, before I made it, so I fit the profile that Senator Voinovich did, too, I guess.

But does that make sense? Could we make a distinction between the kinds of things confiscated, perhaps, versus who gets checked?

Mr. WOERTH. Senator, I think this is one of the problems we have. Because there was a sharp instrument, a razor blade or a box cutter used in that instance, we got so focused on anything that might be sharp. So the first security directive came out and our security screeners are doing what they were told. Now they are looking for every cuticle scissors, every fingernail file, every cigar cutter, and the mind can only comprehend and concentrate on so much. So while they are so intent on that, it is not surprising that a meat cutter gets through or a cleaver because they are exhausted looking for tweezers.

We have got to get some common sense back into this system, and I think the passengers know the difference between the weapons of mass destruction, which is not a cigar cutter and it is not your eyeglass screwdriver. When they understand that and they see us focusing, looking for serious weapons and not tweezers from 84-year-old grandmothers, we will have real security because we will have time to do real security and we will not be just harassing passengers and crew members. That is what we have got to get back to.

Senator THOMPSON. Ms. Mathes, you represent people probably that have the most at stake because you fly more than anybody, and even more than the pilots now, I am sure, as you see these doors being built that nobody can get through, so you are on your own now.

Ms. MATHES. Exactly.

Senator THOMPSON. What would be the most—maybe you have prioritized this and I did not pick up on it. Is there one thing that stands out in your mind to the people that you represent that you think would be the single most important thing that could be done in order to make you feel more comfortable and, therefore, your passengers?

Ms. MATHES. Well, I think as we mentioned earlier, I think an air marshal on board makes everyone feel comfortable. Of course, only the crew would actually know that they were on board.

Also, I think that flight attendants would like some line of self-defense training so that we can protect ourselves and have some knowledge and background training on how to deal with a situation. At this point, we have just basic minimal training for hijacking, and up until September 11, we always planned that airplane would land.

Senator THOMPSON. Thank you very much. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Thompson.

Senator Voinovich, do you want to go next? Are you in a hurry?

Senator VOINOVICH. Yes, I do.

Chairman LIEBERMAN. No, go right ahead. I am here. Please.

Senator VOINOVICH. I would just like to say this. I do not know about you, but I feel safer traveling today than I ever have in my entire life. I think that if you look at where we were and where we are today, substantial improvements has been made. Security is not perfect and there are exceptions to the rule, including the inconsistency and so forth.

But I would like you to comment on it. What is your appraisal of the situation today versus what it was before September 11 in terms of the safety of flying?

Mr. WOERTH. Senator, I agree with you. Before, ignorance was bliss. We did not think we were at risk, so therefore we were happy with the complacent security. I, probably in the last 15 months, have testified not on security, but at least nine times on air traffic control delays. Between the Senate and the House, nine different testimonies. We were worried about throughput. We were worried about time. We were worried about efficiency. That was the focus of the Nation. After Lockerbie, we thought if we were checking on only international flights for bombs, everything else was fine.

The truth is, ignorance was bliss. But we are safer now. There is more security now. Every single airline personnel, the government, everybody is doing more now. We are as safe as we have ever been, and that is a fact.

Senator VOINOVICH. Ms. Mathes.

Ms. MATHES. I think as airline employees, we definitely are safer. I think we have the same respect and confidence in our pilots, that they are very qualified and very trained. That was never an issue for our security.

However, because of September 11, the security issue has come to light. So as far as mechanics and our trained and qualified pilots on the aircraft, as well as the flight attendants, that is a safety issue that remains the same and I think very highly acceptable.

Again, with the security issue and some of the elements that get by, security and the inconsistency is a question and a problem for a lot of us.

Ms. MCINERNEY. If I might comment on that, Senator, I think you are right. I think that the skies are safer and are getting safer and that is something that the American public needs to hear. But as we look back pre-September 11, I think that we had left our system open to a high degree of vulnerability. In many cases, I think

our high schools had better security systems than our Nation's airports did. We were looking at a system that was over-capacity. We were trying to move travelers through very quickly. There was a different focus on what their needs were.

And I think that we, the travelers, probably assumed that behind the scenes, the security issues were being addressed. What we have found out is that they were not, and now, more than ever, I think travelers are willing to give up some of the time that they have been spending before that was precious to them. They are now willing to compromise that. They want to see a stronger system and they are willing to pay the price for that.

Mr. CARTER. Senator, let us look when the passenger comes to the terminal. You never had presence of law enforcement officers or guards or National Guard out on the curb. When a vehicle is coming to the terminal, that vehicle is getting checked if it is unloading something for a restaurant or a gift shop or for the airline. Then if the passenger gets into the line to get into the ticket counter area, you are showing your ID. You could be a selectee to have that bag checked at that point.

As you go out to get to the screening checkpoint, you have only ticketed passengers now beyond the screening checkpoint. Before, those people at the screening checkpoint were getting stressed because you had passengers and you had the loved ones that wanted to walk with the people to the gate. Those people had billfolds. They had purses that had to go through that. It stressed those people out at the screening checkpoint because you had so many more people going through.

Once you are out to get on the airplane, you are showing your ID once again. If you are a selectee, you are getting your bag checked. You are getting wanded. You are constantly being wanded, both at the screening checkpoint as well as at the gate. And yesterday, I was surprised. When I got on the airplane, they actually checked the boarding pass. That had never happened to me before, also.

So I think there has been an increased presence in a lot of the things that have happened since September 11.

Senator VOINOVICH. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thanks very much, Senator Voinovich.

Thanks to the witnesses on this panel. I have a few questions. I apologize that I had to step out for a meeting. I did get to look at your testimony and it was very helpful. There are times at hearings like this that I wish we could call the first panel back after the second panel to respond to some of the things you have said, and we will definitely share your testimony with the FAA and ask for responses to some of the questions you have raised.

There was a fair amount of focus earlier on, and to some extent in this panel, on the bomb detection equipment. I must say, I was startled by the earlier testimony that less than 10 percent of the baggage goes through the bomb detection equipment 13 years after Lockerbie. I just had another thought that was your concern, Mr. Carter, about small airports affording these machines, which is whether, if we are moving toward public, that is, Federal Government, personnel doing the screening, whether, in fact, the government ought not to be the ones buying the equipment.

For instance, when I go through the screening device, the magnometer or whatever it is, as I am heading up to get on a plane? Who owns that?

Mr. CARTER. Well, we are a little different than some airports because I get very concerned about security, and usually, the airlines own the equipment.

Chairman LIEBERMAN. That is true?

Mr. CARTER. And you know, the airlines, are we going to go ahead and spend $35,000? No. So what I did at my airport last year, I bought the most sophisticated piece of equipment for $35,000 from RapiScan and then I charged the airlines back at 10 cents a passenger and I got my money back in 1 year, and I think that made a lot of sense.

You look at an airport our size, you have that $1 million piece of equipment. Where would you put that at so that you could have all five of your carriers be able to funnel those bags in, but right now, we have 400,000 passengers enplaning at our airports. Not one of those checked bags go through a detection device. They go through seven different hubs.

Chairman LIEBERMAN. Very interesting. So right now, the airlines own that equipment and the airport owns the bomb scanning devices, generally?

Mr. CARTER. I would say not the airports. It would be the airlines, I would think.

Chairman LIEBERMAN. Not the airports. Again, it is the airlines.

Mr. CARTER. Right.

Chairman LIEBERMAN. So there is part of the problem. I do not want to take on more for the Federal Government. It does seem to me if we are going to start having Federal employees doing the work, then we ought to have Federal money going into purchasing the equipment. I know it is not an exact comparison, but it would be a little like having the, I do not know, police cars in a town privately owned while the police were obviously paid by the public.

I was very interested in what you said, Ms. McInerney, in your last statement, and it goes back to your earlier testimony, which is that you are finding among your members a willingness to have a little bit of delay, and maybe more than a little bit of delay, in the interest of safety. Why don't you talk about that a little bit more.

Ms. MCINERNEY. I think prior to September 11, our system was certainly at over-capacity and the biggest concern of a traveler was how quickly I can get from point A to point B. Our system being stressed, those delays were costing American corporations billions of dollars and our company was the first to come forward and measure those losses.

I think today, we are looking at a different type of risk and I think that our frequent fliers, our business travelers, and even our leisure travelers have taken a step back, and I think that travel is not so much now about where you are going, it is also about who you are leaving.

Chairman LIEBERMAN. Yes, well said.

Ms. MCINERNEY. I think as I am talking to business travelers, they are feeling the stress of those family members and loved ones that they leave behind. It is not unusual now for me to talk to

someone and have their child say to them, "Mom, Dad, please do not get on that plane." Those are the kind of conversations that are appearing and happening in American households and I think it is the government's responsibility to try and make all of those travelers and their families and loved ones feel a little bit safer.

We simply have to be willing to put our own investment in there, and if the investment on the travelers' part is time as well as giving up some of their own efficiencies, I think we are willing to pay that price. We are not willing to see security go out to the lowest bidder and we are not willing to have inconsistencies at airports. But where it relates to time, we are now seeing American companies and American travelers being willing to take on those additional costs.

Chairman LIEBERMAN. That is very important. It is clear that before September 11, the airlines certainly were operating on the assumption that the public was not going to take too much inconvenience in the interest of safety, so I hope they are listening now and also that we are. And then as time goes by and the pain of September 11 and the jolt and the fear associated with September 11 recedes, as we hope it will because airline travel will be safe and there will be no more terrorist accidents, then it is very important to keep our guard up, in other words, to remember the feeling that we have now so that we do not become vulnerable.

I wanted to ask Ms. Mathes and Mr. Woerth whether the treatment that I and some of the others here have been giving to the airlines is fair. In other words, I am not trying to paint them as evil, I am just saying in the normal course of a business life or business career, if you are a CEO or chief financial officer and you are in an industry that has ups and downs and you are under pressure quarterly to report to your stockholders, security becomes a lower priority than it should be.

Ms. MATHES. Exactly. That is why we would like to see the Federal Government take over.

Chairman LIEBERMAN. Yes. Do you agree, Mr. Woerth?

Mr. WOERTH. Yes. Besides being the president of this union, I actually served on a corporate board of Northwest Airlines for 5½ years and had some pretty raucous fights on the financial committee and others, which is natural. This is a very brutally competitive business.

Chairman LIEBERMAN. Right.

Mr. WOERTH. What we need to ensure is that if we want one level of safety, and we have insisted that we do not expect airline passengers to shop from the safety record of airlines, if we want to have one level of security, and especially, Senator, the last point that was made, $1 million per machine, we do not need a few of these, we do not need a few dozen, we need hundreds and hundreds of these machines.

Chairman LIEBERMAN. Right.

Mr. WOERTH. We are talking billions of dollars here. The airlines are not going to be able to finance this. I mean, if they wanted to and the CEO is pledged to it, he could not do it.

Chairman LIEBERMAN. Right.

Mr. WOERTH. So to get the level of security with that new equipment, we are going to need some government help. But more than

that, I think it is important that every passenger can pick any airline they want because it is going to be the same level of security at every airline, not just those who can afford it and whose CEO is committed to it.

Chairman LIEBERMAN. That reminds me of something I read in your testimony, Captain, where you advocate the use of a single security checkpoint screening standard to achieve security, but also to help restore consumer confidence, and I think you referred to a document called the Checkpoint Operations Guide that could serve as the standard for realizing that kind of purpose. Can you talk a little bit about how that was developed and what difference it would make for those of us who are passengers?

Mr. WOERTH. I think that is the biggest difference. It is already work that is accomplished. The FAA, along with the airlines, along with flight attendants, along with pilots, put that together some time ago and it is so every security screener would know exactly what is expected. He would not be taking away your pen flashlight because he knows that is not a weapon.

Right now, we have very inconsistent training. We do not have to invent a new guide. One is already there. We might even improve upon that, but we at least have something that is in print, can just be made part of the regulatory package. We could be using it. Now, it is just gathering dust.

Chairman LIEBERMAN. And what would be different for those of us who are buying a ticket and going on a plane?

Mr. WOERTH. Probably a lot of it may be more perception than reality. But I know it is extremely discomforting, as all the witnesses here have testified and the passengers that I talk to and all of our crew members have said. Part of the professional attitude they expect to see that we see in our profession, certainly they want every pilot to have the same checklist preformed the same way. The same with flight attendants. Those standard operating procedures and practices makes it safer and instills confidence.

Just the opposite occurs when you have a different experience at every airport and at different terminals in the same airport. It instills a lack of confidence.

So I think it is probably more that than in reality, but when we see the same standard everywhere, people will be confident again that somebody professional is in charge of the operation.

Chairman LIEBERMAN. Right. Ms. Mathes, I remember for me a particularly poignant part of your prepared testimony when I read it, if I remember it correctly, which is that since September 11, not much has really changed for flight attendants. That is, there has not been any additional training or support. I do not know whether you talked about that when you testified before, but would you talk just a little bit about it now?

Ms. MATHES. Well, basically from what I have witnessed, nothing really has changed besides the ID badging was changed a little bit and updated. As far as on the airplane, the cockpit door is secured at this point, and we witnessed the changeover of that. We now brief so that we have a plan on board. But as far as for flight attendants, nothing has changed for our security. We come to work the same way. I mean, we go through security, but that really has not changed, either.

Chairman LIEBERMAN. What would you like to see changed, the top one, two, or three things?

Ms. MATHES. Well, I would like to see there be some form of a self-defense program. That should be something standard that all of us can comply by, where you would have intact rules and regulations for how you would handle a situation. I would like to see more cooperation with management and possibly the government in that area.

I have been on an aircraft where we make the rules up as far as first class and main class using the lavatories as we go. I want to see everything standardized, so that when we enter that aircraft, we know what we are going to do and how we are going to handle it.

Chairman LIEBERMAN. So if you have not received any other training, how do flight attendants coordinate with the larger number of sky marshals that are on planes now? I gather there is a meeting before the flight takes off, but are flight attendants given instructions as to how to work with the marshals in the event of a crisis?

Ms. MATHES. Actually, from the information I have read as far as the sky marshal being on board, that you would be introduced, but you are not to treat them as if they are different from any other passenger or even acknowledge that they are a sky marshal.

Chairman LIEBERMAN. So in the event that a passenger or group of passengers suddenly begins to take hostile action, are flight attendants told what to do at that point?

Ms. MATHES. Get out of the way.

Chairman LIEBERMAN. Get out of the way and let the marshals deal with it?

Ms. MATHES. Yes.

Chairman LIEBERMAN. Yes. OK, just one more question—well, two more. The first is, what do you all see happening in the so-called secure areas? I think one of the points of vulnerability that has become more clear to us is that there are so many thousands of people working at airports, not only screening us but behind the scenes in areas where passengers do not go, who have regular access to baggage and the airplanes, people who service the planes, who bring food on, clean, etc.

Since September 11, have we seen standards, procedures, protections change? Mr. Carter, do you want to start that?

Mr. CARTER. Yes, I will start. The FAA did come down with the directive to only allow vehicles through the gate into the side area, the secure area, to be checked by a guard and have the vehicle checked. That is the major change that we have seen.

We have put a request in to the FAA to at least allow the airport operator, the airport director should have an opportunity to get on his airfield without having to have his trunk checked. That is how I feel, and we are trying to get that from the FAA. We put that request in on Thursday and we still have not gotten a response from it, but that is one of the major changes I have seen, is access to the air operations area, the side area.

Chairman LIEBERMAN. Does anyone want to add anything to that?

Mr. WOERTH. I would just say that is still one of the weaker links.

Chairman LIEBERMAN. It is.

Mr. WOERTH. It is until we have, as in my testimony, those electronic ID cards, so once you enter a secure area, everybody is confident. You can go where you want to because everybody in that secure area is accounted for. Just having a plastic ID card with somebody's picture on it does not do it.

Chairman LIEBERMAN. It is not enough.

Mr. WOERTH. We have got to get that electronic identification.

Chairman LIEBERMAN. Ms. Mathes, did you want to add anything to that, or Ms. McInerney?

Ms. MCINERNEY. I would like to add an experience I just witnessed on Friday.

Chairman LIEBERMAN. Go ahead.

Ms. MCINERNEY. I was at Boston Logan last Friday, taking a U.S. Airways shuttle. It was a five o'clock takeoff time, so it was certainly a busy screening area, staffed by MPs who were doing a very good job, might I add, and four gentlemen just came and began to walk around the security and they noted that they were there and they were contractors working on the airport. They had no IDs. They had not been discussed to. They had a conversation. They went around the screening.

Chairman LIEBERMAN. Right.

Ms. MCINERNEY. They were then detained for about 10 minutes. I sat as an interested observer and watched while they still could not work these things out. They kept saying that they were there to fix something. No one could determine who had hired these people, where they had come from. They had no work orders. And to me, that is a little bit frightening to be occurring almost 80 days later.

Mr. CARTER. And in the real world, they should be, those people that she is talking about should be escorted by a person that does have that ID badge that has verification.

Chairman LIEBERMAN. Right.

Mr. CARTER. That should happen immediately.

Chairman LIEBERMAN. At least they were stopped.

Ms. MCINERNEY. They were stopped, but only barely. An employee happened to notice them as he was changing shifts. Certainly, we all have to have a high degree of trust, but you cannot stop but wonder.

And what is concerning to me is that there were over 100 passengers, many of whom just were talking among each other, because now we are almost like we were with HMOs. Back in the day, we used to say, this is what happened to me when I went to the doctor, this is what happened to me. Today's cocktail talk is about experiences at airports. We might as well be trading baseball cards. A hundred passengers, many of whom were first-time fliers since September 11, witnessed that, and I cannot imagine how many people they have since discussed that with. It is a little frightening.

Chairman LIEBERMAN. Unfortunately, I agree. I would rather be swapping baseball cards, but Senators are swapping stories like that, too.

Did you want to add anything, Ms. Mathes?

Ms. MATHES. I just wanted to say that, actually, we are a little concerned by the food that is brought on the aircraft. Even though the carts are taped with a blue tape and locks may be on the other carts, we still have no way of knowing whether the food was actually tampered with before it came on the aircraft and we are not even sure if the food service workers were screened before they went to work that day. So it is a concern of ours.

Chairman LIEBERMAN. Do you have any response to that, Mr. Carter?

Mr. CARTER. I have been seeing the same thing that she has been mentioning.

Chairman LIEBERMAN. Yes.

Mr. CARTER. That was my concern when I am watching this, because I know that if an employee is coming on that field, I know that they are not going through a screening checkpoint. The food service people, I have never seen a magnetometer over in the food area.

Chairman LIEBERMAN. That is a problem. That is a point of vulnerability. I am going to ask that question to the FAA. I appreciate your mentioning it.

A final question. Ms. McInerney, has the Business Travel Association every tried to calculate the impact of business air travel on the economy? In other words, as we look at the extraordinary decline in air travel now, and we know that some of it must be related to the weakening economy, some related to fears of terrorism, but then it also has a causal effect, negative, on the weakening economy.

Ms. MCINERNEY. Well, we look at it from two different perspectives. First, the travel industry net loss for 2002 is already projected to be about $2.4 billion. That is probably a conservative estimate.

Chairman LIEBERMAN. Two-point-four billion dollars?

Ms. MCINERNEY. Correct.

Chairman LIEBERMAN. And that is overall, airlines and tourism.

Ms. MCINERNEY. Correct.

Chairman LIEBERMAN. I was in Florida over the weekend and there is really a state of unemployment numbers that are rising rapidly and the concerns about air travel have had a very drastic effect on tourist areas like that.

Ms. MCINERNEY. Well, the overall loss to the GDP is projected to be close to 10 times that much, as this has a causal effect.

Chairman LIEBERMAN. Ten times the $2.4 billion——

Ms. MCINERNEY. Two-point-four billion dollars, correct. And in line with that, as we are talking to corporations, they have sat out the last few quarters traveling. There is a loss to them in productivity and sales and marketing.

Chairman LIEBERMAN. Right.

Ms. MCINERNEY. So I think that we have not seen the end of what the economic impact of this crisis will be.

Chairman LIEBERMAN. Unfortunately, I agree with you.

I thank the four of you. You have been an excellent panel of witnesses. To me, the hearing has shown, as I guess all of you said before, that aviation security has been improved since September

11 in this country, but it is obvious we have a ways to go yet before we can have the confidence that we want air travelers to have.

I must say, when I go back to the previous panel, and you have augmented it, we really did let ourselves become too relaxed about these matters. I mean, it is human nature, unfortunately. We did an earlier hearing here on September 25, post-September 11, and I ended up concluding—I never would want to say that my conclusion was that if airline security was what it should have been on September 11, we could have stopped all those terrorist attacks, but we sure could have made them a lot harder to have pulled off, and I think some of them probably would have been stopped if everything we are beginning to put in place and will if this aviation security legislation ever gets agreed on and passed. It is going to be—you never want to say impossible—but a lot harder for terrorists to do what they did on September 11.

This Committee is going to stay active in this area, and we know how important it is to the American people, how important it is to the people who work in the aviation system, and how important it is to our economy, so I thank each of you for the contribution you have made to our efforts.

At this point, the hearing will be adjourned.

[Whereupon, at 1:29 p.m., the Committee was adjourned.]

APPENDIX

PREPARED STATEMENT OF SENATOR AKAKA

I would like to thank the Chairman of our Committee and the Chairman of the Subcommittee on the Oversight of Government Management for calling today's follow up hearing on airline security. I also call on our colleagues who are debating the airline security bills to complete their work as quickly as possible. The Senate passed its bill a month ago, and it is wrong to delay its implementation any longer.

When the al-Qaida network turned four U.S. airplanes into guided missiles, the vulnerabilities in our nation's air transportation industry were revealed. In the wake of September 11, Congress and the Administration have taken positive steps to protect the flying public through increased security at airports and hardening commercial planes. There is now increased information sharing among intelligence and law enforcement agencies; mandatory criminal history background checks for all airline and airport employees with access to secure areas; expanded use of the Computer Assisted Passenger Prescreening System and explosives detection equipment; and funding for cockpit door security.

However, more must be done to restore the public's confidence that all passengers will reach their destinations safely. Like the railroads that opened the American West in the 1800's, air travel has helped define our nation. For me, it would be hard to image Hawaii without the millions of tourists who annually enjoy the 50th state.

Hawaii, more than any other state, is economically dependent on a vibrant tourism and airline industry. Tourism accounts for a quarter of the state's economy and a third of its jobs. At the end of September, tourism in Hawaii was down 40 percent and more than 11,000 people employed in the industry were out of jobs. The October figures are expected to be substantially higher. A delayed recovery in the tourism industry could lead to a loss of $1 billion and 24,000 jobs.

While there have been positive steps recently, the tragic crash in the Rockaway neighborhood of Queens—which is considered to be unrelated to the events of September 11—has reopened wounds and reinstated fears about flying and traveling.

On behalf of the State of Hawaii and the nation's airline and tourism industry, we must do all that we can to ensure that air travel is safe and secure so that we may travel our nation's airspace without fear.

I welcome our distinguished witnesses.

PREPARED STATEMENT OF SENATOR BUNNING

Thank you, Mr. Chairman.

Our country has taken a serious blow over the past 2 months—not only are we coping with the terrorist attacks on September 11 and the anthrax letters, but we now face another airline crash which occurred on November 12.

My thoughts and prayers are with the victims of American Airlines flight 587 and their families.

Today's hearing focuses on the security of our airports and airplanes.

I think all of us would agree that changes need to be made to our aviation security as soon as possible.

Since September 11, we have heard news reports of passengers trying to enter cockpits and passengers carrying knives and other weapons past the airport screeners.

We have also heard reports about some of the problems with the screening companies that handle airport security, including failing to do background checks and hiring illegal aliens.

Situations like this need to be stopped immediately and should not be tolerated.

Congress is working on legislation to help make flying safer. Both the House and the Senate have passed aviation security bills, and I hope we can work out the differences between the two versions soon.

We need to get a final version of this legislation to the President so he can sign it into law, and we can start implementing some of these important reforms.

Let me add, however, that while we need to act as quickly as possible, we shouldn't act rashly. We need to make sure that our reforms will truly make our skies safer.

Americans must feel safe as they pass through airport medal detectors and take their seats on airplanes. If they do not feel safe, they will not fly.

I look forward to hearing from our guests today, and gaining their perspective on this important issue.

Thank you.

STATEMENT OF JANE F. GARVEY, ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION BEFORE THE SENATE COMMITTEE ON GOVERNMENT AFFAIRS ON AVIATION SECURITY POST SEPTEMBER 11.

Chairman Lieberman, Senator Thompson, Members of the Committee:

Thank you for inviting me to testify on the security measures that have been put in place since the horrific terrorist attacks that took place on September 11. As we approach the holiday season, people across the country prepare to travel to be with loved ones. Many will travel by air. It is therefore especially appropriate that we take the time to assess whether aviation security is equal to the challenges we face in this new and more difficult environment.

I want to acknowledge that the importance of improving aviation security is foremost on the minds of you and your colleagues. Important aviation security legislation is currently being considered in a House/Senate conference. Enacting this legislation will play an important part in enhancing aviation security and I am hopeful that Congress will act quickly to resolve the outstanding differences and pass needed security improvements.

As has been said many times in recent weeks, one of the most cherished freedoms enjoyed by the American people is our ability to travel freely around our country. This is a freedom that must be and has been preserved. But we must recognize that additional precautions, enhanced awareness, and improved security are essential to make travel safe, and everyone has a role to play. I am here to talk about the Department of Transportation (DOT) and Federal Aviation Administration's (FAA) role in this effort and what we are

doing to improve aviation security. I would like to discuss three important topics; what we have done since the tragic events of September 11 to make our skies safer, our ongoing efforts to provide strict oversight of screening checkpoints, and how we plan to deal with the upcoming holiday travel season.

As you know, in the immediate aftermath of the terrorist attacks, the Secretary of Transportation, Norman Mineta, shut down the national airspace system (NAS), a feat never before undertaken. In the days and weeks that followed, FAA, working in conjunction with DOT and many other agencies and departments in the Administration, has been working tirelessly to reopen the NAS. Each time access to the NAS was expanded, it occurred only after there was agreement that the additional safeguards put in place were sufficient to meet the identified level of threat. The balance between access to the NAS and the restrictions in place is an ongoing one and subject to constant adjustments. Such adjustments are always made after careful coordination and are based upon assessments from law enforcement and intelligence agencies.

FAA has taken a number of steps to improve aviation security since September 11. Since the resumption of commercial flights, passengers have been subject to new restrictions and have to go through more steps to get through security. All commercial aircraft must undergo a thorough search and security check each day before passenger boarding can begin. Only ticketed passengers and authorized persons are allowed to proceed past airport screeners to board their flights. All airports have an increased number of uniformed and plainclothes security personnel and both law enforcement officers and

National Guardsmen have been deployed to provide greater deterrence, surveillance, and response in the event of an emergency. Last week, the President announced a 25% increase in the number of each state's National Guard deployment and a corresponding increase of the Guard's airport security responsibilities beyond simply manning screening checkpoints. Access points to secured areas have been reduced to the operational minimum and airports have increased random security checks and ID checks throughout the entire terminal area. All airport and airline employees with access to secured areas of the airport have had IDs revalidated or reissued and will undergo Criminal History Records Checks.

We have modified our Computer Assisted Passenger Prescreening System (CAPPS) to reflect information we have obtained since the terrorist attacks. Selectees are subject to more intensive and redundant searches. These redundancies have succeeded in apprehending individuals at the gates who have gotten past screening checkpoints with weapons or prohibited articles. In addition, we continue to deploy FAA purchased explosives detection equipment (EDS) as quickly as possible and mandate the continuous use of those EDS that are installed and operational. With funding that has been requested, we plan to purchase and install additional equipment as quickly as manufacturers can produce them, so that we may move steadily toward our goal of 100% screening of all checked baggage by effective and efficient explosives detection systems. If Congress provides the $293 million requested by the Administration for FY 02, we will be able to purchase the maximum production. We are also assessing new and emerging

technologies can be deployed both short and long-term to further enhance security and improve overall security system effectiveness.

Another effort that has received a great deal of attention is the Federal Air Marshals (FAM) program. This program has been significantly expanded in the past two months and plans for its continued expansion are ongoing. FAA has been overwhelmed with the number of applications it has received from individuals interested in becoming a FAM. Until more FAMs can be hired and trained, other federal agencies have provided skilled personnel who have undergone an abbreviated training course in order to learn how to apply their expertise in the unique environment of an aircraft cabin. These individuals are currently flying in our system protecting our commercial aviation operations.

In addition to the many new security procedures, redundancies, and armed oversight in place, Secretary Mineta recently announced a crackdown on lapses of security detected in U.S. airports. It is disturbing that, despite the events of September 11 and our attempts to improve airline security, there continue to be failures to properly screen and detect weapons at security checkpoints. In the current environment, Secretary Mineta has determined that where FAA has identifies a failure of adequate screening at a checkpoint, we must assume that the area beyond that checkpoint has been compromised and takes corrective action. As a result, the FAA has stopped flights, closed, searched and reopened concourses at a number of major airports, and emptied aircraft to re-screen all passengers when we find that the security screeners had not followed proper procedures. Until such time as Congress reassigns the screening responsibilities, which now reside by

statute with the airlines, our challenge is to maximize the effectiveness of the current system. If airlines do not respond to traditional compliance incentives, such as the threat of civil penalty action for violation, we must resort to more immediate measures in order to assure that ineffective screeners are replaced.

The Secretary's concerted efforts since September 11 have resulted in identifying high-value, high consequence transportation assets and protection strategies. Under his leadership, we are addressing the strategic gaps between the current and desired level of protection for the most critical of these assets. As he noted in a recent speech, confidence must be restored in the screening system must be restored, and the way to accomplish that goal is to know that when screeners fail to meet the requirements, it is going to sting.

Finally, as the holiday season approaches, I would like to discuss what we are doing to help the traveling public feel safer as they board planes to be with loved ones in the upcoming weeks. Last week I met with airport and airline industry leaders to discuss how the upcoming holiday traffic will be handled without compromising current security standards. The meeting went very well. I was gratified to learn that both airlines and airports are thinking in advance. They are encouraging greater public awareness and working toward the dissemination of consistent information. We are expecting travel loads to be at their highest levels since the terrorist attacks, so passengers must be prepared of what to expect in terms of how far in advance of their flights they must arrive, how long a wait they may encounter, and what types of carry-on restrictions will

be in place. If passengers understand in advance what is expected of them, there will be less frustration and greater efficiency in the check-in and screening process.

FAA is finalizing a brochure that will help disseminate information and educate the flying public about the new procedures and restrictions in place in order to make this travel season safe and pleasant. It is important that passengers understand that whatever delays they may encounter as a result of these new procedures, they are intended to help them get to their destinations safely.

In closing I want to echo the President's call to get back to normal, but do so with an increased awareness and vigilance. Things are not as they were before September 11, but that does not mean that we cannot retain our essential freedoms even if it means longer lines or searches of carry-on items. I think I speak for all of my colleagues in the aviation industry when I say that we continue to be committed to improving aviation security. The President has said that we will prevail over the terrorist forces that threaten us, and with hard work, dedication, and commitment from the aviation industry, the traveling public, and this Administration I believe he is right.

Mr. Chairman, I will be pleased to answer your questions at this time.

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

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Status of Airline Security After September 11, 2001

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 appreciate the opportunity to testify on improvements to aviation security since September 11, 2001, and improvements that still need to be made. The Federal Aviation Administration (FAA) and Department of Transportation (DOT) have taken steps to tighten security, and our observations across the country confirm that security is noticeably tighter than before September 11th.

FAA issued additional security requirements that air carriers and airport operators must implement to improve aviation security. These requirements included, but were not limited to, comparing the names of passengers and individuals with airport identification with the Federal Bureau of Investigation's watch list, intensified passenger and carry-on baggage screening at security checkpoints, limiting access beyond the screening checkpoints to passengers with tickets or ticket confirmations, "continuous use" of explosives detection systems used to screen passengers' checked baggage, revalidating airport identification required to access secure areas of the airport, and increasing law enforcement presence at screening checkpoints.

The Department has also taken several measures to provide protection to commercial aircraft and the Nation's airports. One such measure included expanding the Federal Air Marshal program for both domestic and international flights. Another measure provided for deployment of National Guard troops by State Governors to reinforce security at passenger screening checkpoints at airports nationwide.

Despite existing and new security requirements there are still alarming lapses of security and some systemic vulnerabilities that need to be closed. The President, the Secretary, and Attorney General have called upon the DOT Office of Inspector General (OIG) to assist in oversight of airport and aircraft security. On November 9, 2001, the President instructed the DOT Office of Inspector General to "conduct undercover audits" of security performance at airports nationwide, to ensure strict compliance with FAA security requirements. We have conducted such audits in the past, and our teams will be in place before Thanksgiving weekend. As part of this effort, we will conduct a variety of observations and tests to measure compliance with current FAA security requirements.

The Secretary announced on October 30, 2001, that joint teams of FAA and OIG personnel would monitor screening operations at airports nationwide in support of his zero tolerance policy. Since this announcement, over 100 OIG personnel have conducted security observations at 58 airports nationwide.

During these observations, our office and FAA found instances where air carriers were not continuously using explosives detection systems to screen checked baggage, staff at screening checkpoints were not identifying dangerous items such as knives in passenger carry-on baggage, and air carriers were not randomly screening passengers boarding aircraft. Since November 3, heightened security efforts have resulted in numerous—often unprecedented—actions taken when security has lapsed or been breached. Actions taken by FAA include deplaning and concourse evacuations, followed by rescreening of all passengers. To date, approximately 90 such incidents have occurred.

We think the Secretary's zero tolerance policy is for the best, and much needed under the circumstances. If security lapses are found during OIG and FAA observations, the Secretary has authorized concourses to be evacuated and passengers rescreened. Although this will occasionally result in delays or inconvenience to passengers, it is in the best interest of the aviation security system and shows that there will be consequences for industry's noncompliance with FAA security requirements. It will demonstrate to air carriers and screening companies that it is more efficient and effective to do it right the first time.

Given the scope, complexity, and dynamics of the security challenge as we now know it, coupled with long-standing problems with the aviation security program, we believe fundamental changes are needed to enhance the effectiveness of the aviation security system. First and foremost, aviation security must reside in a single entity with security as its primary and central focus, profession, and mission. 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 nationwide. This organization must also work toward 100 percent screening of checked baggage and cargo. It should be noted that bulk explosives detection equipment must be integrated into the airport/air carrier baggage systems. FAA needs to make this a top priority in order to screen 100 percent of checked baggage.

Both the House and Senate have legislation that address fundamental changes that are necessary in order to improve the Nation's aviation security system. It is particularly noteworthy that the Senate Bill includes provisions for the Department to set measurable goals and objectives for aviation security consistent with the Government Performance and Results Act of 1993. Any change in the governance and organization of our aviation security system cannot be done overnight and will require a transition period. In the interim, we must enhance the current system and improve security measures now in place.

While aviation security has been tightened since September 11th, there are still some vulnerabilities that need to be addressed without delay. Our office and the

General Accounting Office (GAO) have issued numerous reports identifying weaknesses in the aviation security system and recommending corrective actions. Chief among the actions that FAA needs to take are:

- Ensure air carriers maximize the use of bulk explosives detection machines for screening of passengers' checked baggage. Air carriers are now required to continuously use bulk explosives detection machines. That means that the carriers are required to randomly select enough passengers with checked baggage to supply the machine with a constant stream of bags to examine. However, during our recent observations, the majority of air carriers were not selecting enough passengers to supply the machines with a constant stream of bags. In contrast, at one airport an air carrier was requiring all checked baggage to be screened. We also observed instances were the check baggage screening operations were not adequately staffed. As a result, one air carrier had to stop operating the machine. Before FAA issues its final rule on checked baggage security on flights within the United States, it needs set a minimum usage level (number of bags screened per day) for the machines and address staffing issues.

- Issue the final rule on certification of screening companies to improve the screening of passengers, baggage, and cargo. 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 the week of September 10, 2001. Following the September 11th tragedy, the Department elected to delay the final rule so the Rapid Response Teams could re-evaluate the certification requirements. Once issued, this rule will serve as the baseline for ensuring the quality of screening, whether it is performed by Federal or contract employees.

- Establish standards for measuring security screener performance based on computer-assisted testing and unannounced testing of screeners by FAA. It is important that performance standards be established for screeners, whether they are Federal or contract employees. If such standards are not met employees shall be terminated.

- Strengthen controls to prevent access to secure areas of the airport by unauthorized individuals. Our testing in this area has shown serious weaknesses in the past. During late 1998 and early 1999, we successfully accessed secure areas[1] in 68 percent of our tests at eight major U.S. airports.

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

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. Since September 11th, FAA has required the airports to reduce the number of access points to secure areas of the airport. This is one area we will be testing as directed by the President.

- Conduct criminal history checks for all individuals, including current employees, who have unrestricted access to secure areas of the airport. This is currently being done for all new employees at Category X airports. FAA has also required airports to revalidate all airport identification, but this does not require background investigations or criminal history checks to be conducted for individuals currently holding airport identification. Our recent investigations have found that individuals who have been convicted of disqualifying felonies possessed airport identification, allowing them access to secure areas of the airport. The requirements must be expanded to all airports not just the large ones. Criminal history checks must also be performed on all individuals that currently have airport identification, as well as new employees.

- Strengthen controls in cargo security, particularly the process for certifying indirect air carriers[2] (freight forwarders) and assessing indirect air carriers' compliance with cargo security requirements. We recently completed a follow-up audit of FAA's Cargo Security Program and briefed FAA on our results in September. FAA has taken action to strengthen the program since September 11th, by no longer allowing air carriers to accept cargo from unknown shippers and strengthening the requirements for becoming a known shipper.

[2] An indirect air carrier is any person or entity, excluding an air carrier, that engages indirectly in the transportation of property by air, and uses the services of a passenger air carrier. This does not include the U.S. Postal Service.

Today, I would like to highlight those steps taken by the DOT and FAA to enhance both airport and aircraft security, and share with the Committee our observations on the execution of such steps by air carriers and airport operators who are ultimately responsible and accountable for the security of air travelers. I would also like to address specific fundamental changes that are needed to further strengthen aviation security and hopefully restore public confidence in air travel.

Actions Taken to Tighten Aviation Security

Immediately following the terrorist attack of September 11th, DOT and FAA, initiated a variety of security requirements necessary for protecting aircraft and passengers, as well as airports and their users from future terrorist attacks.

FAA first ordered all airport terminals evacuated and required a thorough physical search for explosives and other dangerous weapons, using airport personnel and FAA-certified canine teams. FAA then imposed an initial set of security directives that airport operators and air carriers had to certify were in place before the airports could reopen and flights could resume. This process was completed on September 14th, and scheduled commercial service was resumed to all the Nation's airports except Reagan National Airport.

The Secretary announced, on September 16th, the creation of two Rapid Response Teams to review and provide recommendations for improving aviation security. One team focused on increasing airport security, while the other team focused on securing the aircraft, particularly access to the cockpit. The teams included senior DOT and FAA officials, and industry representatives.

Several of the recommendations from the Rapid Response Team's report have already been implemented by FAA, such as limiting carryon items to one carryon

bag and one personal item (purse or briefcase), and requiring airports to revalidate airport identification. Also, many of the recommendations of the Rapid Response Teams were included as part of congressional legislation that is currently being considered by members of the Senate-House conference committee on transportation/aviation security.

Also, air carriers are securing cockpit doors in response to the Rapid Response Team recommendation. FAA is working with the air carriers to ensure all cockpit doors are secured and that modifications do not affect the safety of the aircraft. The Air Transport Association (ATA) recently reported that 100 percent of the cockpit doors on its members' fleets have been secured. That equates to 97 percent of the passenger aircraft in the system. Many non-ATA member airlines have also reported they have secured the cockpit doors on their fleets.

Some of the initial security requirements imposed by FAA have been lifted or revised, such as the ban on curbside check-in and the ban of all cargo and mail on passenger aircraft. At the same time, several initial requirements remain in effect or have been strengthened and new requirements have been added. These include requirements such as:

- A comparison of the names of passengers and individuals with airport identification with the Federal Bureau of Investigation's watch list.
- Continual use of bulk explosives detection systems for screening passengers' checked baggage.
- A ban on cargo from unknown shippers.
- Strengthened requirements for becoming a known shipper of cargo.
- Allowing only ticketed passengers and authorized persons to proceed past screening checkpoints.

- Searching aircraft at the beginning of each day.
- Conducting random physical searches of passengers prior to boarding the aircraft.

While FAA has tightened aviation security with the new and revised requirements, the challenge is to ensure that air carriers, screening companies and airports comply with the new requirements.

Coinciding with the issuance of FAA's security requirements, FAA has also expanded the Federal Air Marshal program for both domestic and international flights. Law enforcement personnel from several Federal agencies, including the OIG, have been selected and trained to augment the Federal Air Marshal program until such time as FAA can recruit and train the necessary personnel. 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 future attacks on aviation.

National Guard troops have been called by State Governors to reinforce security at passenger screening checkpoints at airports nationwide. Since September 11th, more than 6,000 members of the National Guard have been mobilized at airports nationwide. On November 9, 2001, the President called for an increase of 25 percent in Guard personnel during the holidays. In addition to its initial order to monitor passenger and baggage screening, Guard members will also monitor activity at boarding gates, search vehicles and cars, and monitor curbside activity.

The President, the Secretary, and the Attorney General have called upon the DOT Office of Inspector General to assist in oversight of airport and aircraft security. On October 30, the Secretary announced that joint teams of FAA and OIG personnel would begin monitoring screening operations at airports nationwide in support of his zero tolerance policy.

We think the Secretary's zero tolerance policy is for the best, and much needed under the circumstances. If security lapses are found during OIG and FAA observations, the Secretary has authorized concourses and planes to be evacuated and passengers re-screened. Although this will occasionally result in delays or inconvenience to passengers, it is in the best interest of the aviation security system and shows that there will be consequences for industry's noncompliance with FAA security requirements. . It will demonstrate to air carriers and screening companies that it is more efficient and effective to do it right the first time.

On November 9, 2001, the President instructed the DOT Office of Inspector General to "conduct undercover audits" of security performance at airports nationwide, to ensure strict compliance with FAA security standards. We have conducted these audits in the past and our teams will be in place before Thanksgiving weekend. As part of this effort, we will conduct a variety of tests and observations to measure compliance with current FAA security requirements.

Despite the Recent Security Enhancements, Lapses in Aviation Security Continue to Occur

Since September 11th, the dynamics of aviation security continue to change based primarily on the latest information from the intelligence community. This has prompted FAA to review and update, if necessary, its latest security requirements. FAA has also modified its security requirements based on its own oversight of air carrier and airport operator.

However, since FAA's new security requirements went into effect following September 11th, there are two areas of security where execution of such

requirements has not been as effective as it should be: screening checkpoint and checked baggage security. Historically, these two areas of security have been the weak link in aviation security. Even with improvements in technologies used to screen passengers, carry-on bags and checked baggage, lapses still occur at screening checkpoints and in checked baggage security as evidenced by our recent observations at airports nationwide.

Screening Checkpoint Security

Since the terrorist attacks of September 11th, OIG has carried out several initiatives to assess airport security. First, on September 14th, 3 days following the terrorist attacks, we arrested 12 non-U.S. citizens who illegally obtained security badges to gain admittance to secure areas at a major U.S. airport.

On October 12th, at the request of the Secretary, a joint team of OIG special agents and FAA security specialists was dispatched to Philadelphia International Airport to scrutinize screening operations conducted by Argenbright Security and to ensure that Federal security requirements were being enforced. In May 2000, an OIG investigation culminated in three Argenbright managers pleading guilty to falsifying documents about screener background checks. The firm was placed on 3 years probation and ordered to pay over $1 million in fines and restitution for failing to conduct background checks and falsifying screener training records. The case was prosecuted criminally at the urging of the OIG, based on the overwhelming evidence that Argenbright and its managers had systematically defrauded FAA's regulatory security program.

Because the October 12th investigation found that shoddy practices in the hiring and training of security screeners continued to exist, the Secretary and Attorney General directed the OIG to conduct similar investigations at 13 other airports

where Argenbright performed security services. A random sample of Argenbright employees at these airports found cases where employees (1) were not able to pass a skills test, administered on-the-spot by OIG personnel, required for employment, (2) had criminal records disqualifying them from employment as screeners, or (3) were foreign nationals not authorized to work in the United States.

On October 22nd the U.S. Attorney's Office and Argenbright entered into an agreement whereby Argenbright admitted violating terms of its probation and agreed to a series of remedial actions, to include extending its probation to 5 years and conducting fingerprint checks on all of its employees not previously checked by the OIG.

On November 9, 2001, Argenbright Security announced major overhauls in the Company's management and "...immediate measures to ensure that Argenbright meets and exceeds the public's and Administration's heightened security expectations." The Company stated these measures will introduce training that meets European standards and will lead to the immediate termination of employees who do not follow strict procedures and regulatory guidelines. The Company announced that all 7,000 Argenbright employees will undergo background re-verification and fingerprint checks in cooperation with the FAA, FBI, and air carriers.

As directed by the Secretary, joint teams of FAA and OIG personnel began monitoring screening operations at airports nationwide. If security lapses were found during the agents' observations, the Secretary authorized terminals to be evacuated and passengers re-screened, as part of his zero tolerance policy. FAA has reported several security breaches at passenger screening checkpoints at airports nationwide. Most recently, at Chicago's O'Hare International Airport, a

passenger was able to enter the boarding area through a United Airlines passenger screening checkpoint carrying pepper spray, seven knives and a stun gun.

Between November 3 and November 12, 2001, over 100 OIG personnel conducted observations at 58 airports nationwide. During these observations, we found that the private firms performing screening checkpoint security on behalf of the air carriers were not consistently and uniformly following FAA's security requirements. Often the problems occurred because screeners were not aware of or did not understand the new FAA requirements. Examples of where FAA requirements were not being followed include:

- Checking Identification at Screening Checkpoints. In some cases, passengers' identification were not checked against their boarding passes or employees' airport identification was not verified at the screening checkpoint. Passengers or employees were allowed beyond the screening checkpoint without their identification being checked.

- Screening Carry-on Items. Some screeners were not adequately screening carry-on bags for threat items (knives, scissors, sharp objects, etc.), or separately screening laptop computers from the passengers' carry-on bags. As a result, prohibited threat items that were missed during the initial screening were found in passengers' carry-on bags during secondary screening at the departure gates.

- Random Screening of Passengers and Carry-on Items. We also observed some screeners not performing continuous random secondary screening procedures of passengers and their carry-on items. These secondary screening procedures include physical searches of carry-on items, using trace explosives detection devices to screen carry-on items, and screening passengers using body wands

or pat down techniques. At some security checkpoints we observed, these secondary screening procedures were not being continuously performed.

Since November 3, heightened security efforts have resulted in numerous—often unprecedented—actions taken when security has lapsed or been breached. Actions taken by FAA include deplaning and concourse evacuations, followed by rescreening of all passengers. To date, approximately 90 such incidents have occurred.

For example, in one instance a passenger at Baltimore-Washington International Airport was charged with testing security screening on her own with a box-cutter concealed within a make-up kit in her purse. After clearing the initial screening checkpoint, the passenger allegedly produced the instrument, announcing that the screeners failed her test and that security at the airport was unacceptable. Since the passenger was not detained by the screeners, the concourse was evacuated and all passengers were rescreened. While airport police eventually found the passenger, it resulted in a 3-hour delay adversely affecting at least 27 flights. OIG special agents presented the case to the U.S. Attorney's Office, which charged the individual with a misdemeanor for knowingly and willfully entering an airport area in violation of security requirements.

In another case, OIG special agents detected an individual at Dulles International Airport sneaking a pocketknife in his shoe through a checkpoint after having been previously warned by a screener to discard the knife. OIG special agents arrested the individual on a felony charge.

Judicial disposition in both cases remains pending. The Secretary has stated that these practices will not be tolerated and the airlines should be prepared to have penalties assessed if these practices continue.

Checked Baggage Security

We have deployed OIG personnel at airports nationwide to observe the screening of checked baggage. Following September 11th , FAA requires air carriers to ensure that bulk explosives detection machines are in continuous use. Specifically, FAA requires air carriers to randomly select enough passengers with checked baggage to supply the machine with a constant stream of bags to examine. Results from our preliminary observations at seven major airports in October 2001 found that most air carriers were not continuously using the machines to screen checked baggage. This prompted us to continue monitoring the use of these machines.

Today, we continue to find that the air carriers are not maximizing the use of these machines. We continue to find instances where the machines are woefully underutilized and understaffed, and when they are being used, FAA's security requirements were not being followed. Over the past holiday weekend, we conducted 115 observations of 30 machine (1 machine could have more than 1 observation) at 9 airports during high, steady and low passenger traffic at check in counters. Our observations found that 73 percent of the machines were not in continuous use.

For example, during a 30 minute observation, 62 passengers checked baggage, but only 7 bags were screened through the machine. In contrast, we observed one carrier that required all checked baggage be screened.

Underutilization of these systems has been a long-standing problem that we have reported on since 1998. These machines cost approximately $1 million to buy, and have cost between $300,000 and $1.2 million to install. Before the events of

September 11th, there were various reasons why these machines were underutilized. One of the overriding reasons was that air carriers were only required to use the equipment to screen the baggage of passengers requiring additional security measures based on a passenger prescreening system known as the Computer Assisted Passenger Prescreening Systems (CAPPS). Air carriers' reluctance to increase the use is centered in their belief that passengers would not accept the inconvenience.

In our October testimony before the House of Representative, Committee on Transportation and Infrastructure, Subcommittee on Aviation, we stated that during the month of July the majority of machines continue to be underutilized.

Screening Rates of 80 CTX 5500 Machines Installed in U.S Airports During July 2001	
Number of CTX Machines	**Bags Screened Per Day**
07	0-100
16	101-200
31	201-400
14	401-600
06	601-800
06	801-1200

These machines are capable of screening between 140 and 150 bags per hour in an operational environment. FAA needs to take immediate steps to ensure that air carriers use the equipment at this level.

We also found incidents where the checked baggage screening operations were not adequately staffed. FAA requires all bags that set off the screening machine's alarm must be physically searched and screened using trace explosives detection devices. At many airports, these machines are staffed with one operator to perform the screening operations when in fact at least two screeners should be

required. The operator responsible for screening the bag through the machine should not be solely responsible for threat resolution, i.e. trace and physical search. It is not just a matter of passenger inconvenience but of security effectiveness. One operator performing all screening responsibilities without any assistance will generally cut corners (i.e., bypass the trace and physical search requirements) not to inconvenience a line of passengers.

We also found that there were not always enough trained operators to effectively staff checked baggage screening operations. For example, at one airport, the private security firm responsible for screening checked baggage, on behalf of one air carrier, had only two trained screeners to operate the machine. These screeners were working 10-hour shifts, 6 days a week, and a 20-hour shift on the other screener's day off. During our observation of machine operations on the morning of November 12, we witnessed the screener falling asleep. The screener was scheduled for a 20-hour shift while just completing a 10-hour shift from the prior day. We alerted the private security firm and responsible air carrier officials, who stopped operating the machine, since another qualified operator was not available.

Fundamental Changes Are Paramount to the Success of an Effective Aviation Security System

Given the scope, complexity, and dynamics of the security challenge as we now know it, coupled with long-standing problems with the aviation security program, we believe fundamental changes are needed to enhance the effectiveness of the aviation security system. These fundamental changes include creating a single entity responsible for the aviation security system, and correcting existing weaknesses in the system such as inadequate training and performance standards for screeners.

First and foremost, there should be an end to the practice of shared aviation security responsibilities among the Government, air carriers, and airports. This practice has not worked in the past and will not worked in the future. There are simply too many other priorities, missions, and, in some cases, competing economic pressures for air carriers and airports.

Aviation security, must reside in a single entity with security as its primary and central focus, profession, and mission. A centralized, consolidated approach by an organization with a security mission would require passenger and baggage screeners, whether Federal or contract employees, to have uniform, more rigorous training and performance standards nationwide. The employees of this entity 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.

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 our aviation security system cannot be done overnight and will require a transition period. In the interim, we must enhance the current system and ensure compliance with security requirements now in place.

Second, while aviation security has been tightened since September 11th , there are still some vulnerabilities that need to be addressed without delay. Our office and

the GAO have issued numerous reports identifying weaknesses in the aviation security system and recommending corrective actions. FAA needs to take the following immediate actions:

- Ensure air carriers increase use of bulk explosives detection machines for screening of passengers' checked baggage, and issue the final rule on security procedures for checked baggage on flights within the United States. Air carriers are now required to continuously use bulk explosives detection machines, but during our recent observations the majority were not running bags continuously through the machines. Before FAA issues its final rule on checked baggage security on flights within the United States, it needs set a minimum usage level (number of bags screened per day) for the machines and address staffing issues.

- Issue the final rule on certification of screening companies to improve the screening of passengers, baggage, and cargo. 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 the week of September 10, 2001. Following the September 11th tragedy, the Department elected to delay the final rule so the Rapid Response Teams could re-evaluate the certification requirements. Once issued, this rule will serve as the baseline for ensuring the quality of screening, whether performed by Federal or contract employees.

- Establish standards for measuring security screener performance based on computer-assisted testing and unannounced testing of screeners by FAA. It is important that performance standards be established for screeners, whether they are Federal or contract employees. Standards must be established for

screeners, and continued employment must be based on each individual meeting those standards.

- Strengthen controls to prevent access to secure areas of the airport by unauthorized individuals. Our testing in this area has shown serious weaknesses in the past. During late 1998 and early 1999, we successfully accessed secure areas 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. Since September 11th, FAA has required the airports to reduce the number of access points to secure areas of the airport. This is one area we will be testing as requested by the President.

  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.

- Conduct criminal history checks for all individuals, including current employees, who have unrestricted access to secure areas of the airport. This is currently being done for all new employees at Category X airports. FAA has also required airports to revalidate all airport identification. However, this does not require background investigation or criminal history checks to be conducted. Our recent investigations have found that individuals who have

been convicted of disqualifying felonies had airport identification, allowing them access to secure areas of the airport. We must expand the requirements and conduct criminal history checks on all individuals currently holding airport identification, as well as new employees at all airports nationwide. We must also look for alternative methods of confirming the trustworthiness of individuals with access to secure areas of the airport, especially individuals who have not been in the United States long enough for a criminal records check to be effective.

- Strengthen controls in cargo security, particularly the process for certifying indirect air carriers (freight forwarders) and assessing indirect air carriers' compliance with cargo security requirements. In 1997, we advised FAA of the need to strengthen the indirect air carrier approval procedures and ensure compliance with cargo security requirements. We recently completed a follow-up audit of FAA's Cargo Security Program. FAA has taken action to strengthen the program since September 11th by no longer allowing air carriers to accept cargo from unknown shippers and strengthening the requirements for becoming a known shipper. However, FAA has not taken actions to strengthen procedures for approving indirect air carriers to ship cargo on passenger aircraft, and weaknesses continue in this area.

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

STATEMENT OF BRUCE E. CARTER A.A.E
DIRECTOR OF AVIATION
QUAD CITY INTERNATIONAL AIRPORT
before the
JOINT COMMITTEE ON GOVERNMENTAL AFFAIRS
AND THE SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENTAL MANAGEMENT RESTRUCTURING AND THE DISTRICT OF COLUMBIA
THE HEARING ENTITLED "HAS AIRPORT SECURITY IMPROVED"
NOVEMBER 14, 2001 10:30 A.M.

Good morning Chairman Lieberman, Senator Thompson, Senator Durbin, Senator Voinovich and distinguished members of the Committee.

I want to thank you for the opportunity to testify today on the concerns of aviation security at small hub airports.

The Quad City International Airport serves the citizens of Western Illinois and Eastern Iowa and has a catchment area of 2.5 million people within 100 miles. We have access to seven different hubs by five different air carriers. Our aircraft mix varies from Boeing 717's to Beechcraft 1900's. We have been one of the fastest growing airports in the country with a 48% growth over the past five years. One of the reasons for this rapid growth is the air service provided by AirTran airways to its Atlanta hub. They have provided our passengers with competitive air fares and, in turn, our other air carriers stay competitive with them. In fact, all of our air carriers have experienced growth. We are a small hub airport and were on track to enplane 400,000 passengers for 2001 until the tragic events of September 11th occurred. Traffic for September 2001 was down 34%, and we experienced a 23% decrease in passengers for October. As of today, we have 20% fewer seats available and have 15% fewer flights daily compared to the September 1st schedule. Our airfares continue to be very competitive and I have noticed a gradual increase in the number of passengers on our airline flights.

What have the passenger declines done to our operating revenue for the airport? Our annual budget for 2001 is $7,000,000. We are experiencing a 20% decline in parking lot revenue, which equates to an annualized loss of $300,000, and we are experiencing a 40% decline in rental car activity. The rental car agencies, however, guarantee a monthly minimum which could adversely affect their existence. We have also experienced a 15% loss in landed weight that effects our landing fee revenue. We are trying to find creative ways to further cut expenses and could see layoffs in the near future. We just opened up our new $18 million terminal

concourse expansion and are not hiring the needed building maintenance and custodial personnel. This puts added pressure and stress on our existing staff.

What changes have we seen in airport security and what do we expect those costs to be if the FAA requirements continue? Before we were able to open our airport on September 13th, we had to tow 148 vehicles from our short term and long term parking lot and we cut our rental car ready lot in half to abide by the 300-foot rule implemented by the FAA. We then had to post two employees at the airport terminal curb to insure that no cars were left unattended. We hired a contract employee for 24 hours a day, 7 days a week at a cost of $300 per day, or $109,000 per year. In order to open our much needed short term parking lot, we hired another contract employee for a 12-hour shift at a cost of $204 per day, or $63,648 per year. Our public safety department and airport staff accumulated $11,000 in overtime for a six-week period, and if we continue at this pace, it will result in over $95,000 in overtime. And that is assuming there will be no more security requirements which require additional manpower.

In late September, the National Guard was assigned to our airport and are only allowed to be present at the security checkpoint. It greatly disturbs me that our request for greater flexibility was denied. I cannot stress enough the need to allow our National Guard presence at locations other than the screening checkpoint, and many small hubs feel the same way. As of today, we have not been able to expand the duties of the guard at our airport. However, President Bush outlined on Friday the need for more flexibility by the National Guard troops and that is what airports have been wanting for the past eight weeks. I hope we see additional troops before I get back to work tomorrow.

Additionally, the FAA required the airport operator to close all gates to the secured area (SIDA) unless the gates were monitored or a procedure was put in place to inspect each vehicle wanting access to the SIDA. The airport has a computer controlled access system that makes the gate much more secure than a lock and key system and this should be an accepted procedure.

At our airport, the airlines have followed all of the FAA directives which require only ticketed passengers beyond the screening checkpoint, the constant wanding of passengers at the gate before boarding, having an airline person at the screening checkpoint, the hand checking of bags of a selectee, and the showing of a picture id multiple times.

I am concerned with the discussions that are taking place that will continue to cost airports more money without additional revenue streams to offset these added expenses. As the cost per passenger increases at smaller airports, the airlines will reconsider their yield potential and profit margin, and I am concerned that they could eliminate service to many communities. There are 437 primary airports in the united states. Primary airports are defined as having scheduled air service and enplaning over 10,000 passengers per year. 50% of these primary airports enplane less than 100,000 passengers. Smaller airports have much smaller staffs and one small requirement, such as inspecting vehicles, has a much greater impact and financial burden than on larger airports. Requiring all airports to have explosive detection equipment installed for checked luggage will have significant operational and financial impacts, especially

at smaller to mid-size airports. Who will pay these initial and ongoing costs and who will be responsible? If the cost of the equipment is $1 million, it would not be unreasonable to expect The annual maintenance costs to be at 10% or $100,000 per year. What happens if the equipment breaks down and there is no backup? Congressional leaders need to have answers for these questions, and we could talk for hours on other important security issues that need to be considered.

I would like to briefly discuss the personnel that we have at our screening checkpoints. I feel our small hub airport has the same problems as larger airports in hiring, replacing and keeping personnel on the job. If the employees were paid a better wage and a benefit package, would this reduce turnover and give us a better product? Does a $20 an hour employee do a better job than a minimum wage employee? We need to have these questions answered before we decide on screening point jurisdiction. Constant turnover causes problems in any type of business! We are fortunate to have the newest, state of the art x-ray equipment at our airport and it has worked flawlessly since it's purchase a year ago.

I feel the FAA Civil Aviation Security personnel need to do a better job of communicating with the operators of our Nation's airports. It is not unreasonable to have airport managers and staff invited to regional headquarters to discuss the concerns of airport security. It is a way to get questions answered in a timely manner and it helps to know what other airports are going through to enhance security. Communication is the key to success and it is our job to encourage people to get back into the Nation's skies. The airlines are doing their job in providing very reasonable fares and making the needed safety improvements to their aircraft. The FAA and airports need to do whatever it takes to provide the safest environment for all citizens that choose to fly. I hope members of this committee and other members of congress will work to ensure that airports throughout the country receive the reimbursement they need to comply with the new security initiatives imposed by the FAA.

I would especially like to thank Senator Durbin for asking me to testify today. Senator Durbin has been a great supporter of our airports in Illinois, and I have enjoyed my ten-year relationship with him. His staff, especially Mr. Pat Souders, has always been available to assist our airport with aviation concerns. Thank you for the opportunity of letting me share my thoughts with you today. I would be pleased to try and answer any questions that you might have.

Marianne McInerney
Executive Director
National Business Travel Association
Before the Senate Committee on Governmental Affairs; and
The Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia
November 14, 2001

Good morning. My name is Marianne McInerney and I am the Executive Director of the National Business Travel Association (NBTA). NBTA represents over 1,500 corporate travel managers for the Fortune 1000 companies, who are in charge of over 70% of the $190 billion dollars spent annually on business travel expenditures domestically.

Before I begin my remarks, let me thank the Committee and the Subcommittee for the invitation to represent the business travel community and consumers on this pertinent and timely issue.

NBTA represents corporate travel managers and their companies that operate throughout the world. They and our colleagues throughout the world account for about 50% of the $396 billion that is spent annually on business travel worldwide and send over 44 million travelers through our nations' air transportation system. In fact, a majority of the airlines' revenue comes from a small fraction of customers – frequent business travelers – who average 20 to 30 flights per year and pay full fare.

By now, we all know that the terrorist attacks of September 11th have created tremendous unease among the traveling public. Travelers lost confidence in our nation's skies as well as our nation's airports. In response to this uncertainty, immediately after the tragedy many businesses dramatically curtailed, and in some instances, temporarily ceased employee travel.

In an effort to accurately and timely represent all business travelers worldwide, we at NBTA worked diligently to stay in close contact with the corporate travel managers. Throughout the weeks following the tragedy, we urged them to communicate their evolving corporate policies, their travelers' concerns and comments. We asked them for their suggestions, in turn relaying them to Congress, the Department of Transportation, the FAA and the Homeland Security Office. Over and over, we got the same response from travelers: "improve security." Improvement and standardization of security measurements was the single most important factor in getting people to resume travel and restoring confidence in our aviation system. When asked to rate the importance of various factors in getting business travelers to schedule a trip, 71% of corporate travel managers rated federalizing the security process as extremely important.

We are now just past the two-month mark since the tragedy. Members of the Committee and Subcommittee, our members are still frustrated. There is no consistency among airports and airlines even today under the new, stringent rules. Frequent travelers are

noticing that protocol for check-in and security checkpoint procedures vary from one airport to another. Even the procedures within a certain airport, at a certain checkpoint may not be the same today as they were yesterday. I, myself, am a witness to that. Two weeks ago, at Reagan National Airport, I was asked for an ID to compare to my boarding pass in order to go beyond the checkpoint and every third passenger underwent a random check. Last week at the very same airport, I was no longer asked for any identification, my computer was not checked despite the fact that ten screening personnel stood close by.

As one travel manager put it recently "I think at this point it's just the luck of the draw." The same manager reported a 20 minute check-in procedure at the Los Angeles International Airport, but a 2 hour experience at Chicago O'Hare.

Another member cited her traveler's experience. While the check-in procedure and security checks at Dulles airport were extremely stringent and time-consuming, on her return flight from Portland International airport, she observed a relaxed security staff and no time delays due to random security checks.

A business traveler from Office Depot traveling from Reagan National got randomly wanded three times while sitting at the gate waiting to board a flight. She also observed alertness and immediate attention to bags that were more than 5 feet away from their owner. She observed flight attendants and pilots passing through very strict security requirements before entering the aircraft. While these precautions seemed impressive at the time, that same passenger noted that since that incident she has seen security in airports vary from strict to very relaxed and leisurely. She's seen scrutiny over proper identification, but she's also been able to pass through with no identification requirement.

At some airports, identification is not even required of some travelers as they pass through checkpoints, while personal items are confiscated from others. Similarly, while some airlines are adopting the process of matching checked-in luggage to the names of passengers on board, it is not a uniformly practiced policy. Similar stories go on and on.

My point today is a simple and concise one. NBTA, our members, and frequent flyers across the board are not seeing the necessary consistency in airport security since September 11th. It seems that on TV, in the newspapers, and on the House floor the traveling public is being constantly reassured that tighter airport security is necessary. However, as we've been reminded by countless examples of inconsistency and failure to follow procedure, such a vast nation-wide task simply cannot be coordinated in a decentralized effort.

Central to the issue of returning traveler confidence are an individual's perceptions of risk and their behavior in light of those perceptions. By virtue of their frequent travel experience, business travelers get the proverbial birds-eye-view on the nation's aviation security approach and implementation. Often, the business traveler is the one who visits multiple cities each day and experiences varying degrees of security.

Going forward, in the near term, consumer confidence and real security improvements should be the focus of business and governmental efforts. NBTA and its membership feel that the only way to truly accomplish this massive goal is to federalize the airport screening process; implement new technology, like screening machines, to check all luggage; and institute a voluntary travel card to provide frequent travelers with seamless movements through the screening process.

But most importantly, we need to act swiftly. Passenger traffic is now down 28%, and security is still not under control. Imagine what it will be like when most of those passengers return. Over 400,000 additional passengers per day will be moving through our aviation system, and we will not have the systems in place to deal with them adequately and still ensure safety.

Finally, security improvements must be made swiftly in order to prevent further economic declines in the travel and tourism industry, and in the economy as a whole. The impacts of serious declines in travel are far-reaching. Travel industry net loss for 2002 is predicted to be $2.4 billion dollars. And losses to the GDP are projected at close to ten times that much. And with each security breach, traveler confidence is diminished, and the economic outlook for the industry gets worse.

Finally, our nation's aviation security is now a matter of national security, and we need to keep that thought first and foremost. Aviation security needs the same uniformity, professionalism and standards that are administered to other systems that impact our national security. Therefore NBTA urges Congress to enact the following measures:

- Federalization of airport security screeners and baggage handlers and imposition of uniform security procedures among airports and airlines.
- Background checks of all airport workers, including ramp attendants and foodservice employees.
- The imposition of a single standard that defines the maximum size of carry-on baggage.
- An increase in the percentage of checked baggage that is screened.
- Computerized screening of passengers.
- Passenger prescreening to be expanded for domestic passengers as well as international passengers.
- Positive passenger baggage match expanded to all flights.
- A mandate on the use of, and increase in the number of federal marshals on domestic flights.
- Trained and certified personnel to perform searches of aircraft cabins.

Thank you for the time and effort you are devoting to this important issue, and thank you all for your attention here today.

Note: NBTA is currently updating traveler experiences in an overnight survey and will update the reported travelers' experiences on Monday before 5:30 p.m.

TESTIMONY BEFORE

THE SENATE COMMITTEE ON GOVERNMENTAL AFFAIRS
AND THE SENATE SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT
MANAGEMENT, RESTRUCTURING AND THE DISTRICT OF COLUMBIA

ON

"HAS AIRLINE SECURITY IMPROVED?"

November 14, 2001

BY

JACQUELINE MATHES
FLIGHT ATTENDANT
ASSOCIATION OF FLIGHT ATTENDANTS, AFL-CIO
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Good Morning Chairmen and Members of the Committee.

My name is Jacqueline Mathes and I have been a flight attendant for United Airlines for almost 29 years. I am a proud member of the Association of Flight Attendants, AFL-CIO, and I am here today representing AFA's 50,000 members at 26 carriers. I am currently on voluntary furlough through January 30, 2002. I chose to take the three-month furlough in the hopes that my sacrifice will help save a flying partner's job. Thank you for giving me the opportunity to testify today at this important hearing on aviation security.

Even though I have not worked a flight since November 1st, I know firsthand, from flying after September 11th and talking with my flying partners, what air security is like today. We have all heard the horrific story of the security breach in my hometown, Chicago, earlier this month: a passenger nearly made it onboard with a number of knives, mace and a stun gun. Luckily, a random search was conducted on this passenger, but only after he had successfully cleared the metal detectors. And despite the fact that he was detained in Chicago, his checked luggage - which could have contained explosives - was not pulled off the plane. That case caught national media attention because of the audacity and severity of the security breach. But after September 11th, we all learned that those who want to slip weapons through the current security system will find a way unless we work -- quickly -- to change that system.

Soon after September 11th, the FAA immediately put new security requirements in place. Simply put, these changes did not improve airport and airline security -- they were merely window dressing. Airlines were required to conduct searches of the cabins for weapons or bombs. Without trained security staff, airlines instead gave the duty to perform these searches to their flight attendants, who were not trained in security checks. A carry-on

baggage limit to one bag plus one personal item per passenger is confusing and has not been enforced. Placing National Guard at the airport has only ensured that there is a military presence at the security screening areas in airports; but the Guard does not help with the actual screening process in any way. A call for better-trained federal screeners has not been acted on, and we know all the serious breaches that have occurred so far. A requirement that all cockpit and cabin crew meet before each flight to discuss security plans has been met with opposition from the airlines, who are far more concerned about on-time departures. Flight attendants are pressured every day by airline management to speed-up or simply skip vital security measures in order to maintain on-time departures.

Despite these new security requirements, flight attendants still believe there are far too many loopholes -- large enough loopholes to allow for another terrorists attack on the airlines. Flight attendants are well aware of these serious gaps in security. Every day we go to work to ensure the safety of our passengers. That is what we are trained to do. In the air, we are the fire fighters, the law enforcement agents, the first aid responders, and the comforters to our passengers. On September 11th, the 12 flight attendants onboard United Flights 93 and 175 became the last line of defense in protecting the cockpit and passengers. All 12 lost their lives in the performance of their duties that fateful day.

Since September 11th, our lives and work have changed dramatically. We are now faced with frightening prospects of what could happen again, and we are, quite frankly, well aware of how easily another terrorist attack could occur. Are we more confident in the safety of air travel since September 11th? No. Do we believe that the new security changes put in place by the FAA since September 11th have made a difference? No. Are we sure when we board an airplane that it is weapon-free? No. Do we believe that air travel can be safe? Yes, eventually. But much needs to be done.

Before I talk about what changes need to be made, let me give you examples of how different life is today for flight attendants. What is most unnerving to me is that flight attendants now start each trip by discussing what we can use on the aircraft for weapons. We actually talk about breaking wine bottles to use as weapons to protect ourselves in case of a terrorist attack. In eight weeks, not a single flight attendant has received any type of new training on terrorists attacks or how to protect themselves or the passengers. Without any additional training from the airlines and working in a failed security system, flight attendants believe they must prepare themselves for any emergencies. We believe another terrorist attack can happen -- and we want to be as prepared as possible. It is horrific that we have gotten to the point of talking about disarming, injuring or killing terrorists onboard aircraft. This is the main way life has changed for me since September 11th.

Like all other travelers, flight attendants have first-hand knowledge of changes in the check-in process and screening process. Yet, I do not believe any changes in place today have made air travel more secure. In fact, on October 18th, security screening at O'Hare found a small hotel sewing kit in my bag. The kit contained thread, a few sewing needles and a small pair of three-inch metal sewing scissors -- scissors that barely cut thread. I had forgotten that I had the sewing kit in my bag. It was a sewing kit that I had always carried with me in case I had to mend my uniform while working. It had been in my bag for months, well before September 11th, and for all my flights between September 11th and October 18th. This was the first time any screener had seen it and while I did not fault the screener from taking it from my bag, it was clear that more needs to be done to screen bags. Why was this overlooked by every screener on every flight until this one screener spotted it? If she had not spotted it, the kit would still be in my bag. How can we be assured that all weapons are being spotted and removed? This must be resolved and fixed immediately.

Other stories that I have heard clearly show that the screening process continues to fail. Crewmembers continue to report that potential weapons are passing through security. Flight attendants report finding passengers with scissors, pen knives, steak knives, Swiss Army knives, screwdrivers, razor blades, box cutters and even knitting needles. Despite the fact that small nail clippers, and in my case a tiny sewing scissor, are being taken from crewmembers, passengers are managing to get on board with all types of weapons.

In addition, most airline catering and service personnel continue to service aircraft without passing through screening. Flight attendants are finding potential weapons on-board at an alarming rate. It is crucial that all airline employees who come into contact with a plane pass through security screening. Box cutters are still found too often on aircraft. We must screen everyone with access to the airplanes and other secure airport space.

In one alarming example, one AFA member has been terminated and another is facing severe discipline, after their flight was canceled following the discovery of a box cutter in the cockpit. The box cutter was found on the first flight out in the morning. The Captain stated that no box cutter was in the cockpit after the final flight the day before. When the flight attendants reported to the plane, there were already one FBI agent, five Boston Police and one representative from the carrier onboard. The flight attendants were asked to help conduct a thorough security inspection of the entire aircraft to make sure no other weapons were hidden onboard even though they had no proper inspection training. The FBI then requested that a search be conducted using dogs. Despite these searches, and given that the FBI still seemed concerned, the crew was uncomfortable about taking that particular aircraft with the scheduled passengers and suggested they move to another plane. The carrier refused to switch airplanes. The flight attendants were also

uncomfortable with the entire security procedures and their role in those procedures as untrained "consultants" to the law enforcement specialists. They express these concerns to the Pilot in Command and he elected to cancel the flight. The carrier is now disciplining the flight attendants for the flight's cancellation.

On a daily basis, flight attendants are witnessing severe security scrutiny on our flying partners, yet less than severe scrutiny on the flying public. Flight crews have seemingly been targeted for extensive searches by the private security guards, while passengers pass through checkpoints without a second glance. Female flight attendants have been fondled and groped by male security guards. A female flight attendant passing through security at San Francisco Airport was repeatedly rubbed all over her body with a screening wand wielded by a male security guard. A pregnant flight attendant based in Portland, Oregon, whose buttons on her maternity blouse set off metal detectors was subjected to a body search. Reports of this abusive behavior come at the same time that we continue to see well-publicized instances of major security breaches at airports across the country. While we strongly recognize the importance of vigilant security screening to keep weapons from being brought onboard aircraft, this behavior is unacceptable and does not move us to a truly safe and secure airline industry.

AFA believes that Congress must move forward on the following recommendations to ensure that this industry is as safe as it can possibly be.

*We must federalize the security screeners through the Department of Justice, just as the Senate voted to do in its bill last month.

*We must update and improve flight attendant training. Today, the FAA requires carriers to provide minimum training on hijacking situations. The training is grossly outdated and

falls far short of addressing the new reality that flight attendants face on the aircraft. Training procedures must be updated to include appropriate and effective responses to terrorism as it exists today. The training should be realistic and include self-defense and training in non-lethal weapons if they are required in the cabin.

*Strict limits for carry-on baggage must be enforced. Reducing carry-on baggage by imposing a single standard that clearly and strictly limits carry-on baggage is imperative and must be done immediately. It is clear that screeners are currently examining far too many bags, some of which are extremely large, in too short a time frame. This makes proper scanning difficult, if not impossible. If Congress is serious about preventing terrorists from bringing weapons onboard an aircraft, then you must take action to limit the amount and size of carry-on baggage.

*Congress must take immediate action to ensure the safety and security of on-board supplies, carry-on baggage and all checked bags by screening everything that goes on an airplane. In addition, the airlines must put a 100% passenger/baggage match in place immediately. This will ensure that only the baggage belonging to passengers who actually board aircraft is carried on that aircraft and that all other "unaccompanied" bags are removed from the aircraft.

*Congress must also ensure that all passengers and individuals with access to secure areas are screened and checked.

As a flight attendant, I take pride in my role as an aviation safety professional, and I am pleased to have the opportunity to tell you what needs to be done to make our skies as safe as we know how. While we are pleased that the carriers have quickly fortified the cockpit doors, little has been done to protect passengers and flight attendants, who remain

the first and last line of defense on the aircraft. We must move quickly to make the skies safe -- to protect aviation workers and passengers when they fly. If we leave just one loophole in the system, terrorists will exploit it. I urge you to move swiftly on the adoption of these crucial security procedures in order to build a truly secure and safe aviation environment. We must do everything we can to protect flight attendants, and all airline employees and passengers from future terrorist attacks. Restoring faith in air travel is paramount.

Thank you for allowing me to testify before you, and I welcome any questions from the Senators.

STATEMENT OF

CAPTAIN DUANE E. WOERTH, PRESIDENT

AIR LINE PILOTS ASSOCIATION, INTERNATIONAL

BEFORE THE

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

THE COMMITTEE ON GOVERNMENTAL AFFAIRS

UNITED STATES SENATE

WASHINGTON, DC

NOVEMBER 14, 2001

AIRLINE SECURITY IMPROVEMENTS

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STATEMENT OF

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BEFORE THE

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

THE COMMITTEE ON GOVERNMENTAL AFFAIRS

UNITED STATES SENATE
ON
AIRLINE SECURITY IMPROVEMENTS

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My name is Duane Woerth, and I am the President of the Air Line Pilots Association, International. ALPA represents 67,000 airline pilots who fly for 47 U.S. and Canadian airlines. We sincerely thank you Chairman Durbin for inviting ALPA to present its views before this hearing.

Before proceeding into my formal remarks, I would like to express ALPA's most sincere sympathies to the families of the victims of American flight 587, that crashed on Monday in Belle Harbor, New York. ALPA stands ready to help in the aftermath of this tragedy in any way that we can be of assistance.

It is a difficult time to be an airline pilot – Monday's accident only adds to those difficulties. In addition to the stress that nearly every American is feeling over the attacks against this country and the ongoing war in Afghanistan, the past two months have resulted in a severe financial strain on our industry. That has affected not only our own pilot members, some of whom have been furloughed or lost their jobs, but every other airline employee, and the millions of people whose livelihoods are directly dependent upon a strong airline industry.

The airlines' third quarter was a financial disaster for U.S. major airlines – the nine largest carriers collectively reported $2.43 billion in net losses in that period. One airline executive stated recently that "the industry in totality is burning through cash at an alarming rate, debt is rising, and revenue . . . remains far short of what's necessary to match high costs, many of which are fixed." In short, unless the airlines are able to bring more passengers back to the airplanes at fares that meet or exceed costs, dire financial straits are inevitable, not only for the carriers but also for those many industries that rely on them as well. As you likely know, Canada 3000, one of our member airlines, last week declared its insolvency and has ceased operations due in large measure to the

contraction of air travel.

It is clear that too many passengers are still afraid to fly, despite the aviation security advances made since September 11th. The traveling public needs to know what kind of improvements have been made, and are being made, in order to bolster their confidence to return to air travel – this hearing should help in that regard.

Let me say as emphatically as I can that ALPA and its safety-conscious, professional pilot members believe that it is safe to fly and prove it each and every day when they go to work. The traveling public should take note of that fact, but there is more that can be said to further reassure air travelers. The events of September 11th have created a very high level of security awareness by pilots, flight attendants, gate agents and all other airline employees. That awareness translates directly into a more secure operation, because it means that pilots and flight attendants are coordinating and communicating more than ever before to ensure that each flight is secure. We know of several instances where pilots have delayed flights in order to resolve a question or eliminate an area of concern.

Additionally, on September 11th the terrorists held a major advantage over their victims with the element of surprise. There will likely be no such advantage in any acts of air piracy in the foreseeable future. The level of security awareness among passengers, as it is among crews, is also very high, which further reduces the potential for another terrorist attack. It is hard to imagine a hijacking in today's environment that is not countered in the most aggressive possible fashion by everyone onboard. This means that the era of automatically assuming that a hijacker wants to live through an act of air piracy for the purposes of extortion has ended, and a more aggressive reaction will be used in all future hijackings.

DOT Security Recommendations

There are concrete measures underway to make aviation more secure, too. I was honored to be named as a member of Transportation Secretary Mineta's Rapid Response Team on Aircraft Security, which was convened shortly after the September 11th attacks. That group, and its counterpart on airport security, made a combined 33 recommendations on ways in which to improve our security system. Some of those recommendations are short-term measures and others will take longer.

One of the short-term actions that is nearly complete is "hardening" of cockpit doors. The airlines have worked very diligently over the past several weeks to strengthen the existing cockpit doors on our airliners. At least 11 operators of large aircraft report that their entire fleets have been fitted with gantry bars and other types of hardening devices. Operators of smaller jets and turboprop aircraft report that they are also making significant progress toward beefing up the doors on their fleets. These enhancements make it more difficult for a terrorist to commandeer an aircraft today. But there is an ongoing effort to develop standards for retrofitting new, high technology cockpit doors to

the existing fleet of aircraft that are capable of withstanding gun shots, sledgehammer blows and other types of forced-entry.

Another example of a near-term enhancement is the use of the Computer Assisted Passenger Pre-Screening System (CAPPS), which the FAA ordered to be used for all passengers as of September 28th. Many of the other recommendations I would define as "works in progress," which will take longer to implement – I will discuss some of them in my further remarks.

One Level of Security

I know that you are interested in learning of our perspective on the consistency with which airport security improvements are being implemented. I regretfully inform you that airline pilots are not yet seeing any evidence of our goal of One Level of Security. What we are seeing instead is a disturbing level of non-uniformity in security screening from airport to airport and even terminal to terminal within the same airport. Security practices to protect a B-747 freighter are still far less stringent than those for a passenger-carrying B-747, even though both aircraft could be used as terrorist-guided missiles.

Security screening practices are particularly inconsistent, and they are both exasperating and frustrating to passengers and airline pilots, who may be screened several different ways at several different airports in a single day. Screening companies, in well-intended but misguided zeal, have directed their screeners to confiscate small personal items, such as nail files and other little objects – we know of one screener who confiscated an electric razor! At some checkpoints, even after walking through a portal-type metal detector with no alarm sounding, individuals are asked to remove their shoes, their person is inspected with a hand-held metal detector, and then they are patted down.

The bottom line is that inconsistent, even illogical, screening practices are doing little for security and they are eroding the confidence that the traveling public has in the security system, which makes it all the more difficult for the industry to rebound. Fortunately, this problem is one that can be addressed, at least in part, quickly and effectively. The situation exists in substantial measure because the FAA, with few exceptions, allows the airlines to exceed the agency's broadly written security regulations and related guidance as they see fit.

What is needed is a single, security-checkpoint screening standard for use by all screeners to help achieve One Level of Security. In fact, such a standard already exists, but it is not being used for that purpose. The airline organizations several years ago developed a standardized, screening-procedures document called the Checkpoint Operations Guide (COG), which is used by screeners to some extent, but is not a regulatory document. We have recently recommended to the FAA, and received a favorable first reaction to the concept of making the COG regulatory and training all screener personnel to strictly follow it. This simple action would begin to restore public confidence in the system and

could be accomplished within a matter of a few days or weeks. It would also establish a uniform standard that could be used, and/or modified as necessary, by the screeners who are hired after the President signs the airline security bill now under consideration by Congress.

There is another short-term measure that deserves immediate attention, namely, development of a new Common Strategy (CS). The current CS was developed by the FAA, FBI, ALPA and airlines in the 1970's as a result of the Cuban hijacking crisis. The CS has served the industry well for many years and brought numerous extortion-type hijackings to peaceful conclusions. However, the CS's methods were never intended for acts of air piracy by suicidal terrorists – from September 11th on, it is unlikely that any pilot is going to rely on those methods. In fact, in the absence of a new CS, pilots have been forced to develop their own hijacking strategies, none of which are common, known or approved by the FAA and FBI. We have strongly encouraged the FAA to assert leadership in this important arena and convene the meetings necessary to establish a new CS.

We urge the Senate to support our efforts in both this area and in that of adopting the COG as the security screening standard.

Additional Security Measures

Following is a list of some of the more important security issues and initiatives that we believe should be given urgent attention.

Universal Access System

ALPA has been promoting the need for positive, electronic verification of identity and electronic airport access control systems since 1987 – shortly after the downing of PSA flight 1771 by an armed, disgruntled, former airline employee. This mass murder, which bore similarities to the hijackings of September 11th, was attributable in large measure to identity-verification inadequacies that have yet to be addressed 14 years later.

In the late 1980's, airports installed computerized access control systems that included airport employees and tenants' airport-based employees. Left out of the group of trusted individuals whose identity needs to be electronically verified were all transient airline employees and transient, armed law enforcement officers. Every employee who enters airport secured areas should be identified electronically so that there is confidence that only those personnel who have authorization are able to gain access. Without secure identity verification, a terrorist can purchase or steal a pilot uniform and, using fraudulent credentials, gain access to the aircraft and cockpit under false pretenses. This identification deficiency also enables terrorists to purchase or steal a law enforcement officer uniform and be processed through the security-screening checkpoint while armed. Undercover GAO inspectors revealed this security deficiency publicly in an April 2000

U.S. House of Representatives' hearing.

In the mid-1990's the FAA, with ALPA's urging and congressional funding, performed a test of what came to be known as the Universal Access System (UAS). Two million taxpayer dollars were spent on those tests involving two major airlines and four large airports. For all practical purposes, those funds were wasted. Although the FAA completed successful tests of the UAS and standards were finalized for the system in 1998, there has been no implementation by any airline of the system, per stated congressional intent. This failure comes as a result of an FAA policy to leave UAS implementation to the sole discretion of the carriers.

Although magnetic stripe technology was used as the basis for UAS tests, there are now several advanced, mature technologies that could be used to positively identify authorized personnel. The FAA is expected to complete its recent tests of a Memory Chip Card (MCC) system for identifying armed law enforcement officers in the near future. This technology is much more secure than magnetic stripe and has the additional capability of storing an extensive amount of data that can be used for both security and other types of uses.

The FAA has stated that these same readers could also be used by airlines for issuance of MCC cards to their employees. ALPA is recommending that the airlines use the MCC, or an equally-secure technology, as the basis for UAS and several other important functions, including the following:

1. *Positive verification of identity at the screening checkpoint to enable transient employees to be processed more quickly.* Passengers are enduring long lines at the security screening checkpoint. These lines are made longer by the screening of pilots, flight attendants and other individuals in positions of trust, who are often screened several times a day. The lack of equipment for positively identifying these individuals means that they must go through the security-screening checkpoint, which wastes limited screening resources and further inconveniences the traveling public.

2. *Identity verification for jumpseat riders.* Use of the jumpseat by commuting pilots is an absolute necessity in today's airline environment. Unfortunately, that privilege has been severely curtailed since shortly after the terrorist attacks because there is no way to positively verify the jumpseat requester's identity and employment status.

3. *A platform for digital pilot licenses and medical information.* We envision that the same card, or type of card, could be used by the FAA for containing a pilot's license and medical information. ALPA is working with FAA Flight Standards on this concept. The MCC card has more than sufficient memory for this purpose and others that the airlines may develop.

One important aspect of UAS is the need to select a single technology for use by all transient airline employees, hence the name "universal." Use of multiple technologies for the same purposes will equate to unnecessary duplication of effort, equipment, and expense.

We urge the Senate to give its full support to the expedited installation of MCC card readers at all U.S. airports' security screening checkpoints, per the FAA's stated intentions, and the use of this or an equivalent technology for the creation of a high-tech, highly secure UAS.

Related to the subject of UAS is the positive identification, and smarter screening, of trustworthy passengers. One of the weaknesses of our current security checkpoint systems is that persons in positions of trust (e.g., pilots, airport directors, airline managers) and passengers who can be identified as being trustworthy (e.g, Senators), are given the same level of security scrutiny as those about whom little or nothing is known. Security screening will likely be a slow process for the foreseeable future, at least until such time as new higher-speed technologies are brought to bear. As such, it is imperative that we develop a means of identifying persons who can be trusted and process them more rapidly through screening checkpoints. Doing so will provide the added benefit of spending finite security resources on those unknown individuals who could pose a risk to flight security.

To that end, the airline and airport organizations are now calling for trustworthy passengers to be issued a "smart" card for identification at the screening checkpoint. Conceptually, such individuals would be processed more quickly than those without such a card at a special lane created for this purpose. ALPA supports this recommendation, provided that the passengers voluntarily submit to a thorough background check in order to receive this card; the background check should be updated at least annually in order to retain it.

Protect Against Terrorist Attacks at the Airport

Seemingly lost in the necessary rush to protect aircraft against future acts of air piracy is the threat posed by terrorists to airport terminal occupants. Two deadly attacks were launched against the Rome and Vienna airports in the past and we must expect that Osama bin Laden's forces could use such terrorism against U.S. airports as well. Our airports are vulnerable to an attack by terrorists who could shoot at, or use bombs or other weapons against, crowds in close proximity to ticket counters and check-in facilities. At some airports, lines of passengers waiting at these counters and security checkpoints even extend outside! For that reason, airports must institute much stronger vehicle control measures at airports.

Included in such measures should be: continuous monitoring of passenger loading and unloading areas on the landside of airport terminals by trained, armed, law enforcement

personnel using binoculars, wireless communication devices, bomb detection equipment, K-9's and so forth; a means of quickly routing suspect vehicles away from airport terminal areas; a constant presence of armed law enforcement officers in terminals and conducting random perimeter inspections; and other such measures.

Accordingly, ALPA recommends that the National Guard personnel assigned to secure the *inside* of airport terminals be reassigned to the *outside* for the duties listed above until such time as airports are capable of staffing these duties on their own. National Guard personnel are not trained to perform security screening and are of little assistance when posted at checkpoints, per their current use. These military personnel could perform an invaluable service, however, if used outside to (1) monitor the arrivals of vehicular traffic at airport terminals and (2) wield lethal force against terrorists who might attack passengers occupying these facilities. Armed guards with K-9's outside airports are common sights in European airports – they need to be common sights here as well.

Perimeter security at many airports in the United States offers the potential terrorist an opportunity to easily access commercial aviation. Hundreds of miles of unguarded fencing, uncontrolled access points, and inadequate security fencing exist at numerous major U.S. airports. One airport that has approached this problem in a very effective manner is Narita International Airport in Tokyo, Japan. That airport has built security watchtowers, implemented motion/sound sensors, developed interior/exterior perimeter barriers and "no-man's land" at some junctions. Additionally, the fence is approximately 12 feet high with pressure points at the top that snap off at a weight of approximately 50 pounds, so as to defeat anyone from scaling the fencing. In addition, irregular foot and vehicle patrols with night-vision capabilities traverse the areas. This kind of dedicated approach to perimeter security is needed in the U.S. and the equipment is available from numerous vendors to implement it.

New Explosive Detection System Research

The FAA is to be applauded for its cooperative efforts with the airlines and equipment manufacturers to create new security screening devices, such as the computed tomography (CT) explosive detection systems and trace equipment now used at U.S. airports. These devices are quite capable of finding bombs and contribute greatly to airline security.

The weakness of both technologies is that they are slow and the CT equipment is large and expensive. ALPA's goal is to achieve 100% screening of both checked and carry-on items in order to thwart the carriage of bombs, weapons, hazardous materials, radioactive materials, and chemical/biological agents. This will be no easy task, but it is one that the research and development community needs to expedite and one for which the government should provide appropriate resources. Our discussions with FAA security R&D personnel convince us that they share our views and concerns about the need for expedited research on the next generation of faster, smaller and more effective bag

screening equipment.

FAA and industry were developing "Secure Flow," a blueprint for addressing all of the various threat "vectors" that pose a risk to the airport environs and aircraft, even before September 11th. One fundamental characteristic of Secure Flow is the expedited movement of passengers and carry-on items through the security-screening checkpoint. ALPA strongly supports ongoing research aimed at seamlessly and unobtrusively detecting bombs and weapons of all types that may be carried on one's body. FAA has performed research with the scientific community on various types of technologies that are capable of detecting threat objects without physically touching the individual. The challenge for this particular effort will be to obtain an acceptable level of equipment reliability, effectiveness, size and cost.

Create a Photo Manifest of All Passengers and Their Checked Bags

Similar to the problem of employee identity verification, the airlines are not currently capable of positively determining who has boarded their aircraft. This is demonstrated when aircraft leave the gate with an inaccurate manifest; we know of one airline that routinely allows flights to leave the gate with up to a two-person error. As another example, after one accident last year, an airline CEO made a public request for assistance in identifying the passengers on his own aircraft! The security ramifications are also substantial – unless we know that the person boarding the aircraft is the same one who bought the ticket, we cannot positively determine that the individual has been through the security checkpoint.

Currently available technology can be applied to this problem in order to create an inexpensive photo manifest of boarding passengers and their checked bags. The photo manifest will enable airlines to, among other things, (1) positively identify, via digital photograph, each person boarding the aircraft (2) reduce the potential of boarding someone who has not been through screening (3) create a strong deterrence against fraudulent ticketing (4) quickly identify a bag(s) that must be removed in the event that its owner does not board the flight, and (5) create an accurate passenger manifest that can be used in the event of an accident or other tragedy. ALPA has been influential in the development of such technology and we urge its deployment.

Perform Criminal Background Checks on Aviation Industry Job Applicants

All personnel seeking employment in the aviation industry who need access to airline aircraft or secure airport areas in the performance of their duties should, effective immediately, be required to undergo a complete criminal background check. Technological development permits criminal background checks to be completed expeditiously through electronic fingerprinting. As a national security issue, the airline industry must create and maintain the highest personnel hiring standards in order to protect against "insider" threats.

Train All Aviation Employees on Security Awareness

The government, working in concert with industry should implement the recommendations of the FAA's Aviation Security Advisory Committee's Employee Utilization Working Group. The essence of those recommendations is that all airport, airline, and service employees can, and should, receive an appropriate level of training and ongoing information about how to make aviation more secure.

One noteworthy recommendation of that working group which has yet to be acted upon is the creation of a security reporting "hotline" at all airports for tips, suspicious behavior, abandoned bags, and other information of use to the local authorities. This is one low technology, low-cost answer to the question of how to make security everyone's business, as ALPA has recommended.

Prepare for Chemical/Biological Attacks

We must also prepare for the possibility of a chemical/biological agent attack in our airports. Current technology exists that would permit airports to perform air quality sampling and monitoring in all areas of the terminals, baggage facilities, and passenger/visitors areas. Such monitors could immediately provide an alert to evacuate the area and notify appropriate emergency authorities.

Use the U.S. Customs Service

ALPA recommends greater utilization of the U.S. Customs Service to enhance airport security. The Customs Service has many responsibilities that parallel the needs for security at airports, including contraband, fugitives and illegal activities of U.S. citizens. As a law enforcement agency, Customs has the authority and tools not readily available to the FAA. The Customs Service has thousands of agents currently assigned at U.S. international airports. Customs has the statutory authority to search persons and cargo and to stop contraband from coming into or leaving the United States. These resources could be more widely used to increase the security at many airports.

Thank you, again, for the opportunity to appear today. I would be pleased to respond to any questions that you may have.

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