

## Remarks by Homeland Security Michael Chertoff at the Center for Strategic and International Studies on Aviation Security Measures



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**Mr. Heyman:** Good afternoon, everyone. Welcome. I'm David Heyman. I run the Homeland Security program here at the Center for Strategic and International Studies.

Today's topic is general aviation security. And I thought I would just give a little bit of a background on it. It's not a topic that we talk about every day, and I'm delighted to see how many people are interested in the topic, but it is an important one.

General aviation is defined as all aviation that is other than commercial or military. If there's anything one can say about general aviation is that there's nothing general about it. It's profoundly non-homogenous; it encompasses a wide range of activities, operations, types of assets from helicopters and large business jets to small fixed wing aircraft.

It's an inherently open system with unscheduled flights. There are thousands of different kinds of airports or air facilities across the country from small grass fields to large airports.

People in general aviation, people who work in the area, they tend to worry about criminal threats. They have a strong culture of safety but have less of an emphasis on possible terrorist activity. Yet, since the airplane attacks of the World Trade Center, aviation security from hardened cockpit doors, passenger screening and Transportation Security Agency -- I'm delighted to see the head of our TSA right here in the front row -- aviation security has perhaps been the centerpiece of Homeland Security and certainly the most visible part of it.

By contrast, though, general aviation subject to today's discussion has received far less attention. But GA is a central part of our national aviation system, both in terms of volume of flights and every day contributions to the economy. And we know that al-Qaeda is interested -- has an abiding interest in aviation both in terms of its ability to circumvent ground security and attack remote locations.

CSIS conducted a study in this area about three or four years ago. We concluded that because of the prior interest and the capabilities of al-Qaeda and the nature of general aviation operations, which gives an ample opportunity frankly for terrorists to acquire GA aircraft or multiple aircrafts for the use of attacks, that it warranted additional attention.

I'm pleased to say that the focus of GA changed under Secretary Chertoff's watch, where progress has been made particularly in collaboration with the private sector.

And that's our topic today and we're pleased to hear about. Ladies and gentlemen, please help me welcome Secretary Michael Chertoff.

**Secretary Chertoff:** Well, I can tell from the number of people attending who either has or aspires to have a private airplane.

I want to thank the Center and also you personally, David, not only for the very warm welcome but for your partnership to our department, for your leadership in the area of Homeland Security studies and policy making over the last four years that I've been involved in this.

You brought a lot of discipline and enlightenment to an area that is often one with a lot of heated rhetoric but not necessarily enlightening rhetoric. So I think you've been great partners. And I hope and I'm confident that you will continue to share this sense of partnership with my successor and the new team that comes into the Department early next year.

One of the things, of course, that we're very preoccupied about at the Department of Homeland Security is how do we protect ourselves from threats overseas. As I've said, as Director McConnell has said, as Director Heyman has said, when you look at certain parts of South Asia, certain parts of the Middle East, we increasingly see the presence of safe havens or safe spaces in which terrorists can train, plan, even create laboratories to pursue their activities and, of course, that creates a strategic danger for those of us in the West.

So a great deal of what we spend our time doing is anticipating how we can keep dangerous people or dangerous things out of the country. Dangerous things, of course, in particular being something that would be a weapon of mass destruction, like a dirty bomb or even God forbid a nuclear bomb.

And the focus on international travel and particularly international aviation is not merely a matter of imagination or foresight; it is, in fact, part of a lesson of experience. Of course, 9/11 itself was an aviation plot. The Richard Reed shoe bombing plot, which did not come to fruition, nevertheless could have had catastrophic impact on an airliner. And of course two years ago we had the August 2006 U.K. to U.S. airline plot which, had it again been successful, would have been comparable to 9/11 in the devastation and death it would have caused.

I'm not suggesting as I stand here that there's an eminent aviation threat that I'm about to announce, but merely that the issue of threats to aviation remains one of the enduring strategic concerns of the Department of Homeland Security.

Since September 11th, we've done a lot to protect our commercial aviation system. And particularly with international travel we've had to do that in a way that does not interfere with the over 80 million international travelers who come by air into the United States every single year.

Our challenge is, of course, to separate the very, very few dangerous people from the very large number of innocent people who are coming into the country and to do it in a way that's quick, accurate and does not create a barrier to people who want to come to travel or do business in the United States.

And I think on the whole we've managed to implement a security regime that is sensible and effective because it consists of a number of different layers. No layer is perfect, but the series of layers taken together creates a real barrier to people coming in to carry out attacks.

Just to lay out some of the layers that we put into place in this strategy, there is our advanced passenger information system and passenger name records system, which is our tool for collecting and analyzing advance biographical information about international travelers. And what I mean by biographical information is contact information, some information about travel pattern, address, telephone number, things of that sort.

There is our U.S. Visit System which now checks biometrics, fingerprints at all the ports of entry. And actually is no moving to a 10 fingerprint as opposed to a 2 fingerprint system. That's, of course, a huge benefit because using fingerprints we cannot only penetrate fictitious identity, but when we take 10 prints, we can compare the prints of the entering travel against the fingerprints that we discover on battlefields or safe houses all around the world. So the ability to compare the latent print to the traveler's print gives us some insight into the unknown dangerous traveler.

FAMS, our Air Marshal System, again is a program that we've now expanded internationally. More and more countries allow us to carry air marshals. And together with locked cockpit doors, they provide important measures of security against hijackings of the kind we've seen for the last several decades.

Our WHTI air rule, which required passports for air travel in the western hemisphere closed a significant vulnerability at a time that increasingly we worry about dangerous people coming into the United States from the southern hemisphere of this continent.

And finally our ESTA, Electronic System for Travel Authorization, which is the online advanced notification for visa waiver travelers, has added a significant measure of advantage to our analysis of people coming in because we can know who's coming before they arrive at the port of entry, and this is again visa free travelers -- rather than waiting until they show up at the port of entry and having to do the analysis at that point.

I might observe, by the way, today is the first day that seven new members of the visa waiver program -- seven new country members will have their citizens traveling to the U.S. We'll be seeing citizens of the Czech Republic, Slovakia, Hungary, Latvia, Estonia, Lithuania as well as South Korea, arriving in the U.S. today without visas as part of the President's initiative on visa waiver expansion.

In addition to these various screening tools focused on individuals, we've also done a lot with respect to baggage screening and cargo screening both in passenger planes and cargo planes, which is also part of this series of layers of security.

Now, of course, after September 11th our initial impulse was to put a great deal of our aviation security focus on commercial aviation because that was not only the vector of attack on September 11th, but if you go back in the '90s and '80s to Lockerbie, to Pan Am 857, attacks on aircraft have been a traditional method for terrorists to carry out their efforts.

But we also have reached a point where increasingly we have to look at general aviation as a threat vector not because of a specific threat, but simply because the difference between the security in commercial aviation and the security in general aviation has grown, and that difference creates a vulnerability.

I had this brought home to me when the President of a major European aircraft leasing firm about a year and a half ago at an event in Europe and said to me, "You know, I don't really know who gets on my airplanes, and it makes me nervous that someone might be on one of my leasing planes and might use it as a vector for attacking -- carrying out a terrorist attack."

Put it another way, we can't spend all of our effort triple and quadruple building one possible threat avenue while leaving another avenue wide open. And that's why we have increasingly looked at general aviation as an area that requires additional security measures.

We've done a number of things to date, and I'm announcing a couple today. And I think these together put us on course to bringing general aviation up to the level of security we see in commercial aviation.

First, even before the rules I'm announcing today, Customs and Border Protection has required all international aircraft, all international aircraft including private to notify officers prior to landing at airports where CBP clearance procedures are in effect. And something not that well know but not classified, CBP's Air and Marine Operation Center detects and provides a law enforcement response to all aircraft coming into the United States that do not comply with existing aviation laws. So we track on radar all the aircraft that come in. And if someone hasn't gotten pre-clearance or filed a flight plan, we have all visibility and the capability to respond.

TSA's mandated the charter operators or aircraft over 12,500 pounds develop and implement a security program including watch list checks, flight crew background checks and suspicious activity reporting as well as requiring certain aircraft operators to obtain a security waiver to enter U.S. air space.

TSA, in cooperation with the FAA, has put in place a system that helps us protect air space by validating the identity threat possibility and the movement of aircraft operating worldwide. And of course, the general aviation industry on its own has taken important steps to protect their own security.

These are all important ways of making sure we have visibility into who comes in, focusing on charter aircraft in particular and beginning to close vulnerabilities in the general aviation sector. But we have to do more.

First, I'm announcing today that we're issuing a final rule that will require private aircraft pilots about passengers, crew and flight information to Customs and Border Protection at least 60 minutes prior to departure for flights arriving into or departing from the United States. This information will be submitted through our E-APIS, Electronic Advance Passenger Information System web portal.

As it stands, under current -- under previous rules, private pilots did provide crew, passenger and flight information to CBP when they had already departed. But that did not leave us adequate time or give us enough information to permit the kind of screening on passengers or crew that we do for commercial aircraft before they enter U.S. air space.

Under our final rule, general aviation operators will be required to provide comprehensive manifest data and notice of arrival and departure information electronically to Customs and Border Protection at least one hour before departure. This will give us more information and more time to screen these passenger and crew members against our intelligence and against our databases thereby making a determination in advance about whether there is a threat and resolving that before an aircraft enters United States air space.

In addition, TSA has proposed a notice of proposed rulemaking that, once implemented, will increase our overall level of security for certain large aircraft operators that fly to and from the U.S. or even domestically inside the U.S.

Under the large aircraft security program, a currently unregulated general aviation, operations over a specific weight threshold, will be required to adopt a security program similar for TSA's current program for large aircraft operators, which are mainly charter and commercial services that operation in the U.S.

Putting it in plain English, we're going to synchronize and harmonize the requirements for general aviation operations above a specific weight threshold to be very similar to those for large charter and commercial operations.

The proposed regulation would require all U.S. operators of aircraft exceeding 12,500 pounds maximum take-off weight to implement a security program that would be subject to compliance audits.

The regulation would verify that passengers are not on the no fly list or the selected part of the government's watch list and would also establish baseline security standards, ensure that flight crews have had a background check, require the designation of security coordinators, open up the operators to third party audits and TSA inspections, enact security requirements for reliever airports and other airports that service larger aircraft, conduct watch list matching of passengers through our watch list mechanism and, of course, check or validate property for unauthorized persons or weapons.

This is part of the standardization and synchronization of the private air sector 12,500 and above with what we are doing for large commercial jets.

Now that's talking about people but let's talk about dangerous things. There's been a lot of emphasis and a lot of discussion over the last four plus years about the possibility of a dangerous weapon of mass destruction coming into the U.S. through a cargo container. And as you know, we now currently scan virtually 100 percent of all cargo containers that come in by sea or by land through radiation portal monitors. And we use intelligence based judgments to determine which ones should be opened and inspected.

But what's always struck me, and I've said this publicly, about the discussion of cargo containers on ships is how come the people who have been concerned about this have not asked the question about large aircraft. It's not as if it takes a tremendous leap of imagination to realize that if you're going to put a nuclear bomb or dirty bomb on a container on a ship, it would be just as easy, maybe easier, to lease a private plane and put it on the private plane. And there, of course, you don't even have to land. You just detonate the bomb over an American city. And so, therefore, last April I directed Customs and Border Protection and our Domestic Nuclear Detection Office to implement a strategy to move to full radiological and nuclear scanning of all arriving international general aviation aircraft. And we did achieve this goal at the end of last year, 2007.

Currently, all international general aviation aircraft are scanned on arrival to the U.S. using handheld radiation isotope identification devices. And we have been in the process of conducting a testing program at Andrews Air Force Base to identify improved operation procedures and better technology for the next generation that will do an even more scrupulous job scanning arriving private planes for nuclear material like a dirty bomb or a nuclear bomb.

But of course that leaves open one remaining gap, which is although a dirty bomb perhaps would not be detonated at high altitude over an American city, certainly one could imagine a nuclear bomb being so detonated. I want to emphasize that I'm not warning that there's an imminent threat of a nuclear attack or the capability to do such a thing exists now or in the near future. But I also know that if we wait until capabilities are achieved, we are taking an awfully large risk to what the financial people now call the "fat cow", which I think we've all experienced in the financial market. I don't want to experience the "fat cow" when it comes to our national security.

So quite obviously the solution here is to pre-clear, to do this scanning for nuclear material outside the country before a plane departs to take the final trip that will bring it into U.S. air space. And that's why we are working with the private sector and our international partners to move this screening and vetting of passengers and aircraft, and particular the screening of aircraft for dangerous material, overseas to the point of departure.

What this means is we'll have a way not only to conduct the pre-clearance of commercial activity and, of course, we're now concerned obviously about checking what goes into the hold of a passenger aircraft, but also to screen general aviation aircraft and passengers before they leave their last foreign embarkation point to come into the United States.

Now this is, of course, translating to the aviation environment what we have long done in the maritime cargo environment through our container security initiative and our secure freight initiative which tries to do as much of the screening of cargo at the point of departure as opposed to the point of arrival. And by doing this in aviation, I

think we'll be closing the last major potential vulnerability in terms of bringing in dangers WMD from someplace other in the world into the United States.

As part of this effort, I am pleased to say that this morning that the Irish Minister of Transport and I signed an agreement to create a preclearance program at the Shannon International Airport and at Dublin Airport in Ireland. This agreement includes preclearance of passenger and crew for compliance with customs, immigration, and agricultural laws, as well as the screening of aircraft for radiological nuclear threats. We are now working with the airport authorities in Dublin and Shannon to construct the additional preclearance facilities to service these new requirements.

I want to say, by the way, that the Irish Government's been an outstanding partner in this effort. We look forward to continuing to work with them operationally over the years to come.

Let me give you a vision of where we are going to end up with this and I think we are well down the road, although there's still some additional distance to travel. We will be at the point, I think, in a matter of very short order, maybe a year or two, where we can screen all air cargo and all cargo contained in the holds of passenger planes coming from overseas to the U.S. to make sure people are not bringing in explosives, particularly WMD explosives, and we'll be able to do the same thing with respect to passenger planes and general -- I'm sorry -- with respect to private passenger planes and general aviation.

In fact, to me the desirable end state is a mandatory requirement that all general aviation or private passenger planes coming from across the Atlantic or across the Pacific are to require them to have themselves screened and scanned for radioactive material either at their fixed base operator from which they take off for direct flight to the U.S. or at an intermediate point, such as Shannon, so that there simply is no way to get a nuclear bomb into this country by air, sea or land without a very, very high probability of detection.

By the way, the upside for the traveler of this preclearance is that once you pass preclearance, you don't have to stop at a specifically-designated entry point in the U.S. You'll be able to travel to any destination in the U.S. just like any domestic flight. So at the end of the day, this can be as convenient for the international traveler, the private international traveler, in the future as it is now, but with a much, much higher measure of security than what we had several years ago.

The bottom line is this. In the past four years, I've thought it a very, very important part of my job to make sure that we are looking at vulnerabilities across the entire horizon, not merely those that happen to capture the attention of the press or Congress but those which may not have escaped -- which may have escaped the notice of the media or -- or politicians, but which may very much be in the mind and in the planning scenarios of terrorists. I want to make these investments now, even though the threat is not imminent, because time passes rather quickly and what is not an imminent threat now could become an imminent threat in five years or 10 years.

One thing we've learned over and over again in dealing with risk and that is basically what we do in this department is make the investment in drawing down risk early. Do not wait until the risk looms very large on the horizon. Take the steps to build a disciplined plan and investment strategy while you have years to get the job done because that's how we eliminate the kinds of highly-consequential security threats that, were they to come to pass, would visit in the domain of death and destruction consequences that would regrettably even dwarf 9/11.

So that's, I think, what we've made a significant step forward on in today's announcement. I very much hope and anticipate that my successor will continue moving forward on this path and I think that is our promise and our commitment to the American people.

Thank you very much.

**Secretary Chertoff:** Yeah. I'm happy to take questions, if you'd just identify yourself. Let me, by the way, say there are many friendly faces and hopefully not unfriendly ones in the audience and familiar people. Judge Webster, who's Chairman of our Homeland Security Advisory Council. Kip Hawley, the head of TSA, and many other people. I won't call you -- I won't shout you all out, but I have noticed you.

So questions, and please identify yourself. Yes?

**Mr. Heyman:** There's a mic. Why don't you wait for the mic so that Fox News can hear you?

**Question:** Hi. Thank you. John MacGaffin from CSIS. Mr. Secretary, the advances in WMD detection relative to nuclear sound very significant.

Is there any prospect of making similar advances in the other parts of WMD, biological and chemical? I know it's - - I realize it's a harder problem which is -- or a different sort of problem, but what are the prospects there?

**Secretary Chertoff:** Well, I think you've put your finger on it. These are very different problems. Chemical actually turns out to be an issue which I sometimes wonder whether chemical belongs in WMD. I mean, it's really more in terms of consequence along the lines of a conventional explosion.

Biological is comparable in consequence. The ability to detect a biological agent coming in is almost impossible. You can bring a very small amount in. You could infect somebody and they could -- the infectious carrier could be undetectable if they were asymptomatic. There may be a technology out there that's going to do this at some point, but I haven't seen it.

The good news, however, is that our ability in terms of mitigation and response is very much greater in the area of biological than nuclear and much of what our emphasis is on -- is on detect in order to treat. So among the things that we're doing, we have our Biowatch Program which has deployed in dozens of cities. We need to move to the next generation. We've got funding for that and the hope is that in the next generation we'll dramatically reduce the amount of time and automate the process of detecting.

We have our National Biological Integrated System, intelligence system, which collects that data, clinical data, and general intelligence to fuse them to see if we're dealing with a circumstance where we think there might be a biological attack.

We have begun to take the first steps forward to distributing -- not only stockpiling the treatment for biological weapons but to be able to position ourselves to distribute it. As you know, I submitted a letter to Secretary Levitt a couple months ago identifying a series of threats and urging that he take the steps necessary to declare that prepositioning with -- starting with the mail, Postal personnel, but ultimately a larger pool of people. Prepositioning the treatments would be a way to deal with the distribution problem.

Again, these are -- this job is not done, but I can envision a circumstance where a widespread distribution of treatment measures would enable us to dramatically reduce the response time and if you can take the response time for a biological attack down from a day or 36 hours or 48 hours to six hours, that is a huge reduction of consequence.

Yes?

**Question:** Hi. Tom Frank at USA Today. Can you describe what sort of discussions you've had with the incoming administration transition team, and what would you advise the top priority would be for your successor?

**Secretary Chertoff:** You know, I think discussions we have with the transition team -- I will tell you that the transition team is onsite. I think discussions we have with them are -- ought to be kept private. I mean, I think we owe it to them, if we give them advice and have a conversation, to give them the ability to use the information as they see fit. So I'm not going to talk out of school about that.

I think we have laid out in a series of documents, and I probably said this in a series of speeches, laid out what I think are the urgent issues going forward, and I can't -- I can't tell you there's only one single thing. We don't have the luxury of saying here's one thing you got to focus on.

The essence of this job is you have to do a lot of different things at once and there's never a down time because if you're not dealing with threats, you're dealing with natural disasters, like we have out -- going on out in California now with the fires, or as we had a couple months ago with hurricanes, but I think we will have put together a very, very comprehensive list of the outstanding challenges, including the 30-60-90-day challenges coming up for the next administration.

I'm in the process of finalizing a probably too-lengthy letter to my successor that will attempt to lay out in context a lot of how I think these challenges fit into an overarching strategy and I look forward, once my successor is identified, to engaging with him or with her, both during the remainder of my tenure and, if they wish, after I've left about, you know, my experiences and what I see coming up.

Way in the back.

**Question:** Jeff Lewis, CSIS. When you said that almost a hundred percent of cargo now on planes is scanned and tracked, do you -- does that include U.S. Postal Service mail that may go on passenger planes?

**Secretary Chertoff:** I think I said a hundred percent is current -- of aviation cargo is currently scanned for radiation, but we -- I think I said a hundred -- almost a hundred percent of -- of containers coming by sea or by land. We do, however, scan for radiation incoming air cargo and incoming mail. We're getting to a hundred percent. We're not quite there yet.

Now, I don't want to alarm people. Scanning doesn't mean reading. It means if there are radioactive materials emanating and if you're sending, you know, highly-enriched uranium or plutonium by mail, you know, be so -- be guided accordingly.

Yeah?

**Question:** Hello, Mr. Secretary. I'm Andy Cebula with the Aircraft Owners and Pilots Association. We're 415,000 pilots across the country.

On the private aircraft proposal, the pilots in the United States didn't really object to the idea of telling you who's on the aircraft before we come into the United States, but it was really the way in which the Customs and Border Protection had proposed it.

Do you know if, in their final rule, they accommodated the concerns that we had about the fact that in the Caribbean and in Mexico and a lot of places in Canada, there just simply isn't electronic means to be able to communicate?

**Secretary Chertoff:** I think we did. I think there was an issue raised about round trips, people who go -- you know, if you're going to fly a group of people or if you know who's coming back, I think we did take account of the desire to be able to give a pre- -- essentially, a well in advance preclearance of who's coming in. So I do think we addressed that issue.

**Question:** Mr. Secretary, let me ask, if I may, beyond the international dimension, have you -- are you satisfied with general aviation security within our borders at this time?

**Secretary Chertoff:** I think the step we're taking on the large aircraft security program, the 12,500, is going to be a big step forward in terms of dealing with this issue.

Obviously we have worked with private aircraft companies and with airports to increase their security and that's part of what is being proposed here as well. Again, it's a balancing of risks. We recognize the ability, for example, to have federal people at every single small airport in the country is just not realistic. So trying to buy down the risk with this program is, I think, getting us to a good balance of risk. It doesn't totally eliminate the issue, but, of course, we can't totally eliminate truck bombs or vehicle bombs or people walking into -- into shopping malls with guns. What we are trying to do is consistently lower the risk by attacking the most consequential problems first.

Yes?

**Question:** Hi, Mr. Secretary. John Doyle, Aviation Week and Space Technology. I was wondering when you listed all the measures you've taken in the last few years to secure aviation, not just general aviation but commercial aviation as well, you didn't mention securing the air side at airports, and I know that was a recommendation of the 9/11 Commission.

So I was wondering if you have any plans to do more on that or is that something that will be handed off to the next administration?

**Secretary Chertoff:** We actually have done a lot on that. What we've done is, you know, we run -- we've done an audit on badges to make sure that we've reclaimed or accounted for security badges that allow people into the secure area. We do do random searches at a lot of airports. We have a security presence on the air side in a lot of airports. We are, at the risk of a bad pun, running a pilot program with respect to making -- you know, some will say we ought to have everybody who comes in on the air side go through a magnetometer. We're running a couple of pilots on that to see how practical it is.

So again, we are raising the security of the air side and, of course, the airports have a major role to play in this as well. I was out at LAX in the last six months. They had done a lot of work in their security around the perimeter which is a big piece of this.

So we are focused on the air side. One of the reasons we're at orange in aviation is because orange raises the security level on the air side of the airport and we've wanted to keep that up since the August 2006 and Summer

2007 plots, both of which were focused on aviation, and you remember the Summer 2007 Britain plot was focused on Glasgow Airport. So we have kept it up by keeping the alert level at orange on aviation.

**Mr. Heyman:** Any other comments or questions?

**Mr. Heyman:** Well, let me take this moment then. First, I want to just acknowledge in the partnership scheme, you have several people from your team here who we've worked very closely with. Kip Hawley, Michael Morgan and Rob Rottman really have pioneered the work with us. So we want to thank them and thank you for sharing them with us.

Ann Witkowsky and Terry Maynard also did a lot of work, but most of all, we want to thank you for four years of a partnership. We have had a tremendous relationship with your department and we aren't able to do our work without your cooperation. So thank you and best of luck.

**Secretary Chertoff:** Thank you very much.

**Mr. Heyman:** Please.

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