

**Statement of
Secretary of Transportation Norman Y. Mineta
before
The National Commission
on Terrorist Attacks Upon The United States
May 23, 2003**

Thank you Chairman Kean, Vice Chairman Hamilton, and distinguished members of the Commission for the opportunity to testify before you. I compliment the Commission on its intention to collect and provide information on the circumstances surrounding the tragedies of September 11, 2001, and to provide a full and complete report designed to help America prevent future terrorist attacks.

I would like to provide the Commission with a brief account of what happened on September 11th, 2001. I believe I can be most helpful to this Commission by providing information in which I have personal knowledge, and a few observations from my perspective as Secretary of Transportation and as someone who has spent a lifetime involved in transportation policy including aviation and security issues.

I look forward to my comments being made part of a record that will include colleagues and former colleagues at the Department of Transportation – outstanding public servants like former FAA Administrator Jane Garvey and current Inspector General Kenneth Mead. Both of these individuals, as well as hundreds of other DOT employees, have done an outstanding job not only responding to the events of Sept 11th, but in the unprecedented achievements in the days following as our Department participated in this war against terrorism.

There are many events that occurred on Sept. 11th that I do not have personal knowledge of, though I have learned about them in subsequent investigations and reports. I know this Commission will be speaking to the same agencies and individuals that

provided me with this information, so I will let the Commission benefit from its work in interviewing and collecting information from those primary sources.

However, I do want to comment on what I believe is an important responsibility of this Commission. I believe this Commission can, and should, add to the understanding of the American people about what we call “terrorism” and the threat it poses.

I have seen terrorism in several forms and from several vantage points over the years. As an intelligence officer in the United States Army during the era of the Korean conflict, I learned how the enemy attempted to use terror to destroy the will of our troops to fight. I learned about the training that prisoners go through to resist interrogation and how to break down that training. In Congress, as one of the early members of the House Permanent Select Committee on Intelligence, I saw international terrorism come of age; and the use of terrorism on behalf of religious fanaticism, economic anarchy, Communist ideology, and in wars of liberation on one side – and governments practicing harsh repression on the other.

Like a mutating virus, I have seen it take different forms over the years in an effort to defeat the safeguards that have been devised to protect against it. I believe it is critical to recognize this important truth about terrorism: the threat of terrorism is constant, but the nature of that threat changes because to be successful terrorism must continually change how it operates.

For those of us who are directly engaged in the fight against terrorism, we recognize one of the most effective weapons against it is an educated citizenry familiar with the methods of terrorists and alert to their activities. But I am also aware that the terrorists seek to take advantage of our efforts to educate. They are always watching, studying, trying to learn what they can about us -- their enemy -- and the information we will give about our systems. Information they can use to defeat our safeguards.

As many of you know, when our armed forces located and subsequently searched the caves of Afghanistan and dwellings where the Taliban and Al Qaeda terrorists hid, we found computer discs containing maps and other information put out by our State, local, and Federal governments and regulatory agencies regarding bridges, airports, pipelines and other infrastructure. And in various terrorists' communications and interviews they have public ally discussed security countermeasures we have publicized, provided in public statements, or which have been reported in our media. They have, and undoubtedly will continue, to surveil our facilities in an effort to devise effective methods of attack.

I raise this issue because I believe this Commission will have the sobering responsibility of informing the American public of the events leading up to September 11th, what occurred on that day, and what has happened since. And because the American people must by definition be informed in a public manner, you will be faced with a serious challenge: finding a way to report on the actions taken, the policies and procedures employed, and those that have been implemented since that fateful day, and do so in a manner that informs the public but does not give information to the enemy who is also listening.

This is a challenge many of you, the Commission members, have faced in the public offices you have held prior to your service here. I have served with many of you in those earlier positions. However, as a Cabinet member responsible for managing a response in the aftermath of September 11th, I can tell you that the responsibility of implementing preventive measures, devising protective practices, and managing consequences is one that requires me to strain for every advantage I can get over the terrorist, and where I experience personal anxiety over every sliver of information the enemy can get regarding the countermeasures we are employing.

ACTIONS ON SEPTEMBER 11th

On Tuesday morning, September 11, 2001, I was meeting with the Belgian Transport Minister in my conference room adjacent to my office discussing liberalizing the status of aviation agreements between the United States and Belgium. Because of the agenda, FAA Administrator Jane Garvey was also in attendance. My calendar for the following day included a trip to New York City to address an important aviation forum, on the improvements in the airlines' on-time performance and our plans to enhance the capacity of our aviation system.

A little after 8:45 AM, my Chief of Staff, John Flaherty, interrupted the meeting, and asked Administrator Garvey and me to step into my office where he told me that news reports were reporting that some type of aircraft had flown into one of the towers of New York's World Trade Center. Information was preliminary, so we did not know what kind of aircraft nor whether or not it was intentional. Jane Garvey had immediately gone to a telephone and contacted the FAA operations center. I asked to be kept informed of any developments and returned to the conference room to explain to the Belgian Prime Minister that our meeting might have to be postponed.

In an incident involving a major crash of any type the Office of the Secretary goes into a major information gathering response. It contacts the modal administration overseeing whatever mode of transportation is involved in the incident; it monitors press reports; contacts additional personnel in order to accommodate the surge in operations; and centralizes the information for me through the Chief of Staff. In major incidents it will follow a protocol of notification that includes the White House and other agencies that could be involved in the incident. These activities, albeit in their nascent stage of information gathering, began to take place in these initial moments.

A few minutes after my return to the conference room, my Chief of Staff, again asked me to step back into my office. He told me that the aircraft was a commercial aircraft, and that the FAA had received an unconfirmed report that a hijacking of an American Airlines flight had occurred. While Mr. Flaherty and I were discussing the

information, I watched as a large commercial jet flew into the second tower of the World Trade Center.

At this point, things began to happen quickly. I once more returned to the conference room and informed the Minister of what had happened and ended the meeting. I received a telephone call from the CEO of United Airlines, Jack Goodwin, telling me that one of United's flights was missing. I called Don Carty, the CEO of American Airlines and asked him to see if American Airlines could account for all of its airplanes. Mr. Flaherty reported to me that Jane Garvey had phoned to report that the CEO of Delta Airlines had called the FAA and said it could not yet account for all of its aircraft.

During this time my office activated the Department's Crisis Management Center which is located on the eighth floor of the DOT headquarters building and provides for senior DOT personnel to conduct surge operations in a coordinated manner. By this time my office had contacted the White House. A brief moment later, the White House called my Chief of Staff and asked if I could come to the White House and operate from that location. I decided that given the nature of the attack, I should be at the White House directly providing the President and the Vice President with information. Given how relatively soon it was after the attack, I assessed I could travel to the White House quickly and without delay. When I got to the White House it was being evacuated, I met briefly with Richard Clark, a National Security Council staff member who had no new information, before the Secret Service escorted me down to the Presidential Emergency Operations Center (PEOC).

I established contact on two lines, one with my Chief of Staff at DOT and the second with Monte Belger, the Acting Deputy Administrator of the FAA, and Jane Garvey both of whom were in the FAA operations center by this time. As the minutes passed, the developing picture from air traffic control towers and radar screens became increasingly more alarming. Some aircraft could not be contacted. While on a normal day that may be just a communications snafu, we were faced with trying to quickly sort

out minor problems from significant threats. We did not know how many more attacks might be in progress. The FAA began to restrict air travel in the Northeast United States by a combination of actions which included “sterilizing” air space in certain regions and at various airports, and, ultimately, a nationwide “ground stop” of all aircraft for all locations regardless of destination.

Within a few minutes, American Flight 77 crashed into the Pentagon. At this time, as we discussed the situation with the North American Aerospace Defense (NORAD) Commander and his staff, we considered implementing an emergency system of coordinated air traffic management to allow maximum use for defensive activities. It was clear that we had to clear the airspace as soon as possible to stop any further attacks and ensure domestic airspace was available for emergency and defensive use. So, at approximately 9:45 AM less than one hour after I had first been notified of an airplane crash in New York, I gave the FAA the final order for all civil aircraft to land at the nearest airport as soon as possible. It was the first shutdown of civil aviation in the history of the United States.

Within minutes, air traffic controllers throughout the Nation had directed 700 domestic and international flights to emergency but safe landings. Within another 50 minutes, air traffic controllers working with skilled flight crews made sure another 2,800 planes returned safely to the ground. By shortly after noon, less than four hours after the first attack, U.S. airspace was empty of all aircraft except military and essential medical traffic. A total of approximately 4,500 aircraft were landed without incident under unique and highly stressful conditions. Additionally, all international inbound flights were diverted from U.S. airspace and U.S. airports. Unfortunately, during this time we also learned that United flight 93 crashed in Stoney Creek Township, Pennsylvania. As America knows, but it is important to keep repeating, that aircraft never reached the terrorist’s target due to the heroic actions taken by the passengers and crew on Flight 93.

The question has been asked whether or not there is evidence that other hijackings and attacks were prevented by the actions that were taken that day. There are classified

reports, media reports, and investigative documents that indicate that other attacks may have been planned. But the evidence on this question is speculative at best and I do not believe anyone can assert that other attacks were thwarted on that day unless he or she is the one who either planned the attack or planned to carry it out.

Similarly, I do not know if there is conclusive proof on how the hijackers' weapons were brought aboard the aircraft they flew, or what kind of weapons were used. I have been told that we know from cell phone calls from the aircraft, in at least two cases, the hijackers had weapons described as a box cutter or carpet cutter. I do not know if other hijackers had similar or different weapons.

At least one hijacker who was overheard in an air-to-ground transmission claimed to have a bomb in what, it appears, was intended to be an announcement to the passengers. I believe one or more hijackers on that flight claimed to have had a bomb. I do not, however, have any evidence that confirms that there was, in fact, any real explosive device on any of the four hijacked flights.

I have not ever received a confirmation or any evidence to support a description of a shooting onboard any of the hijacked aircraft. The FAA has told me it believes that the notion of a gun aboard came from a report and log entry made amid much confusion and stress during the attacks. Despite FAA's efforts to check this information, I have seen nothing that shows this is credible information.

I want to stress to the Commission that much of the investigatory information regarding the hijackers and the issues I have mentioned is with the FBI in its criminal investigation. I was keenly interested in the issue of items that were potential weapons, passenger profiling, and other issues as the Department responded to the events of September 11th. As the President and Congress passed the law giving the Department of Transportation the responsibility to create the Transportation Security Agency in less than a year, my focus was on the prism of prevention and protection.

I also want to tell the Commission that although the focus of this Committee's interest is on the airplane crashes on September 11th, as Secretary of the Coast Guard, I was involved that day in the mass evacuation of over 350,000 people from Manhattan. In addition to the largest maritime evacuation conducted in the history United States, our Department's agencies were working with the various New York authorities on the devastating infrastructure damage suffered there. Over the next few days our Department spent hours working various state, local and Federal agencies to reopen roads, tunnels, bridges, harbors, and railroads while getting essential relief supplies to the area.

In the immediate days after September 11th, we took a number of steps to reopen the air space safely and securely. There were thousands of aircraft that needed repositioning and there were hundreds of thousands of passengers who were unexpectedly stranded in unscheduled locations. We also had a number of security issues we wanted to put into place. Below I have listed a partial number of steps we took in the weeks and months after September 11th.

- Sep 12, 2001: DOT announced that FAA would begin a limited reopening of the nation's commercial airspace to allow domestic commercial passenger and cargo flights diverted during the previous day to proceed to their destinations. Apart from these operations, the ground stop order remained in effect while additional security measures to counter the increased threat were implemented across the country. These measures included, for example: search and security check of all airplanes and airports before passenger reentry; a ban on curbside and off-airport check-in; access to boarding areas for ticketed passengers only; increased monitoring of vehicles near airport; and a strict ban on knives and cutting tools as carry-on items.
- Sep 13, 2001: DOT ordered the reopening of the national airspace to U.S. air carriers, effective 11 a.m., provided that the airport involved had implemented the new security measures. Part 135 operators (such as operators of small commercial aircraft) were included in the reopening.
- Sep 14, 2001: As of 9 a.m., FAA had certified 424 of 455 airports as meeting the new security standards. Among those that were planned to reopen that day were all three major airports serving New York City. These three had reopened for a time on Sep 13, but had been closed again due to security concerns. Two major airports still not open were Boston

Logan International and Washington Reagan National. The latter facility remained under “temporary, indefinite” closure for some time.

- Effective at 12:15 p.m., FAA reauthorized agricultural flight operations (crop dusting) and at 4 p.m., DOT approved reopening of the airspace to certain general aviation flights. Instrument Flight Rules (IFR) operations were permitted, except within two areas under temporary flight restrictions (TFR) extending 25 nautical miles from New York Kennedy and Washington Reagan National airports. (Exceptions applied to airports at White Plains, NY, and Manassas, VA.) Visual Flight Rules (VFR) operations remained grounded nationwide, except to allow removal of aircraft from the predicted path of a tropical storm in four southern states.
- Sep 15, 2001: Boston Logan airport reopened, leaving Washington’s Reagan National as the only major airport yet to do so. FAA announced that some commercial and general aviation aircraft at Reagan National would depart the airport between 4 p.m. to 7 p.m. that day, and from 10 a.m. to 4 p.m. on the following day. FAA subsequently permitted other aircraft to depart the airport at specified times on Sep 16 and 24. General aviation aircraft remained grounded, except in Alaska.
- Sep 16, 2001: The Secretary of Transportation announced the creation of two Rapid Response Teams composed of six leaders in aviation and security protection. The teams would make recommendations on improving aviation security no later than October 1, 2001. One team would focus on airport security, the other on aircraft security.
 - Authorities permitted shipment of mail and packages aboard passenger flights to resume, subject to heightened security. Such shipments had been suspended after the terrorist attacks.
 - FAA Administrator Garvey held a teleconference with 31 airport operators to review the status of airports’ return to operation, to stress the importance of the new security measures, and to encourage contact with the agency on questions or concerns.
- Sep 20, 2001: Flight restrictions were lifted in the territorial airspace of the United States for U.S. registered aircraft, outside of enhanced Class B airspace. However, the following types of operations were still not authorized: civil aircraft VFR flight training operations; banner towing; sight seeing operations conducted for compensation or hire under Part 91; traffic watch; airship/blimp operations and news reporting. Foreign air carriers still were not allowed to fly into the United States, with certain limited exceptions, but could depart if they met new security standards.
- Sep 21, 2001: At approximately noon, the FAA issued a Notice to Airmen (FDC1/0298) restricting flight over major sporting events or other major

open-air assemblies. Flight below 3000 feet was not permitted within 3 nautical miles of such events.

- Sep 23, 2001: Due to new security considerations, FAA imposed a ban on agricultural flight operations for the second time since permitting the flights to resume on Sep 14.
- Sep 24, 2001: FAA lifted some of the restrictions on general aviation flight training under visual flight rules. Training is permitted in small piston aircraft (weighing less than 12,500 pounds) outside of enhanced Class B airspace except near Boston, New York City, and Washington DC. General aviation sightseeing operations outside of enhanced Class B airspace and temporary restricted areas could resume.
- Sep 25, 2001: FAA's second ban on agricultural flights ended at 12:05 a.m. in each time zone.
- Sep 26, 2001: DOT/FAA issued a 15-part Notice to Airmen (1/0586) on emergency rules currently in effect. Changes to flight restrictions included authorization for all general aviation Part 91 operations outside of Enhanced Class B (ECB) airspace, including previously grounded airships/blimps, news helicopters, traffic-watch aircraft, and banner-towing operations.
- Sep 27, 2001: FAA permitted the resumption of curbside check-in at some airports with additional security measures in place.
- Sep 28, 2001: National Guard personnel began assisting security at multiple airports around the nation. By Oct. 16, a total of 6,155 Guard members had been deployed at 420 airports in 53 states and territories.
- Oct 1, 2001: The Rapid Response Teams completed their reports, which they submitted to the Secretary of Transportation in meetings on this day and the next. The aircraft security team made 17 recommendations on issues that included: installation within 90 days of a flight deck barrier device on the entire airline fleet; new requirements for future flight deck doors; changes in security training; prompt delivery of security advisories to crewmembers; and a task force on modifications to assure continuous transponder signal transmission. The airport security team recommended establishment of a new DOT security agency for transportation law enforcement, including officers to oversee airport security. The team's 15 other recommendations concerned: sharing security information; exploiting new technologies; improved screening and access control; and a voluntary pre-screening regimen to qualify passengers for faster processing.

- FAA issued Special Federal Aviation Regulation 91 requiring operators of private charters and general aviation flights using secure areas at airports to implement security procedures already required for public charters and scheduled passenger flights. This provision was effective on Oct 6. The rule also required other operators of aircraft over 12,500 lbs. to implement certain security procedures if/when a Notice to Airmen directed them to do so.
- Oct 3, 2001: FAA issued Special Federal Aviation Regulation (SFAR) 92 granting temporary relief from certain regulatory requirements in order to permit passenger airlines to quickly modify flight deck doors to prevent unauthorized entry. SFAR 92 also banned possession of flight deck door keys by cabin attendants during flight. SFAR 92-1, issued on Oct 12, broadened the regulatory relief provisions to cover cargo operations as well as passenger flights.
- Oct 4, 2001: Washington's Reagan National airport opened to limited commercial service airline flights, marking the return to service of all U.S. commercial airports. Extraordinary airport security measures for Washington Reagan National include: operation of aircraft with no more than 156 seats; operations only between 7 a.m. and 10 p.m.; temporary prohibition on use of the "river approach" procedure used ordinarily to mitigate noise. Phase I of the reopening (lasting approximately 3 weeks) limited to shuttle flights and service to eight hubs by six airlines. Phase II (lasting 30-45 days) would add flights to additional cities. Further phases would be announced after review of operations under initial phases.
- Oct 5, 2001: DOT announced the recommendations of the two Rapid Response Teams and took necessary steps to support installation of secure mechanisms on airline cockpit doors within 30 days. At the same time, a \$20 million grant program was established to develop aircraft security technologies as part of the \$500 million initiative unveiled by the President on Sep 27.

As I said this is a partial list of the activities that took place during this year. In addition to this we were identifying and establishing security standards for other transportation infrastructure throughout the nation; we were working with Congress to pass the Aviation and Transportation Security Act; and we were standing up the Transportation Security Administration – the largest creation of a new federal agency since World War II. We were also assisting in recovery efforts at crash sites and responding everyday to the various incidents and intelligence with respect to the war on terrorism.

I have talked about the staff at the Department of Transportation and how I am proud of how they responded on September 11th and in the days and months afterward.

I also want to remark on the families and friends of the victims of that tragic day and those who were injured physically and emotionally. I share in much of their grief and heartache although I can never experience the depth of it. The consequences of September 11th effected all of America but the greatest effect was on these people.

I have spent a great deal of physical and emotional effort this past year and a half trying to make sure that what happened that day does not happen again. We must do everything we can to try and prevent other Americans from enduring the pain that these families and friends have suffered. But we must also not forget that pain and anguish these families have suffered. I know I don't and it helps me in the work I continue to do. They are in my thoughts and prayers.

Thank you.