

**THE TRANSPORTATION SECURITY
ADMINISTRATION'S SCREENING OF AIRLINE
PILOTS: SOUND SECURITY PRACTICE OR
WASTE OF SCARCE RESOURCES**

HEARING

BEFORE THE

SUBCOMMITTEE ON ECONOMIC
SECURITY, INFRASTRUCTURE
PROTECTION, AND CYBERSECURITY

OF THE

COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES

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**THE TRANSPORTATION SECURITY
ADMINISTRATION'S SCREENING OF AIRLINE
PILOTS: SOUND SECURITY PRACTICE OR
WASTE OF SCARCE RESOURCES?**

Friday, May 13, 2005

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ECONOMIC SECURITY,
INFRASTRUCTURE PROTECTION, AND CYBERSECURITY,
COMMITTEE ON HOMELAND SECURITY,
Washington, D.C.

The subcommittee met, pursuant to call, at 9:40 a.m., in Room 310, Cannon House Office Building, Hon. Dan Lungren [chairman of the subcommittee] presiding.

Present: Representatives Lungren, Cox, Linder, DeFazio, and Dicks.

Mr. LUNGREN of California. The Committee on Homeland Security's Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity will come to order.

The subcommittee is meeting today to receive testimony on TSA's screening of commercial airline pilots. The purpose of this hearing is to examine whether the screening of airline pilots at airport security checkpoints is an appropriate use of scarce Transportation Security Administration resources.

At the outset, let me apologize for being somewhat tardy. I had to give a welcoming talk to, or make welcoming remarks to, the NCAA National Championship Women's Soccer Team; which was not from USC, by the way, but from the University of Notre Dame, my alma mater, and I wanted to make sure I was there. Unfortunately, they were a little late. So I beg your indulgence. They were probably going through security; that is correct.

There is no doubt that airline passenger screening continues to be the most visible and most problematic activity of TSA. I am informed that since September 11, the Federal Government has spent over \$13 billion on this function, with the President calling for another \$3.9 billion in the fiscal year 2006 budget. Unfortunately, according to the Department of Homeland Security Inspector General, in the 2-1/2 years since the Federal Government took over passenger screening, screening performance has not necessarily improved.

I believe that Americans are willing to shoulder necessary burdens to ensure the security of the flying public; however, we should make sure that TSA is not using precious taxpayer resources in an unwise fashion.

TSA continues to focus its efforts on preventing dangerous objects from getting onto aircraft; and the question is, what about dangerous people? All of us have gone through the screening process, all of us are willing to undergo the inconvenience and sometimes the indignity of this, so long as it seems to make sense. But just common observation would ask the question: Does a wheelchair-bound grandmother pose the same risk to aviation security as perhaps a group of agitated young men? And what threat is TSA addressing when it separates a small child from its parents for a pat-down, as recently happened with one of my staff people when she was attempting to fly from Sacramento down to San Diego, and she and her three children were all taken out for a secondary search, and she was told, rather aggressively, to just stand there while she was separated from her children. And when one of her children, a young girl, got frightened and she went for her, she was forcefully told by the TSA individual that she was supposed to stay where she was and not move until she had been wanded. I am aware of 2-year-olds being patted down in certain secondary searches.

And so we have to ask, does this make sense? And we are going to ask a question today: Does it make sense to physically screen airline pilots when we are talking about specific groups? Now, maybe it does, and I am certainly willing to listen, but I am informed that airline pilots are subjected to psychological exams every 6 to 12 months; that they hold a security identification area badge; and, in order to do that, they have to have their fingerprints run against the FBI's criminal records database. It would suggest that we know a little bit more about them than we know about other people, and yet there doesn't seem to be any distinction made. By some estimates, our country's over 100,000 airline pilots are subjected to checkpoint screening over 20 million times a year. One has to ask: Is that a useful use of our resources?

I would hope that TSA would accelerate commonsense programs, such as the transportation worker identification card and the registered traveler program used by metric identifiers to prove these people are who they say they are. So my intent is, over time, to look at this comprehensively, to make sure that if we are going to inconvenience the American public—and they are willing to do that so long as they are assured that what is being done is worthwhile.

And so today I thank our witnesses for taking the time to join us, and I look forward to hearing each of your perspectives on this issue. It is now my privilege to recognize the Chairman of the full committee for any comments that he might make.

Well, I will recognize our friend from Oregon first, as a matter of protocol.

PREPARED OPENING STATEMENT OF THE HONORABLE DANIEL E. LUNGREN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SUBCOMMITTEE ON ECONOMIC SECURITY, INFRASTRUCTURE PROTECTION, AND CYBERSECURITY

[Call hearing to order]

I would like to welcome everyone today to a hearing of the Committee on Homeland Security Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity. This morning, we will focus on the Transportation Security Administration's (TSA) policy towards the screening of airline pilots.

Airline passenger screening continues to be the most visible and most problematic activity of TSA.

Since 9–11, the Federal government has spent over \$13 billion on this function.

The President is calling for another \$3.9 billion in the FY 2006 budget.

Unfortunately, according to the Department of Homeland Security Inspector General, in the two-and-a-half years since the Federal government took over passenger screening, screener performance has not improved.

Americans are willing to shoulder the necessary burdens to ensure the security of the flying public; however, I remain concerned that TSA is not using precious taxpayer resources wisely.

TSA continues to focus its efforts on preventing dangerous objects from getting onto aircraft, not on dangerous people.

One of the hallmarks of Federal airline passenger screening is that it treats everyone the same.

While this policy may be comforting to some, I do not believe it makes good security sense.

Does a wheelchair-bound grandmother pose the same risk to aviation security as a group of agitated young men? What threat is TSA addressing when it separates a small child from its parents for a pat-down?

TSA should be paying more attention to those passengers most likely to pose a terrorist risk.

Which begs the question: “Why does TSA physically screen airline pilots?”

Airline pilots hold a special place of trust in our society. We trust them with our lives and our family’s lives every time we step aboard an airplane.

Pilots go through great lengths to prove that they are worthy of that trust.

To maintain their airman’s certificate, their names are routinely run against the terrorist watch-list and the no-fly list.

When they are first hired by an airline, they undergo a rigorous psychological exam.

They can be subjected to another psychological exam every 6 to 12 months as part of their required medical exams.

To hold a Security Identification Area (SIDA) Badge, pilots must have their fingerprints runs against the FBI criminal records database.

Yet when it comes to screening, we treat them as if they were some unknown quantity walking of the street.

By some estimates, our country’s 100,000 airline pilots are subjected to checkpoint screening over 20 million times a year.

TSA must accelerate common sense programs such as the Transportation Worker Identification Card and the Registered Travel Program that use biometric identifiers to prove these people are who they say they are.

This will allow fully-vetted individuals to bypass the general screening queue, which, in turn, will shorten lines and reduce TSA costs.

I would like to thank our witnesses for taking the time to join us today. I look forward to hearing each of your perspectives on this issue.

I now recognize the Ranking Member of the Committee, Mr. Thompson.

Mr. DEFAZIO. Thank you, Mr. Chairman. I always am happy to go after the Chairman, but I will respond in part to your remarks.

I have spent—this is my 19th year on the Aviation Committee, and obviously we have spent a tremendous amount of time on this issue. In fact, I introduced my first legislation to enhance passenger screening in 1987 because of briefings I received at that time and the extraordinary shortcomings that I found with the system and the technology used in the system.

Unfortunately, we are using the same technology for the most part today that they were using in 1987, which is machinery that was thrown out at the Capitol more than 15 years ago—and at the White House—as inadequate to the task, but somehow we think it is adequate for airports.

So in part, the problems you pointed to between the IG and the GAO relating to screeners go to the fact that they are working with two-dimensional, antiquated x-ray equipment, which cannot readily detect what we are using now as simulated threats, 21st-century threats, and are totally inadequate to detect plastic explosives. So

we do need to focus on that and move ahead with improvements in the technology or add-ons to technology.

The “trusted traveler” has been a point of frustration since the formation of the TSA. The first head of the TSA Mr. Magaw, just never quite understood it, although he himself never stood in a line anywhere for one second. He was very resistant, slowed it down, and the administration does not seem to have fully embraced it. I stand at the long lines at National looking at the unutilized trusted traveler machine, because I can’t get a trusted traveler card because I don’t fly American out of National; I fly United, and you have to be an American passenger to get one of those cards at National. And I am sure there are a lot of other frequent fliers standing in the same line.

Again, we could—and my opinion is CAPPs and other things focusing on the people are going to be a problem with those technologies, but if we could remove the people who we know are not threats and subject them to minimal screening, or perhaps no screening in the case of pilots, we could expedite and allow the TSA employees to focus on the unknown people and the unknown bags that are being carried.

Again, unfortunately, they are moving at a very, very, very slow pace with the trusted traveler program, which I believe could pay for itself. I would be happy to pay, as would most other frequent travelers, the full amount of the cost of my background check, and even chip in a little extra to help them buy the technology if we could expedite things in that manner.

So I think this is a timely hearing and a good beginning, sort of a small baby step in approaching the greater problems with passenger screening and aviation security. I thank the Chairman for calling us together here today, and look forward to the testimony.

Mr. LUNGREN of California. I thank the gentleman.

The Chair now recognizes the Chairman from the full committee, the gentleman from California, Mr. Cox.

Mr. COX. I thank the Chairman. Let me begin by welcoming and thanking our witnesses for appearing before the committee today.

I would like to welcome first Ms. Debra Burlingame, who is here representing 9/11 Families For a Secure America. She has won the admiration of our entire Nation for the way that her work on protecting Americans against future acts of terrorism is honoring the life of her late brother, Captain Charles Burlingame. He was the pilot of American flight 77, which crashed into the Pentagon on September 11, 2001. His sister has transformed her grief into an opportunity to help make our Nation and airline travel safer.

Captain Duane Woerth, we appreciate the expertise that the Airline Pilots Association brings to this hearing. ALPA has a long and distinguished record of service to our country on airline safety and security issues. We look forward to your comments on the issues before the committee this morning.

I would also like to welcome to the hearing Ms. Candace Kolander, representing the Association of Flight Attendants. As the men and women responsible for passenger safety in the event of a terrorist attack in flight, you have much wisdom to offer us as we tackle these problems of security screening.

Each of you was affected in some unique fashion by the terrorist events of September 11, 2001, and we appreciate your coming before the committee.

I am very pleased that this subcommittee is focusing on the need for a more rational approach, a more effective approach to security screening in passenger air transportation. This committee and the subcommittee today are committed to ensuring security at every one of our Nation's 486 commercial airports. We want to ensure the security against future acts of terrorists for every aircraft and all the passengers that utilize airport services, and we want to do this while improving the flow of trade and legitimate travel.

In its efforts to tackle threats to aviation security following September 11, 2001, we in Congress enacted legislation which charged the Transportation Security Administration with security screening for passengers in air transportation. And in furtherance of this congressional mandate, TSA has developed and applied a system for screening not only airline passengers but also the pilots and the flight crews, and we want to examine that today. We are focusing on, in particular, TSA's protocols for screening airline pilots.

Just as with many other aviation security functions adopted since TSA was established, TSA has not applied a risk-based assessment to the screening of airline pilots. There are about 100,000 commercial airline pilots who undergo not only the extensive background checks that my colleagues have described, but also the same ordeal of standing in line on their way to the plane once they get to the airport. They are treated, the pilots, exactly the same as the general public. As a result, TSA conducts 2 million security screenings for airline pilots every month, and that adds to the long lines and wait times at airport checkpoints for all the rest of the passengers. And yet we know a lot about these pilots; it is not as if they are strangers showing up in line. We are simply failing to use the information we have about them, including biometric information.

In contrast, TSA permits some categories of airline workers, not the pilots, such as baggage handlers and people responsible for aircraft equipment on the airplane itself to bypass this same screening. There is not much logic in treating pilots who take control of the plane differently from the mechanics and the baggage handlers who service the airplane. I don't think there is any question that airline pilots, among all of the airline employees, are the most vetted category. Not only do pilots have their names checked against terrorist watch lists, like the passengers, but they have already undergone extensive background checks, including criminal background checks, psychological tests, physical examinations and so on, all of these things related not just to counterterrorism but, of course, to airline safety, because we want to be sure about these men and women who are flying the airplanes, for very good reason: We want to be able to trust our airline pilots.

Now, if we trust airline pilots with flying the plane, with ensuring the safety of all of the passengers and the crew and people on earth below, what is the rationale for treating them as complete strangers when they show up at the airplane and making them stand in line with all of the other passengers, many of whom we have never seen before?

Airline pilots, unlike the other passengers, don't need guns and knives in order to take control of the aircraft. They have the keys, they are in command of the aircraft. And those aircraft, as we learned in such grisly fashion on September 11, 2001, are themselves potential dangerous weapons. They carry thousands of pounds of fuel.

Just taking a limited case, a 747, fully loaded with fuel; that craft, as a missile, as a weapon, weighs almost a million pounds, and it could be used to inflict devastating damage to almost any given terrorist target.

Now there is no question that comprehensive screening of flight personnel is important. The question is: Is the system that we are using designed to do that for us? Are we learning anything as these pilots go through the security screening? One—and perhaps the only one example of why it is important to have additional on-site screening at the airport—is that the person showing up saying they are the pilot, this person that has been fully vetted, might not be that person; it might be an imposter wearing a stolen uniform with a stolen ID, maybe with a stolen gun. And then we have to ask ourselves: Is the system that we have in place at the airport designed to catch that person, or are they just flashing an ID and wearing their uniform and their gun and getting directed right up through the airplane anyway? If that is what is going on, then all of these pilots standing in line are buying us no security and only cost. That is one of the questions we want to explore today.

We also want to compare this current system for pilots with another complete solution that is already on the books, the Transportation Worker Identification Credential, that goes by the acronym of TWIC. TWIC uses biometric features. TSA can improve the processes by which security screenings are determined for airline, airport, and other transportation workers and better manage access to secure areas of airports and other transportation facilities, in my view, by expediting TWIC.

The Maritime Transportation Security Act of 2002 mandated that TSA develop TWIC for workers requiring unescorted access to secure areas of transportation facilities. By establishing this common credential with biometric features of the user, TSA could improve security across all transportation modes and better manage access to secure areas of our national transportation systems.

And if we applied it in this fashion, then airline pilots would be able to bypass airport checkpoint screenings, making sure they get to their planes on time, and making sure that the rest of us who are waiting to get on the plane get there a little bit more quickly. The result would be shorter wait times for air travelers and increased efficiencies in airline and TSA operations.

Yet, 3 years after Congress directed TSA to develop this means of positively identifying transportation workers, TSA has not yet completed development and distribution of the TWIC.

Mr. Chairman, I have as many questions as I do thoughts on this subject, and I am very much looking forward to hearing what our expert witnesses have to say on this subject. I really want to commend you for focusing Congress' attention on this issue this morning.

PREPARED OPENING STATEMENT OF THE HONORABLE CHRISTOPHER COX, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, COMMITTEE ON HOMELAND SECURITY

Thank you Mr. Chairman. Let me first welcome and thank the witnesses for appearing before the Committee today.

I welcome you to this morning's hearing, Ms. Burlingame, and the valuable perspective you bring to this hearing. Those of us that have helped wage the war on terror since the terrorist attacks on the United States almost four years ago, know how the grief you suffered from the loss of your brother, Captain Charles Burlingame, who piloted American Airlines Flight 77, which crashed into the Pentagon on September 11, 2001, has been transformed into an opportunity to help make our nation and airline travel safer and another terrorist attack.

Captain Woerth, we appreciate the expertise that the Air Line Pilots Association brings to this hearing. ALPA has a long and distinguished record on airline safety and security issues, and we look forward to your comments on the issue before the Committee this morning.

I would also like to welcome you to the hearing, Ms. Kolander. Flight attendants make important contributions in improving security in airline travel and I look forward to your testimony.

Each of you was affected in some unique fashion by the terrorist attacks of September 11, 2001, and we appreciate your coming before the Committee to offer your perspective on whether TSA's comprehensive screening of airline pilots is an appropriate use of its limited resources.

I am very pleased that the Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity is focusing on the need for a more rational approach to security screening in passenger air transportation at today's hearing. This Committee is committed to ensuring security at our nation's 486 commercial airports, and the aircraft and passengers that utilize airport services, while ensuring that flow of trade and legitimate travel are not unduly impeded by burdensome and unnecessary screening requirements at our airports.

In its effort to tackle threats to aviation security following the terrorist attacks on September 11, 2001, Congress enacted the Aviation and Transportation Security Act (ATSA) of 2001, which among other requirements, charged the Transportation Security Administration with ensuring civil aviation security, including security screening for passengers in air transportation. To meet this aviation security mandate, TSA has developed and applied a set of screening protocols for airline passengers and flight crews.

Today, we are focusing on TSA's comprehensive screening of airline pilots because just as with many other aviation security functions adopted since it was established, TSA has not applied any risk-based assessments to the screening of airline pilots. Consequently, most of the 100,000 commercial airline pilots must undergo security screening similar to that done for the general public. TSA conducts two million security screenings for airline pilots per month, adding to long lines and wait times at airport checkpoints.

In contrast, TSA permits some categories of airline workers, such as those who handle baggage and aircraft equipment, to bypass physical screening at airport checkpoints. There is no logic in exempting from screening workers who handle baggage and aircraft equipment, while requiring comprehensive security screening for airline pilots.

Without question, airline pilots are the most vetted category of individuals in the industry. Not only do pilots have their names checked against terrorist watch lists, they also undergo criminal history background checks and psychological tests before they are employed, and semiannual physical examinations.

If we trust airline pilots with ensuring the safety of passengers, the aircraft and crew, what is the rationale for subjecting them to the same level of security screening as the general public? Airline pilots do not need guns or knives to do harm to aircraft, passengers, or targets on the ground. In the course of their duties, they are in command of aircraft, which are, themselves, potential terrorist weapons, carrying thousands of pounds of fuel. A fully-loaded 747, for example, weighs approximately 917,000 pounds and could be used to inflict devastating damage to almost any given terrorist target.

There is, of course, one scenario in which comprehensive screening of flight personnel could be valuable—the case of imposture, where someone with a stolen uniform and forged identification sought to board the aircraft. But has TSA actually done the kind of analysis of terrorist capabilities and intentions that could balance the likelihood of this threat against the burden of comprehensive screening of airline personnel?

More to the point, there is a complete solution to this problem already on the books—the Transportation Worker Identification Credential, or TWIC, using biometric features.

TSA can improve the processes by which security screening is determined for airline, airport, and other transportation workers and better manage access to secure areas of airports and other transportation facilities by expediting the TWIC. The Maritime Transportation Security Act of 2002 mandated that TSA develop the TWIC for workers requiring unescorted access to secure areas of transportation facilities. By establishing this common credential with biometric features of the user, TSA could improve security across all transportation modes and better manage access to secure areas of our national transportation systems. If applied in this fashion, airline pilots would be able to bypass airport checkpoint screening, since they would have already had threat assessment and criminal history background checks. The result would be shorter wait times for air travelers and increased efficiencies in TSA's operations.

Yet three years after Congress directed TSA to develop this means of positively identifying transportation workers, TSA has still not completed development and distribution of the TWIC.

More broadly, TWIC is a step towards the kind of policy that TSA should be adopting—one that moves more and more blocks of travelers out of the screening system through the use of reliable, and preferably biometric, identification. By clearing this chaff from our radar screens, such policies will enable TSA to focus on the fraction of travelers who are genuinely of interest, and to do so without recourse to the kinds of profiling that should arouse our concerns.

The Transportation Security Administration's paramount responsibility is securing transportation. While I recognize the importance of security screening within the airport environment, we need to ensure that security practices do not needlessly harm the nation's economy and diminish the freedoms that have defined our way of life. While the TSA strives to protect the nation's transportation modes, TSA must also pursue sound policies that will ensure the efficient movement of people and goods.

The challenge before us, then, is helping TSA to find the right balance between security and common sense protocols in its screening processes. TSA's comprehensive screening of airline pilots seems to me to be a questionable use of its limited resources in this time of fiscal constraints. I look forward to hearing from you how we can work together to effect improvements in these areas.

Mr. LUNGREN of California. Thank you very much, Mr. Chairman.

We are pleased to have an expert panel of witnesses before us today on this important subject. And just let me remind the witnesses that their entire written statement will be entered into the record, so we ask that you strive to limit the oral testimony to the 5-minute period allotted.

Mr. LUNGREN of California. The Chairman will now recognize Ms. Debra Burlingame, who is speaking today as a member of the 9/11 Families For a Secure America.

**STATEMENT OF DEBRA BURLINGAME, MEMBER OF 911
FAMILIES FOR A SECURE AMERICA**

Ms. BURLINGAME. Thank you, Chairman Lungren. And also thank you to the distinguished members who are here, even though it is a Friday, but we are very happy you are here to hear what we have to say. And I am honored to be here before you and this committee to discuss the TSA's proposed screening of airline pilots. I think it is a very important issue for the country, for the flying public, and the American people.

I am a member of 9/11 Families For a Secure America, but as I say in my written statement, I feel my most important qualification is being Chic Burlingame's sister. I learned a lot about aviation from him. I was a flight attendant myself for 7 years, but it was through Chic's eyes that I saw 9/11, and it is through Chic's

eyes that I see the safety of our country going forward in what we are doing and evaluate it. Sometimes I feel him—I hear him whispering in my ear, and I am going to share a little bit of that with you this morning.

Chic was a pilot for American Airlines for 22 years. He was qualified on Boeing 57s, 67s. In his 22 years, he flew at various times domestic and international routes. Before that, he was an elite Navy pilot, a carry base pilot, flying in the Mediterranean. And he was with the Navy for a combined service of 25 years, Active and Reserve duty. He died the day before his 52nd birthday.

While the attack on this country 3 years and 8 months ago was a horror for all of us, for all Americans, the commercial aviation industry endured a particularly brutal experience. While most people watched the planes hit the buildings and the towers fall, with shock and disbelief, for flight crews witnessing the summary executions of their fellow crew members and those helpless passengers was a deeply personal experience. These are people who love airplanes, who spent their entire lives associated with aviation, many starting from the time they were children, like my brother, dreaming of the joy of flight. To them, seeing an aircraft used as an instrument of mass destruction is a perversion which contradicts everything they know and all they have trained to do.

And I am grateful to be before this committee today so that I can commend them publicly for the incredible courage they displayed in the days and weeks after they lost so many of their colleagues. They understood that these attacks were not simply an effort to bring down airplanes and buildings, they knew that this was a full-out assault on the United States economy. And no one knows better than these aviation professionals how vital this industry is to our national and global economy. And so with heavy hearts, they put on their uniforms, they got back on the planes, and by their example they restored confidence in the flying public in our commercial aviation system.

And as a former flight attendant, and, above all, as Chic's sister, I cannot tell you how grateful our family was to see the jets up in the air again.

As you gentlemen have said already, no group of individuals understands what is at stake here in making our aviation system work better than the people who get on those planes every day. And I urge you, Members of Congress and this committee, to play close attention to what they have to say. They are uniquely qualified, just as you have said, they are highly educated, they are extremely intelligent, they know the aircraft, they know the environment on the ground and in the air, and their experiences have given them an ability to cut through the heart of any issue that affects their world.

The story I want to tell you about my brother: He, as I said, flew a lot of routes, including from Dulles to Los Angeles. And on one particular trip he was flying back from L.A. Another one of my brothers took him to the airport. And, before 9/11, flight crews bypassed security by going straight to the ramp or to operations through the ramp, or various other means, but they didn't, obviously, go through screening.

On this particular day, Chic decided to submit to security screening, because he wanted to simply be with my brother and chat with him as they walked down the terminal. So he put his bags on the ramp—or through x-ray, his crew kit through x-ray, he went through the magnetometer, and my brother Brad followed him. And when they were finished, Chic sort of shook his head and muttered under his breath, and Brad said, “You object to that? Why shouldn’t air crews be screened? You could be secreting a knife, you could have a gun in your crew kit. Why not?” And Chic’s response was, “I am a pilot. I am a pilot. I don’t need a gun or a knife, I have an airplane filled with 60,000 gallons of jet fuel; in essence, I am flying a missile.” I think that goes to the heart of what we are discussing today.

That conversation that he had with my brother Brad was in 1999, 2 years before Chic’s Boeing 757 was commandeered and used as a weapon of mass destruction in exactly the manner he imagined. And it clearly illustrates what flight crews understood then and continue to believe now: that it is counterintuitive and counterproductive to subject, as you say, the most highly referenced, heavily backgrounded, and operationally visible employee group in the private sector to airport security screenings. They are fingerprinted, they are photographed, they are routinely monitored, as you said, Chairman Cox. And some even continue to serve as military Reserve pilots, as my brother did. They have long, long records.

And pilots know one another. I think after 9/11 I don’t think an imposter could pull it off, frankly, even if he had a TWIC ID. I think pilots are scrutinizing everything in their world in a much sharper way post-9/11.

But my question is: What does it say to the flying public, beyond the issue of resources, just in terms of sheer common sense? What does it say to the flying public for TSA to be subjecting flight crews to x-ray screening and wandling them within minutes of handing over the controls to a lethal weapon?

And I agree with you all that seeing blue-haired ladies being, you know, wanded—I have seen arthritic passengers have to be helped in and out of their shoes. And I think it is sad to me to see a captain in a spread-eagle position, frankly, preparing for a pat-down.

I don’t think, ultimately, that this instills confidence in the flying public. I don’t really even understand what the purpose of it is, because the identity thing, it simply doesn’t make sense.

Meanwhile—and this is my great concern and the concern of 9/11 Families for a Secure America—the TSA continues to allow hourly wage employees who are not subjected to background checks to bypass security screenings altogether. Nonsecure, unskilled workers who are employed on airport perimeters and security areas on the ramp, and even on the airplanes themselves, carry unsearched, unscreened personal belongings such as backpacks with them. And I know, because the pilots are telling me this; they are seeing them.

Over the last 3 years, ICE agents and Operation Tarmac have discovered nearly 6,000 unauthorized workers at airports and maintenance facilities around the country, and they have arrested over 1,000 illegal aliens, including 5—a fugitive alien, I believe it

was at Boston Logan, with an outstanding deportation order. They have issued 775 criminal indictments.

These facts suggest that the TSA lacks a fundamental understanding of the threat we continue to face, because even as we struggle to collate the databases which make up the no-fly list consisting of the names of the FBI, State Department and the Intelligence Community, the TSA continues to allow passengers to board airplanes with Mexican Matrícula Consular ID cards. These. I have a handful of them here.

As a member of the FBI's Office of Intelligence testified before the House Judiciary Subcommittee nearly 2 years ago, these are aggressively marketed by the Mexican Government. They take them out in mobile consulates. They go to street fairs and high school parking lots. They have marketed them in now 360 American cities. The FBI calls this a laminated piece of paper; that is all it is. It doesn't have a database connected to it. The Mexican Government now says there are security features embedded in these cards, but in fact there is no machine that can read these alleged security features. And it doesn't matter anyway because they are accepted at airports all across the land.

And I have one here that I had made for me—by the way, this is accepted at National Airport. This counterfeit card would be accepted at National Airport. They don't have the means to read security features, so they don't look for them.

I have one for you, Chairman Lungren. Here it is, with your actual name, your actual address, and your actual birthday—which we don't say.

I have one for you, Chairman Cox. I have one for the Ranking Member of your committee, Mr. Bennie Thompson, which I will give to his aide. And I also have one for the Ranking Member of this subcommittee, Congressman Sanchez, with her birth date too.

The interesting thing about these cards is—and I have got six of them here, you can make hundreds of them. I had these overnighted to me for this hearing, and if I had had more time, I would have included your Mexican birth certificates, with all your names and where you were born in Mexico. That is how it is marketed on the street. That is where these people get them. And it is, frankly, shocking to me that the TSA would allow these to be used at airports as identification, not knowing who these individuals are, and yet they are going to put Duane Woerth's membership through screening when they know more about these men than they can possibly know—men and women.

It seems to me that as we harden passports, as we scrutinize visas and make them much harder to get, we are taking these tools away from terrorists to get on airplanes, but now we are giving them another one.

What good is it to discuss airplane screening of these highly vetted pilots when we are letting these folks on and we don't know who they are, we have no idea who they are?

I appreciate the difficult challenges that the Transportation Security Administration faces as we forge ahead. But you know, after the trauma of 9/11, 3 years and 8 months ago, this country's heart was broken. It was. It wasn't just the families; the country's heart was broken. And it is absolutely unacceptable for the TSA and

Members of Congress to put the economics and the politics of illegal immigration above the safety and security of its citizens.

Americans have been very, very patient. I think they are willing to put up with a lot at the airport, and I think they do. But they will not be fooled. They are not being fooled, and they are losing patience, and they are getting angry.

And I would just like to leave you with the words—to me the most important words of the 9/11 Commission report, and that is that what failed us on 9/11 was a failure of imagination. I would ask you to remember my brother's words, and I would ask you to listen to the flight crews. They understand this better than anyone.

Mr. LUNGREN of California. Thank you, Ms. Burlingame.

[The statement of Ms. Burlingame follows:]

PREPARED STATEMENT OF DEBRA BURLINGAME

Chairman Lungren, Ranking Member Sanchez, distinguished members of the Homeland Security subcommittee:

I am honored to appear before you today to discuss the Transportation Security Administration's proposed screening of commercial airline pilots. Thank you for requesting my views on this subject which is of great importance to the aviation community, the flying public and the American people. I am listed here on the panel as a member of 911 Families for a Secure America, but in truth, the qualification that has given me the greatest insight to the subject of today's hearing—and the one I prize the most—is that of sister. My brother was Captain Charles F. "Chic" Burlingame, III, pilot of American Airlines flight 77, which was crashed at the Pentagon on September 11, 2001. Chic was a pilot with American for 22 years. During his commercial career Chic was qualified on Boeing 757 and 767 aircraft and flew domestic and international routes. Prior to his career with American, he was an elite carrier-based fighter pilot for the United States Navy, serving a total of 25 years, combined active and reserve duty. Chic died the day before his 52nd birthday.

While the devastating attack on our country three years and eight months ago was a horror for all Americans, those who work in the commercial aviation industry endured a particularly brutal experience. While most people watched the planes hit the buildings on September 11th in a state of shock and disbelief, for flight crews, witnessing the summary executions of their fellow crew members and their helpless passengers was a deeply personal experience. These are people who love airplanes, who have spent their entire lives associated with aviation, many starting from the time they were children, dreaming of the joy of flight. To them, seeing an aircraft used as an instrument of mass destruction is a perversion which contradicts everything they know and all they have trained to do.

I am grateful for the opportunity to commend them before members of Congress, for the incredible courage they exhibited in the days and weeks after they lost so many of their colleagues. They understood that the attacks on the World Trade Center, the Pentagon and the thwarted attack that ended in Shanksville, PA were attempts not simply to bring down airplanes and buildings. They knew that this was an all-out assault aimed at bringing down the United States economy. No one knows better than these aviation professionals how vital the airline industry is to our national and global economy. And so, with heavy hearts, they put on their uniforms, got back on their planes and, by their example, helped restore the confidence of the flying public in our commercial aviation system. As a former flight attendant, and above all, as Chic's sister, I cannot tell you how much it meant to his family to see those jets back in the air.

I think all would agree that September 11th changed the world forever, but again, no group of individuals feels those changes more acutely than those who work in commercial aviation, and no single group, in my opinion, has a bigger stake in bringing about successful aviation security policies than the men and women who fly those planes every day. For this reason, I urge members of Congress and this committee to pay close attention to what they have to say. They are uniquely qualified to assist you in addressing aviation security issues; they are highly motivated, they are highly educated and they are extremely intelligent; they know the aircraft, they know the environment on the ground and in the air and their experience has given them an ability to cut through to the heart of any issue associated with their world.

A short but to-the-point anecdote illustrates my point and will go right to the issue of whether the Transportation Security Administration should subject pilots to security screening.

Prior to 9/11 it was routine for flight crews to by-pass security by displaying their airline-issued photo IDs and going directly to Operations. On this particular day, my brother was flying the tail end of a trip home to Dulles Airport from Los Angeles. He was accompanied by our brother, Brad, who obviously could not by-pass security, so Chic, in uniform and with his airline ID clipped to his lapel, stood in line and submitted to the same security procedures as everyone else, including putting his bag and crew kit through x-ray screening and walking through the magnetometer. After they were through, Chic shook his head and muttered under his breath. Brad picked up on it and asked, shouldn't Security screen air crews, too? It would be easy for them to secrete a weapon in their carry-on bags. Chic's reply was a tragic foreshadowing of the last flight he would ever know: "I'm a *pilot*. I don't need a gun or a knife. I've got an airplane filled with 60,000 pounds of jet fuel. Essentially, I'm flying a missile."

That was in 1999, two years before Chic's Boeing 757 was commandeered and used as a weapon of mass destruction in exactly the manner he presaged. It clearly illustrates what flight crews understood then and continue to believe now, that it is counter-intuitive and counter-productive to subject the most highly referenced, heavily back-grounded and operationally visible employee group in the private sector, to airport security screenings. Pilots are photographed, finger-printed, and routinely monitored for competence. A large number are former military pilots with long records; some even continue to serve, as my brother did, in the military reserves. What does it say to the flying public, that the TSA is subjecting flight crews to x-ray screening, wandng them within minutes of handing them the controls of a potential lethal weapon?

Meanwhile, the TSA continues to allow hourly-wage employees who are not subjected to background checks to by-pass security screening altogether. Non-secure, unskilled workers who are employed on airport perimeters, in secure areas of the ramp, or even on the airplanes themselves, carry unsearched, unscreened personal belongings such as backpacks with them to these secure areas.

Over the last three years, ICE agents in Operation Tarmac have discovered nearly 6,000 unauthorized workers at airports and maintenance facilities around the country. They have arrested over 1,000 undocumented workers, including a fugitive alien with an outstanding deportation order, and issued 775 criminal indictments.

These facts suggest that the TSA lacks a fundamental understanding of the threat we continue to face. Even as we struggle to collate the databases which make up the so-called "No fly" lists consisting of the names of individuals identified by the FBI, State Department and the Intelligence community, the TSA continues to allow passengers to board airplanes by using Mexican Matricula Consular ID cards.

As a member of the FBI's Office of Intelligence testified before the House Judiciary subcommittee nearly two years ago, these cards are aggressively marketed by the Mexican government for the sole purpose of providing undocumented foreign nationals with identity documents that can later serve as breeder documents for US-issued ID. They are not linked to any central database and therefore offer no means verifying the true identity of the holder. According the FBI, they are "little more than simple, laminated cards without any security features." And they are widely available. Nevertheless the TSA continues to allow passengers to use them to board airplanes.

No one appreciates the difficult challenges which the Transportation Security Administration faces as we forge ahead. But if I could leave this committee with one message, and one message only, it would be this: remember the words of Chic Burlingame. Listen to the flight crews. They want commercial aviation to thrive economically and they want it to be safe & secure. Their own lives and livelihoods depends on it.

Mr. LUNGREN of California. The Chair now recognizes Captain Duane Woerth, President of the Air Line Pilots Association, to testify. And I guess, in accordance with TSA proceedings, a member of a suspect class.

You have 5 minutes, Captain.

**STATEMENT OF CAPTAIN DUANE WOERTH, PRESIDENT,
AIRLINE PILOTS ASSOCIATION, INTERNATIONAL**

Mr. WOERTH. Thank you, Mr. Chairman. And I thank all the members for being here on a Friday and taking an interest in this.

We represent 64,000 pilots of those 100,000 commercial airmen out there, and there is probably no subject that has gotten under their skin and angered them and frustrated them more than the subject matter of this hearing. So if I can get to the bottom line, it is patently ridiculous to run air crew—including flight attendants, but especially airline pilots—through the screening process we currently do. And the example, I think, was left at this table and mentioned earlier: This includes not just the fact that they can get behind the door and will fly the plane, but we even have armed pilots. And an armed pilot, an FFDO, the same person, the same day, maybe he is commuting home, he is strip-searched and they are looking for the same person's fingernail clippers. I mean, this is how absurd this has actually gotten. And I appreciate this committee's—I hope to get up and get some action changed.

People understood right after the hysteria of 9/11 that some extraordinary measures were probably going to be taken, but they assumed 3-1/2 years later some common sense would have prevailed. And I am confident that Congress will insist that the TSA and the agency of the Department of Homeland Security will insert some common sense into our security.

As Congressman DeFazio talked about—and I was with you, as were some of my predecessors—we were looking for electronic identification cards in the 1980s; in the 1980s we were pressing for electronic identification cards. In 1989, the FAA issued a final rule on airport security, starting the process for electronic and computerized identification cards. It just kind of petered out into nothing.

In 1993 Congress appropriated millions of dollars to the development of what was called the universal access cards, computerized electronic identification for crew members, that we needed at every airport, not just the one we were working, because we worked everywhere. That just fizzled into nothing.

There is a long stack of letters I could produce and congressional action, all predating 2001 and that tragedy by a long measure. It is time we start doing what we know we have needed to do for a very long time.

I don't have as many ID cards as Ms. Burlingame has brought, but the card I have for Northwest Airlines today isn't a lot different than the one I got 30 years ago; with a little less hair, but other than that it is pretty much the same. It does the same function, hangs around my neck. Nobody can tell if it is me or not; it means nothing. We need electronic identification cards.

As you know, the Transportation Worker Identification Card has been developed, it has been processed, it has been tested, it already works. Just like the Registered Traveler card that was referred to here, I got in that program, too. And it is amazing that I don't have one as an airline pilot, but as a Registered Traveler. I can give my electronic fingerprint, I can give a retinal scan. I have one as a passenger; I don't have one as a pilot.

And everything that you mentioned, Mr. Chairman, all the other tests we have gone through for 30 years in my background, they

know more about me than my mother knew. But I go through it, all my colleagues go through this every day.

I think we can also learn from the past practices of other nations, as you are familiar with, particularly Europe, who has been dealing with terrorism for 20 and 30 years. I travel extensively out of the country. Airline pilots and flight attendants don't go through any of this kind of hassle factor and treatment any other place. The crew members go to the airplane. If they go through security at all, it is a special line, and it goes very quickly and off they go. I think we can adopt some commonsense strategies.

And what I really believe is that it is going to require—we are on our fourth director of the Transportation Security Administration, fourth time. And I think until the Congress asserts itself and demands action with timetables, we are going to continue to test and test, and try and experiment, and nothing is going to be implemented. So I am urging you to take control of this process. We have a TWIC card that has already been tested, it just needs somebody to have the courage to implement it and force its implementation.

If I could get to a basic requirement, it goes to the fundamentals of approaching security differently. We need to focus on finding and removing bad people, not looking for every bad thing imaginable. Right now our security forces us to look for bad things. I don't care how many thousands of guns and knives and fingernail clippers—there is always a big story, all these things got through security. Who cares? They are in the possession of good people with no bad intent. So until we can focus on a system that looks for bad people and removes bad people in the system instead of treating every single passenger and pilot and flight attendant like a potential bin Laden, we are going to hopelessly bog down in frightfully billions of dollars in expenses, a frustrated Nation, a harmed economy. If we can get to a new philosophy of security screening that is common sense-based—I think the Congress, the people on this committee, and the other committees in the House and the Senate I have dealt with want to do that.

And I thank you for your attention. You said my written statement can be entered. And I will conclude with that and take your questions when you are ready, sir.

Mr. LUNGREN of California. Thank you very much, Captain.

[The statement of Mr. Woerth follows:]

PREPARED STATEMENT OF CAPTAIN DUANE WOERTH

Good morning. I am Duane Woerth, President of the Air Line Pilots Association, International. ALPA is the world's largest pilot union, representing more than 64,000 pilots who fly for 41 airlines in the U.S. and Canada.

We applaud the Committee for holding this hearing and we especially appreciate Chairman Cox's interest in the subject of flight crew screening. I dare say that there is no other issue on which pilots are more unified than that of the need to replace physical screening with electronic identity verification and controlled access to airport secured areas for pilots, whose background and criminal history records have been checked. So, it will come as no surprise that our answer to the question of this hearing is an emphatic "yes—the screening of airline pilots, as practiced by the TSA, and FAA before it, is a waste of scarce resources!" But it's worse than that—the current security screening system virtually ignores the trustworthiness of airline pilots and instead focuses almost exclusively on a search for inanimate objects. Unless and until the system becomes human-centered, rather than weapon-centered, we will be more vulnerable to potential hijackings and other aircraft attacks

than we have to be. Trained terrorists do not need weapons to perpetrate crimes aboard aircraft.

My remarks, therefore, are intended to put the question of this Committee's hearing within the context of an analysis of the entire security screening system and demonstrate that we can achieve a much higher level of security at a lower cost by changing our fundamental assumptions and screening procedures.

Pre-September 11, 2001

With the establishment of checkpoint screening in the 1970's, which came about as a direct result of ALPA lobbying efforts, the FAA required air carriers to provide passenger screening at our nation's airports. Since its inception, the focus of checkpoint screening in the U.S. has been to find objects which might threaten the security of an aircraft, its passengers and crew. Given the type of threat posed by "home-sick Cubans" in the 1960's and 1970's who had no desire to commit suicide and mass murder, this was a rational approach.

Regrettably, in spite of numerous attacks on American interests in the 1980's and 1990's by anti-American fanatics, which included suicide attacks (e.g., the USS Cole), the federal regulators did not alter their passenger screening methodology. One exception to this was the Computer Assisted Passenger Pre-screening System (i.e., CAPPS I), which was developed by the FAA and used by the airlines to look for travel and threat pattern abnormalities.

Post-September 11, 2001

Shortly after the events of September 11, 2001, the anti-hijack training procedures used by airline crews were drastically altered to counter our enemies' tactics. Now, pilots are trained to view any type of hijacking attempt as a potential suicide/mass murder scenario and to react decisively to confront and eliminate such a threat. However, although some progress has been made toward deploying a methodology(ies) for determining whether a passenger has hostile intent, the federal government has still not altered its security screening checkpoint system to reflect today's reality. As a result, security screeners are focused almost exclusively on a search for items which could be used as weapons and bombs, with insufficient consideration being given to the threat that an unarmed terrorist may pose. It should be noted that the government does operate a watch list, and while somewhat useful, it has several inherent weaknesses that make it incapable of keeping all terrorists off of commercial airplanes.

Accordingly, there is now an even greater focus on finding inanimate objects than before 9/11. Small tools, fingernail files, scissors, pocket knives, knitting needles, matches and lighters—all have found their way onto government-mandated, prohibited-items lists. Ironically, the very same Federal Flight Deck Officer who is allowed on a Monday to carry a firearm through the screening checkpoint while in uniform, is not allowed to carry a fingernail file through on Tuesday, while deadheading out of uniform. It was reported recently that an armed FBI agent was required to surrender a nail file at the checkpoint—numerous other examples of such time-consuming inconsistency abound.

The scrutiny of passengers that is required to identify such items results in long passenger lines, delays, partial disrobings, and harried passengers who prefer not to fly. Government reports are issued periodically on the vast numbers of items that are found and confiscated at screening checkpoints. Unfortunately, there is no logical connection that can be made between the number of items found and the number of attempted hijackings that were thwarted because, with very few exceptions, the individuals carrying such items had no hostile intent.

The current fixation on finding weapons, to the virtual exclusion of determining a passenger's trustworthiness, is harming the industry's economic viability. Flying is no longer considered a positive experience by many, but rather, an ordeal that must be endured. The hassle factor has caused some passengers to find other means of transportation or to not travel at all. Because of these circumstances, airline travel is also devalued by the public, which is partly reflected in the carriers' inability to raise ticket prices to a profitable level.

Political Correctness and Unintended Consequences

Americans pride themselves in their ability to look beyond individual or group differences and treat everyone equally. Although this philosophy is desirable in most situations, when it comes to trust, equality is not possible, not because of a person's skin color or ethnicity, but because of a person's demonstrated behaviors or government authorities' lack of knowledge of same. Airline pilots earn, and can document, a very high level of personal trustworthiness and integrity because the government and their airline carefully scrutinize them before being hired. Their integrity is under continual observation on an ongoing basis by their fellow crewmembers, med-

ical practitioners, FAA inspectors, company personnel, and others. Unfortunately, that trust has not been acknowledged at the security-screening checkpoint for many years.

The politically correct notion of treating everyone in the same way at the screening checkpoint is an ill-advised obstacle to implementation of a human-centered security system. Political correctness at the screening checkpoint has many unintended, and ultimately very expensive, consequences. Following are a few noteworthy examples:

- It is driving away the airlines' best customers, first- and business-class passengers, who are choosing to avoid airline travel by increasingly flying on corporate and charter aircraft. Airline travel makes no economic sense for highly compensated individuals unless it actually saves them time; the current paradigm makes it increasingly difficult for companies to obtain such a benefit.
- An environment has been created in which all passengers are subjected to physical indignities and privacy intrusions. Reducing the population of persons requiring such treatment is clearly more needful from a security perspective, and would actually realize the stated goals of privacy advocates.
- Long screening queues create large groups of individuals outside of the "sterile" concourse, which fosters a target-rich environment for those who would attack an airport.
- The screening system is less capable of keeping terrorists off of airplanes than it could be if passenger trustworthiness were determined.
- Passenger confidence in the government screening system is undermined when stories abound of demonstrably harmless individuals who are given a great deal of unwarranted physical scrutiny. Our members inform us regularly of privacy invading screening experiences that are not in keeping with the trust that they have earned.
- It places a huge tax burden on an industry that is struggling to survive. TSA spent \$3.7 billion on aviation security in FY 2004, which was more than necessary because no accommodation is made at the screening checkpoint for those who can be trusted. Those funds are extracted from airlines via security taxes on each passenger ticket. Federal taxes and fees constitute as much as 40 percent of a domestic roundtrip ticket, more than consumers pay in federal consumption taxes on alcohol, tobacco or gasoline. Our members have invested billions in concessions so that their managements can restore a healthy bottom line to our industry. But these efforts are imperiled by ever increasing calls for additional security-related tax hikes on an industry that is teetering on the brink of insolvency.
- There are approximately 100,000 airline pilots in the U.S. Assuming that each one flies 20 days per month, on average, and they are screened only once per day, there will be 24 million pilot screenings annually. In 2004, one passenger screening cost approximately \$4.70, which means that the total cost of screening pilots was about \$112 million. These are merely rough-order-of-magnitude numbers because there is no way to determine the exact number of pilot screenings in a given year. But they illustrate the fact that money is being wasted on screening of pilots that could be used on genuinely needed security enhancements, such as improvements to the Federal Flight Deck Officer program, implementation of the Transportation Worker Identification Card system, secondary barriers, better cargo security measures, and fortified flight deck doors for cargo airplanes.
- It reduces available safety margins by disallowing pilots to carry certain tools of the trade with them through security checkpoints. These tools are needed in the event of an inflight emergency, but have been restricted since shortly after September 11.

Screening methodologies designed to positively identify the trustworthy members of the traveling public greatly increase security and as added value, offer potential for reducing the frequency of physical privacy intrusions.

Affirmation of this model exists in the U.S. as is demonstrated by the processing of armed law enforcement officers at screening checkpoints. Once their identities are verified and the legitimacy of their travel needs confirmed, they are subjected to no physical screening prior to boarding the aircraft. Its application should be adapted to include aviation workers, and modified to provide for more effective and efficient screening of a significant portion of the traveling public who have demonstrated a satisfactory level of trust.

An Effective Security Screening System

The Israeli aviation security-screening model, widely regarded as the world's best, is human-centered and trust-based. Information is collected on passengers before

they arrive at the airport and they are physically screened and queried in concert with that knowledge. Trained personnel assess individual characteristics that are indicative of deception and engage passengers in conversation and questioning to establish the purpose and authenticity of an individual's travel plans. Considerably less time and resources are spent on physically screening those who are deemed to be non-threat persons and traveling for legitimate purposes. The effectiveness of the Israeli model is touted around the world.

By contrast, recent reports by government oversight organizations rate the effectiveness of U.S. aviation screening methods as deficient in a number of respects. According to congressional testimony by the GAO, "TSA has not consistently implemented a risk management approach or conducted the systematic analysis needed to inform its decision-making processes and to prioritize security improvements . . . A threat assessment identifies and evaluates potential threats on the basis of factors such as *capabilities, intentions and past activities* (emphasis added)."¹

The current U.S. aviation screening system is built upon several flawed assumptions—one is that everyone poses a potential threat to aviation security. The truth is that the vast majority of individuals, including airline pilots, do not pose any kind of threat to aviation. Airline pilots, who are the most thoroughly scrutinized employees in the workforce, are highly trusted individuals, which fact is recognized everywhere, it seems, but at security screening checkpoints. A very small fraction of all passengers actually pose some degree of threat, but our screening resources are greatly diluted by giving the same degree of physical scrutiny to an Air Force Reserve general and airline pilot as is given to a federal prison parolee.

Another erroneous assumption is that an individual does not pose a threat once they have been successfully screened for objects that could be used as weapons. Such a conclusion for much of the general population may be warranted, but it does not apply to a fanatically dedicated and highly trained, murderous terrorist. Physical screening, by itself, is incapable of keeping terrorists off of airplanes, because it is not designed to identify them.

We conclude that a layered approach to aviation security screening is essential. For the same reason that airline safety is enhanced by having two or more professional pilots, two or more engines, and other redundancies, aviation security can be improved by examining each individual for hostile intent while keeping dangerous objects, especially improvised explosive devices, off of airplanes.

A critical component to the success of a human-centered screening system is identifying trustworthy individuals and then removing, or lessening, the amount of scrutiny that they receive, so that unknown or suspicious individuals can receive much greater scrutiny. There are several initiatives in various stages of completion that could greatly assist the government in accomplishing this task. Transportation Workers Identification Card (TWIC)—The TWIC program is intended to positively identify trusted workers in all transportation modes. The program has been in development for nearly four years and is currently undergoing operational tests. Ironically, and in opposition to our expressed recommendations, there are no plans to test the program in a meaningful way in the commercial aviation environment. TSA has emphasized repeatedly that TWIC will be a voluntary program for the airlines and airports, so whether the program will actually be implemented remains a question, unless policy is created that will require its usage. If used for nothing else, TWIC card readers placed at screening checkpoints would remove trusted pilots and other aviation employees from screening queues and help passengers be processed more quickly.

The TWIC program has been a major disappointment to ALPA because of false expectations that were created by government years ago about its pending usefulness in helping pilots get to their jobs in an expedited and secure fashion. It is our understanding that the program is being moved from TSA to a new DHS screening coordination and operations office later this year; we will continue to press for a TWIC program that meets our members' needs and we urge congressional support for this initiative.

- Registered Traveler (RT) Program—The Registered Traveler program is in prototype and has been successfully tested at a handful of airports. RT is designed to collect information from passengers who voluntarily sign up to be included in the program—I am one of those who signed up and I have used the program at National Airport. To date, the TSA has not indicated that any substantive advantage will be realized by passengers who choose to join RT, such as a less intrusive and trust-based screening process. ALPA is a strong proponent of RT as a means of allowing passengers to voluntarily divulge information about themselves so that their trustworthiness can be determined and used to maximum advantage.

¹GAO Report 05-357T, February 15, 2005

We cannot comprehend why this important and needed program has been allowed to languish, while our members and passengers continue to waste their valuable time in long lines at security checkpoints. We urge Congress to fully exercise its oversight role in this matter and cause RT to become a reality across the nation.

- Law Enforcement Officer Verification Card System (LEOVCS)—The law enforcement community, with TSA's assistance, has developed and is testing an electronic method of positively identifying authorized law enforcement officers at screening checkpoints. ALPA fully endorses LEOVCS and urges its rapid deployment at the conclusion of successful testing.

- Secure Flight—The CAPPS II system was attacked by privacy advocates, who expressed fears that the next generation of computerized pre-screening would be too invasive and held the potential for theft or misuse of personal information. TSA has revised its pre-screening model in an effort to address those concerns and created Secure Flight, which is to be introduced later this year. Secure Flight will be an improvement over CAPPSS I, but it will not have the same positive effect on security that CAPPSS II would have had by accessing information on a number of public and restricted databases. CAPPSS II would have served as a form of pre-screening intended to separate known, trusted individuals from those not meeting that threshold. The unknowns would then have been subjected to closer scrutiny than those cleared by the system.

- Screening of Passengers by Observation Techniques (SPOT)—The SPOT system is currently employed at Boston's Logan International Airport and was developed by the Massachusetts State Police to identify and question those passengers traveling for illicit purposes. Trained observers look for signs of suspicious behavior and resolve issues with those who merit closer scrutiny. Observation, evaluation and response to human behavioral factors are keys to this system, which is intended to efficiently allocate additional screening resources to a small portion of the traveling public. ALPA endorses the concept of behavioral recognition as a means of determining the trustworthiness of certain passengers. Privacy advocates are suing the sponsors of this successful program.

- All government and industry employees who work in the aviation industry should be trained on how to act as the "eyes and ears" of security. Several years ago, ALPA participated in an Aviation Security Advisory Committee that developed a protocol for an employee security training program. The Security Team concept, as it was called, would enhance other security efforts at no, or very minimal, cost.

- The potential role of the public in protecting aviation should be recognized. New York City's Port Authority has implemented an effective campaign aimed at its citizenry, which uses the phrase, "If you see something, say something." In a similar effort, Canadians have instituted an Airport Watch program, intended to utilize the eyes and ears of individuals who frequent the nation's air terminals and surrounding areas. This same philosophy should be employed in protecting the U.S. aviation domain.

Recommendations

1. Law enforcement officers, airline pilots and others within the aviation industry whose trustworthiness has been firmly established by criminal history records checks, background investigations and other measures should be screened electronically at security checkpoints.

2. The government should move quickly, with industry, to prototype, fine-tune, and deploy a human-centered security screening system that establishes a basis of trust as its principal component. Passengers meeting an established trust threshold should be expeditiously screened and allowed to proceed quickly to their gate.

3. In order to help facilitate items one (1) and two (2), the government should expeditiously develop and deploy the TWIC, RT, LEOVCS, and Secure Flight programs.

4. Airport law enforcement agencies should be encouraged to adopt a program for identifying suspicious passenger behaviors, as Massports' police have done via the SPOT program.

5. All government and industry employees who work in aviation should be trained on how to act as the "eyes and ears" of security.

6. Public education programs should be expanded to create an awareness that the general populace has a role in protecting aviation.

Thank you for the opportunity to testify today.

Mr. LUNGREN of California. The Chair now recognizes Ms. Candace Kolander, a flight attendant with Alaska Air, to testify.

**STATEMENT OF CANDACE KOLANDER, ASSOCIATION OF
FLIGHT ATTENDANTS—CWA**

Ms. KOLANDER. Thank you, Congressman. My name is Candace Kolander, and I am the coordinator for the Air Safety, Health and Security Department at the Association of Flight Attendants, CWA. And I am a FAA-certified flight attendant with 19 years' experience at Aloha Airlines.

AFA is the world's largest flight attendant union; we represent more than 46,000 flight attendants at 21 airlines. And just so you know, there are a lot more than the flight attendants, the 46,000 flight attendants that we represent at AFA.

I want to thank the subcommittee for holding this meeting which focuses on TSA's screening of airline pilots.

I do understand that some members of the committee staff objected to having flight attendants having the opportunity to testify on this matter today, and that is a bit frustrating to us. It is imperative that flight attendants have a say on the subject of screening. Flight attendants are subjected to the security screening on a daily basis, and can therefore also attest to whether security screening is a sound practice or a waste of resources.

With the exception of those pilots participating in the FFDO program, flight attendants are subject to the same level of screening and background checks as pilots; so in that respect, we are all the same here. Flight attendants are an integral part of the crew in terms of safety and security and an important component of the overall screening picture.

Now, while there always will be a need for ongoing improvements regarding airport security screening effectiveness, I would actually like to begin by taking note of the progress that has been made in the aviation security screening in the nearly 4 years since the terrorist attacks of September 2001.

Explosive detection systems have been installed at most U.S. commercial airports to provide capability to screen all checked baggage for explosives. TSA has also expanded screener training and developed performance measures and indicators for these screening systems. There has also been an improvement in the actual hands-on screening process itself.

I would like to share with you now the perspective on flight attendants on the screening of airline crew.

Following 9/11, we received numerous complaints from our flight attendant members regarding the new security screening procedures, improper touching, or long lines to get through screening. Now, although we have not been receiving as many complaints now as we did before, more still needs to be done. In a recent informal spot check that AFA did with flight attendants around the country, part of the frustration that came through loud and clear from our member flight attendants was that their treatment varies greatly from station to station. As one flight attendant reported, "Most of the time I passed through without difficulty, but sometimes it seems as though certain individuals and/or stations have an agenda for harassing crew members." I might add that this particular flight attendant cited screening at Washington National as a particular problem.

On a recent flight, he watched for 20 minutes as a screener leered at him while he took every piece of clothing out of his suitcase and spread it out on the search table, then removed every item from his flight bag in a similar fashion. He went on to say about once or twice a month he goes through some version of this treatment somewhere in the country.

Now, while a large number of airports do have designated crew lines or procedures to help expedite movement of crew members to get to their flights, there are still a few airports that do not, which makes them particularly problematic. One flight attendant related her experience regarding the McCarran Airport in Las Vegas, which does not have a designated screening line for crew members at the D gate. United flight attendants based in Las Vegas must arrive at the airport 1 to 2 hours ahead of their check-in time in order to stand in line for security screenings to enter their usual gates. Meanwhile, flight attendants at a checkpoint at another gate go through screening at an expedited lane, and TSA employees who arrive late are allowed to go to the head of the line while these flight attendants are left cooling their heels.

We also hear from time to time about more egregious problems. For example, 6 months ago one of our flight attendants was subjected to a troubling groping examination by a female TSA screener in Lexington. The screener used the cup of her hand to cup the flight attendant's breasts and trace around their perimeter. This particular flight attendant had not caused the portal alarm to go off prior to being chosen for the hand search, and she felt very violated by this employee. These groping complaints used to be much more frequent though.

In the post-9/11 environment, flight attendants are under increased scrutiny by airport security, and in some cases they found this screening to be excessive and unnecessary. As reported in a recent study, some feel it is unfair that they should receive more attention, given the fact that flight attendants have aviation security clearance, and because as one flight attendant pointed out, there has never been a flight attendant in the history of plane incidents who was involved in a problem that brought a plane down. One participant said that flight attendants are treated like criminals because we are the most public, while others walk through or never get checked.

Now, I want to stress that these problems matter from a policy standpoint far beyond the obvious significant stressors these hassle and intimidation events cause for flight attendants simply trying to get to work on time. If screeners are devoting undue amounts of time examining flight attendants, that is time that could be better spent screening out true security threats. And if flight attendants aren't able to reach their workplaces—the airplane—on time, then their ability to perform their safety and security duties are compromised as well. Remember, flight attendants are responsible for performing preflight safety and security duties on the aircraft.

So yes, while there are still some problems with the current screening procedures and practices, and it is terrible that flight attendants sometimes are harassed and singled out for extra screening, but at the same time, we understand and completely support the need for careful screening of every person entering the aircraft,

including myself as a crew member. We are confident that there is a way to accommodate both the needs of the flight attendants to reach the planes in a timely manner, without excessive or intrusive screening experiences, and the need to ensure that every person entering every aircraft has been thoroughly screened. We will leave it up to the experts to come up with the exact solution, be that separate lanes to expedite screening of crew members, or some other fix.

While the screening security practices are not perfect, they are certainly not a complete waste of resources. Let me just say that there is a need for TSA to devote serious resources to the development of a transportation workers identification credential that will promote expedited screening of those who most frequently must pass through airport security. This credential, as we have all noted, could include biometrics, such as fingerprints, to get flight attendants and others through quickly.

We are not suggesting that physical screening be abandoned once such credential is developed; rather, that both credential and screening have a part to play in developing a layered security system that can protect against catastrophic attack. Such a layered security system has been recommended by the 9/11 Commission staff as key to ensuring that the single point failure in the system is not catastrophic. Thank you, again.

[The statement of Ms. Kolander follows:]

PREPARED STATEMENT OF CANDACE KOLANDER

I am Candace Kolander, Coordinator of the Air Safety, Health and Security Department at the Association of Flight Attendants-CWA and a FAA-certified flight attendant. AFA is the world's largest flight attendant union. We represent more than 40,000 flight attendants at 26 airlines.

I want to thank the Subcommittee for holding this hearing, and I'd like to begin by taking note of the progress that has been made in aviation security screening in the nearly four years since the terrorist attacks of September 2001. While there is an ongoing need to improve airport security screening effectiveness, there has been overall improvement since 9/11. Explosives detection systems have been installed at most U.S. commercial airports to provide the capability to screen all checked baggage for explosives. TSA also has expanded screener training and developed performance measures and indicators for the screening systems.¹

Certainly, however, more needs to be done. Today's hearing focuses on TSA's screening of airline crew, an important component of the overall screening picture. We understand that some members of the Committee staff objected to us having the opportunity to testify on this matter today. And that's a bit frustrating to us. We think it is only natural for flight attendants to have a say on this subject. Because, believe it or not, flight attendants are subject to the same level of screening and background checks as pilots, with the exception of those pilots participating in the FFDO program. So in that respect, we're all the same here. And I think it's important for everyone to remember that flight attendants are an integral part of the crew in terms of safety and security.

Today, I'd like to share with you the perspective of flight attendants on the screening of airline crew, which turns out to be quite a significant stressor in their work environment. In the post-9-11 environment, flight attendants are under increased scrutiny by airport security and in some cases they find this screening to be excessive and unnecessary. As reported in a recent study,² some feel it is unfair that they should receive more attention, given the fact that flight attendants have aviation security clearance and because, as one flight attendant pointed out, "there has never been a flight attendant in the history of plane incidents who was involved

¹Transportation Security, Systematic Planning Needed to Optimize Resources, GAO-905-357T, Feb.15,2005.

²Impact of the 9/11 Attack on Flight Attendants: A study of an Essential First Responder Group; U.S. Dept. of Health and Human Services funded study, 2003.

in a problem that brought a plane down.” One participant said that flight attendants are “treated like criminals because we are the most public, while others walk right through or never get checked.” This increased attention has made it that much more difficult to get to work. Although there is a “new empathy” for the passenger caught up in lengthy airport security lines, allowances aren’t made for this by some supervisors, and so they have feel under increased scrutiny by their company as well as airport security.

In a recent informal spot check that AFA did with flight attendants around the country, part of the frustration that came through loud and clear from our member flight attendants was that their treatment varies greatly from station to station. As one flight attendant reported, “most of the time I pass through without difficulty—but sometimes it seems as though certain individuals and/or stations have an agenda for harassing crewmembers.” I might add that this particular flight attendant cited screening at Washington National as a particular problem. On one recent flight, he watched for 20 minutes as the screener leered at him while taking every piece of clothing from his suitcase and spreading it out on the search table, then removing every item from his flight bag in a similar fashion. He went on to say that about once or twice a month he goes through some version of this treatment somewhere in the country.

Another flight attendant related her experience at McCarran Airport in Las Vegas as particularly problematic. United flight attendants who are based in Las Vegas must arrive at the airport 1 to 2 hours or more ahead of their check-in time in order to stand in line for security screening to enter the gates. They have no designated screening line for crew there. TSA employees who arrive late are allowed to go to the head of the line for screening yet flight attendants who need to get to work are left cooling their heels.

We also hear from time to time of more egregious problems. For example, about six months ago one of our flight attendants was subjected to a troubling groping examination by a female TSA screener in Lexington. The screener used the palms of her hands to cup the flight attendant’s breasts and trace around their perimeter. This particular flight attendant had not caused the portal alarm to go off prior to being chosen for the hand search, and she felt very violated by this employee.

Now, I want to stress that these problems matter from a policy standpoint far beyond the obvious hassle and intimidation factor for flight attendants simply trying to get to work on time. If screeners are devoting undue amounts of time to examining flight attendants, that is time that could be better spent screening out true security threats. And if flight attendants aren’t able to reach their workplaces—the airplane—on time, then their ability to perform their safety and security duties is compromised as well. Remember, flight attendants are responsible for performing pre-flight safety and security duties on the plane.

So, yes, there are problems with the current screening practices. It’s terrible that flight attendants sometimes are harassed or singled out for extra screening. But at the same time, we understand and completely support the need for careful screening of every person entering the aircraft. And we are confident that there is a way to accommodate both the needs of flight attendants to reach planes in a timely manner and without excessive or intrusive screening experiences and the need to ensure that every person entering every aircraft has been thoroughly screened. We will leave it up to the experts to come up with the exact solution, be that separate lanes to expedite screening of flight crew or some other fix.

But let me just suggest that there is a crying need for TSA to devote serious resources to the development of a transportation workers identification credential that will promote expedited screening of those who most frequently must pass through airport security. This credential could employ biometrics, such as fingerprints, to get flight attendants and others through quickly. We aren’t suggesting that physical screening of flight attendants be abandoned once such a credential is developed, but rather that both have a part to play in developing a layered security system that can protect against catastrophic attack. Such a layered security system has been recommended by the 9–11 Commission Staff as key to ensuring that a single-point failure in the system is not catastrophic.

I’d like also to take the opportunity to make mention of two other flight attendant priorities that we’d like to see receive much-needed attention from policymakers: the need for effective security training for flight attendants and the need for better avenues for communication aboard the aircraft among crew members.

Although federal guidance on response to security threats aboard aircraft calls upon the cabin crew to protect the flight deck, stop any attempted hijack and protect lives in the passenger cabin, the current requirements for security training and equipment fail to provide the tools and training necessary for the flight attendant crew to carry out this mission.

Flight Attendant crewmembers must have standardized security and self-defense training in order to prepare them for potential threat conditions. The training must be appropriate and effective, so that the flight attendants will be prepared to properly respond to any level of verbal or physical aggression encountered.

Flight attendants are capable of learning and applying appropriate basic self-defense strategies and techniques if the program is science-based and mandatory. They must all receive the same training, and work together as a team to immediately counter any apparent or potential threat. Civilians have been shown to be capable of learning basic self-defense techniques in order to effectively respond to the types of threats faced by flight attendants.

In order for this training to be appropriate and effective, it must include three major learning components.

First, trainees must have classroom training for cognitive learning.

Second, they must experience effective hands-on training for learning of the basic physical skills and integration of the cognitive material.

Third, they must participate in live situational training exercises regarding the various threat levels to integrate the cognitive, physical, and emotional skills under a safe but appropriately stressful training environment.

The above training must include:

(a). behavioral profiling to assist in identifying and coping with potential aggression and

(b). crew communication and coordination which is critical as it relates to the survival of all crewmembers and passengers and the overall control of the aircraft. Even with hardened flightdeck doors, the Federal Flight Deck Officers program, and the Federal Air Marshal program, all crewmembers must be prepared to immediately respond during a terrorist attack. In these situations a lag in response time due to poor communications and coordination can prove just as fatal as it did on September 11, 2001. Even with the heroic efforts of those involved with Flight 93, this lag time proved fatal to all persons on-board the aircraft.

Flight attendants are the only true professional first responders in the cabin of every commercial airline flight (with over 19 seats). The self-defense training should include the appropriate manner in which to interact with both the Federal Air Marshals and Flight Deck Officers who are present on some flights.

The training program should be developed, overseen and audited by a federal law enforcement agency which would determine appropriate curriculum and certification criteria for trainers as well as public or private regional and local training facilities across the country which would allow for decentralized training and collaterally benefit state and local economies. Training close to the homes and bases of the flight attendants and instructors will allow for the type of 1 to 2 hour repeat training sessions necessary for it to be truly effective and would all but eliminate travel and lodging costs.

Scientific testing should be conducted to determine and establish the minimum requirements for the basic course and recurrent training. These minimum requirements should include the qualifications for the primary and assistant instructors, the minimum teacher-student ratio, and the minimum requirements for the regional and local training facilities.

To enable effective communication and coordination when suspicious activities or terrorist threats are in progress, discrete hands-free wireless communication devices to permit immediate communication between all crewmembers and Federal air marshals (FAMs), must be provided. Such a device would also facilitate discrete and timely communications from pilots to flight attendants regarding safety issues, such as more detailed turbulence warnings to help prevent injuries and reduce associated costs to industry.

In order for flight attendants to learn and apply appropriately basic self-defense strategies, tactics, and techniques, they must all receive the same training and work together as a team to immediately counter any apparent or potential threat. In this way we can ensure that the next flight attendants and pilots that come face to face with committed terrorists have the ability to save themselves, their passengers, and the aircraft.

Mr. LUNGREN of California. Thank you very much for your testimony. And I want to thank all the witnesses for their testimony.

Before I proceed to questions, I would like to enter into the record a statement submitted by Mr. Marcus Flagg, aviation security expert, a graduate of the U.S. Naval Academy, and surviving son of Rear Admiral Wilson Flagg and Darlene Flagg, who were

killed aboard American flight 77. And if there is no objection, it shall be entered into the record.

[The information follows:]

PREPARED STATEMENT FOR THE RECORD FROM MR. MARCUS W. FLAGG AVIATION SECURITY EXPERT AND SURVIVING SON OF REAR ADMIRAL WILSON FLAGG AND DARLENE FLAGG KILLED ABOARD AMERICAN FLIGHT 77. SEPTEMBER 11. 2001.

Ladies and Gentlemen,

My name is Marcus Flagg. I am a graduate of the U.S. Naval Academy and Naval Post-Graduate School for Aviation Safety. I have over 10 years experience as a Navy fighter pilot and 9 years as a pilot for UPS, flying domestically and internationally.

My parents, Rear Admiral Wilson F. Flagg and Darlene E. Flagg died aboard American Airlines flight #77 on September 11, 2001, when it was crashed into the Pentagon. My father was a Navy fighter pilot with over 38 years active and reserve service and also an American Airlines Captain for 31 years. That tragic day irrevocably changed aviation, the world, my family and myself.

I firmly believe there is the possibility of another terrorist hijacking aboard a commercial aircraft unless we are proactive in improving aviation security. Recent threat warnings and current terrorist probes indicate aviation is a near term probable target.

Our nation, now more than ever, needs a robust multi-layered security system to combat the terrorist threat. The Arming Pilots Against Terrorism Act was passed almost unanimously by Congress and intended to be a deterrent to aviation terrorism by arming qualified pilots immediately. Nevertheless, the Transportation Security Administration has succeeded in arming only the smallest fraction of our pilots and has rejected and discouraged volunteers by the thousands. Professional airline pilots as a whole are highly educated and motivated individuals. The present program to arm our airline pilots being administered by the TSA is hampered by restrictions put in place at the behest of the airline lobby. Currently, Federal Flight Deck Officer's operate twice the flight coverage at 1/25 the cost of the Federal Air Marshal program. This program is the most cost effective security initiative to date and creates no additional cost to the private sector.

The current restructuring of the TS provides the opportunity to move the FFDO and FAM programs to the FBI. The FBI's previous successful operation and management of an armed pilot program set the precedent with operation Switch. In September 2001, the FBI produced a cockpit protection plan, which would arm all commercial pilots immediately. Furthermore, the jurisdiction of crimes aboard aircraft and counter-terrorism also come under the FBI. This would allow for seamless integration of the programs, improved communication, and the most cost effective means to combat terrorism.

Security screening of pilots and their luggage fails the common sense test as well as being a waste of assets and manpower. Professional passenger and all-cargo pilots have the responsibility and accountability to have their hands on the controls of a potential weapon of mass destruction; therefore, we do not need any weapons or explosives to takeover and crash a commercial aircraft. We are the most vetted professionals in any industry, yet we are treated as potential terrorists. We have been finger printed and had background checks prior to being hired, in addition to annual medical exams and flight standards checks. The majority of airline pilots have extensive military and/or law enforcement backgrounds. The original intent of the 2002 FFDO law was to allow FFDO's to bypass security. In addition, passenger and all-cargo pilots would also bypass security so that potential terrorists would not be able to tell who was armed thereby enhancing deterrence of illegal actions. During the past year, the TSA and the FAA have approved Cockpit Access Security System (CASS) developed by the airlines for offline passenger and all-cargo pilots to occupy cockpit jumpseats. The Department of Justice developed a biometric PORTPASS for immigration several years ago. We continue to wait for TSA programs such as the Transportation Worker Identification Credential (TWIC) and Computer Assisted Passenger Prescreening System (CAPPS II).

It has been well documented that prior to 9/11, the passenger and all-cargo carriers would rather pay the fines imposed by the FAA for security violations than to implement aviation security changes. The passenger and all-cargo carriers have done cost analysis assessments; they state it is less costly to lose an aircraft with crew, passengers and/or cargo than to implement new aviation security measures. As an all-cargo pilot, I emphatically endorse cargo inspection measures aboard passenger and all-cargo aircraft. Every individual, aircrew included, who travels aboard a commercial aircraft is screened along with their luggage, yet cargo remains

unscreened for explosive, biological, chemical, nuclear or radiological hazards. The 9/11 Commission called for cargo inspection for this very reason.

Ladies and Gentlemen, I urge you to act immediately on these issues and the 9/11 Commission's Report concerning aviation security.

Mr. LUNGREN of California. I recognize myself for 5 minutes of questions.

And Captain Woerth, you have indicated that you have traveled extensively overseas. In your written testimony you make specific reference to the Israelis' aviation security screening model. Could you tell me how they deal with pilots and how they deal with crews?

Mr. WOERTH. Yes, sir. In Israel, they go straight to the airplane; they don't go through any lines, they go straight to the airplane. Everybody knows who the crew is, they check in, they are identified as the crew, and they proceed directly to the airplane.

I have also traveled to Israel as a passenger, and, there again, they have people who interview and look at the different passengers. When I last went to Israel, I was subjected to quite a few questions, as I should have been, based on my passport and my extensive travel, including Egypt and back to Germany a number of times. So it made sense. But they work—in a matter of a minute they will determine all my travel made sense, and I wasn't a threat, and I went on my way.

But their system is what I described. They are looking not for things, they are not worried about your fingernail clippers, they are not worried about your tweezers, they don't make people unpack their clothes; they identify a threat in terms of a person, and that is the key difference there, sir.

Mr. LUNGREN of California. I want to specifically go back to the question on how they deal with pilots and the rest of the crew. The pilots they allow just to go through, once you are identified; once they are able to identify you through whatever means you have, then you go directly to—

Mr. WOERTH. Well, once the crew is identified as an LL pilot and LL flight attendant, they go straight to the airplane.

Mr. LUNGREN of California. You also mention in your testimony some concern about the flying public, some concern about the economic repercussions of the screening that takes place, long passenger lines, delays, and I think you even said partial disrobing and so forth.

Recognizing that we have to have some security, recognizing there is going to be some inconvenience involved, are you suggesting that that is a necessary result of that; or are you suggesting that the manner in which it is done now unnecessarily inconveniences members of the flying public such that in your opinion, either from observation or conversations you have had, we are dissuading some people from continuing to fly?

Mr. WOERTH. To answer, sir, the last part of your question, first, I am absolutely convinced we have dissuaded a lot of people from flying; in particular, business travelers. Business travelers have decided—the richer customers use their own corporate jets and/or find other means of transportation.

And the short-haul flying, the communities with small cities and small distances, is not funny to me; but the saying, "If you have

got time to spare, go by air,” that has had a real impact in the world, because if it is faster to drive to Richmond or anyplace else than to fly—and you can take any part of the country—that is what they will do. And they don’t want to have to go through the hassle, they want to take their things with them.

And it is so irregular from airplane to airplane. One day you will show up and the line, you got through there pretty fast and you think you are good to go; and then you show up and it goes outside the building again, and nobody can explain why it is different. So I think we have had a very significant impact on the hassle factor.

I do think—and as my other witnesses, I do not think we are going to eliminate a screening system, I don’t think—nobody is suggesting that. But right now it is unreasonable, and they treat every single person the same. People aren’t taking their shoes off in Europe; they can look at your shoes. But every single person, every person take off your shoes is ridiculous.

Mr. LUNGREN of California. Well, the position of TSA is that is not a requirement.

Mr. WOERTH. Right. It is not a requirement until you don’t, and then you get wanded instead. And every passenger knows what the results of not complying with the request from every TSA person is. That means you are going to be subjected to taking all your clothes out of your suitcase. So everybody takes off their shoes.

Mr. LUNGREN of California. Let me ask all three of you, there are various programs, the TWIC program, the Registered Traveler program, the Secured Flight program, et cetera, based on the knowledge that you have of those various programs, if we were to establish a priority for TSA, what would your priority be? That is, which of the programs do you think we ought to move the most quickly on, Ms. Kolander?

Ms. KOLANDER. AFA believes that we should move forward with the TWIC program as a priority.

Mr. LUNGREN of California. Captain.

Mr. WOERTH. I would absolutely agree with that. With all the criminal background checks and everything, we have already mentioned that the crews are ready to go, and I think we ought to move forward with the TWIC program first.

Mr. LUNGREN of California. Ms. Burlingame.

Ms. BURLINGAME. I completely agree.

Mr. LUNGREN of California. The Chairman recognizes the gentleman from Oregon.

Mr. DEFAZIO. I wish that we had representatives of the TSA here today to explain the ongoing delay in the TWIC program and the ongoing reluctance to expand the trusted traveler program.

Captain Woerth, since you have familiarity with the trusted traveler program, that as I guess a patron of American Airlines out of National, you are allowed to purchase—get one of those cards, do you think that that technology could be utilized for the TWIC program?

Mr. WOERTH. Absolutely, sir. As soon as you touch the screen, your face pops up instantaneously, or the retinal scan. In fact, if it is located by the gate, the trouble is—I don’t use it either. It is not anywhere near the gate. It is inconvenient to go get it and get verified. If these things are going to work, it needs to be by as you

go through security, touch the screen, your face pops up. You can walk through as fast as you can go through a turnstile.

So I think—and I think we should use the same technology. I am concerned they are going to have a different thing for registered travelers as for crew members. We will have an empty line for crew members or an empty line for passengers, and we will have wasted resources. I don't know why we can't just use the same technology, sir.

Mr. DEFAZIO. Okay. I share your bemusement on that issue and have no idea why they are spending years sorting through, trying to recreate or otherwise decide on what parameters they want to use or what kind of technology and biometrics. I mean, this is being used in the nuclear industry, it is being used at other secure installations in the United States, even in the private sector.

Just a little bit on your observation about—I mean, a major concern on aviation, although a tangential concern to this committee since our principal focus is security, is the impact of security on the economics of the industry and the potential that we are going to lose one or another of our major network or legacy carriers, as we call them today. Again, would you just expand a little bit? Because I have observed the same thing. It seems that the airlines, particularly as you mentioned, short-haul flights, people figure, hey, if I am going to be standing in that line I might as well just drive. And I have also observed, you know, I have talked to people at my home airport and they say, yeah, we don't know what happened to all those United 1-K passengers, they kind of just disappeared. Can you just comment on the impact on the industry of the fact that we don't have Registered Traveler available to expedite their movement?

Mr. WOERTH. Yes, sir. I think that is probably the biggest change in the demographic of the traveling public, is the more leisure travelers, because the air fares have gotten so cheap to attract the travel back since 2001. It is now more people flying than before then but at cheaper fares than before then. The revenue is like 15 billion a year less with more people flying than 3 or 4 years ago. And a lot of that revenue less is again a higher percentage of leisure travelers. The business person has decided, for the best use of their time, they can't get the chance of getting stuck in security lines or having all that time wasted in having to get to the airplane an hour and a half early, they have made their other arrangements. And because of that, it has directly affected the economic health, particularly of the legacy carriers, if you will, the large passenger network carriers who have a wide amount of different kind of airplanes who serve the small community. It is not just the 60 largest communities that a Southwest or JetBlue might serve, it is the 429 other airports that I think are being impacted the most. I think small communities have been affected to a much larger degree than certainly Chicago or Los Angeles.

Mr. DEFAZIO. It is my understanding that somewhere around 8 percent of the people who fly constitute 24 percent or 25 percent of the passenger load. That is, frequent business travelers constitute essentially a quarter of the passenger load; yet they are less than 10 percent of the actual, of the individuals who fly. And it has always seemed to me that if we could put those people through a

system such as you have subscribed to, that that would allow the TSA to focus on the other unknown 75 percent of the people with whatever technology they are applying.

Ms. KOLANDER, you did mention in your written testimony about flight attendant training. You know, we have had on the Aviation Committee, and I think it would probably be new to this committee, an ongoing concern about the lack of rigorous and uniform training for flight attendants. Could you give us and give the committee sort of an introduction and update on that?

Ms. KOLANDER. Certainly. Thank you. The Association of Flight Attendants still believes that one of the major concerns out there is that we still do not have effective training to prepare our flight attendant members to respond effectively and proficiently to an aircraft security incident. We do believe that the training that we are currently receiving regarding security training is inadequate to help us address these situations. We still see varying from carrier to carrier, and one of our other biggest concerns is that we are not being trained necessarily as a coordinated team. We do believe that, in order to respond effectively and efficiently to a security incident, you have to train as a team. We need to know exactly what is going to happen in the flight deck, what is going to happen when we have Federal air marshals on board. Part of that is a crew resource management approach, but overall we still believe that there needs to be standardized security training to help members respond to threat conditions, and right now we still believe that that is not being effectively done at most of the carriers.

Mr. DEFAZIO. Do we still have some carriers still showing the 2-hour video and that is it?

Ms. KOLANDER. We do have some carriers that are still showing the video, and we have tried to work with carriers to ensure that the minimal amount of time is actually being applied. We actually had a situation just recently where the flight attendant said that the allotted time for the security training was actually shortened because the instructor wanted to make sure that they got to lunch on time. So they cut the security training in half and sent them out to lunch. So those are still some of the concerns we are seeing out there.

Mr. DEFAZIO. Thank you. It doesn't sound like our scrutiny and continued efforts in those areas have had the impact that we wanted. And I will—and I expect this committee will now pick up that banner, and we will try and get the airlines to do what is right by the flight attendants.

Ms. KOLANDER. Thank you.

Mr. DEFAZIO. Thank you, Mr. Chairman.

Mr. LUNGREN of California. The Chair recognizes Chairman Cox for 5 minutes.

Mr. COX. Thank you very much, Mr. Chairman. Thanks again to our witnesses.

Captain Woerth, I think one of the things that you said has got us focused exactly where we need to be, and that is we need to be looking for terrorists. We need to be remembering what this is all about. It is not an exercise, it is not an end in itself. There is a purpose to all of this, and so we have to constantly question whether what we are doing is leading us to that objective. And between

the two of you, Captain Woerth and Ms. Burlingame, I think you have drawn our attention to an aspect of this problem that is truly scandalous. That is that not only are these IDs that you showed us, Ms. Burlingame, which you obtained overnight off the street—I have to say they look quite nice. They are very fancy and official looking. Not only are these things in use at our airports, but also, Captain Woerth, the pilot's ID that you have you basically described as worthless. It is 30-year-old technology, which is to say there is nothing biometric in it. It is hanging around your neck so people aren't really closely looking to see whether that is you. And so the one instance that we are trying to guard against that we know of—maybe there is another and you can tell me, and that is that it is not that we don't trust the pilots, but that this person might be pretending to be a pilot could occur at an airplane. Nothing that we do in the screening process protects us against that anyway. So it isn't a question of having too much security; it is a question of having too much wasted effort. We have got all these people standing in line at enormous cost to the taxpayer, to travelers, to the industry, and so on, and it is a great distraction. It is not related to the object at hand.

I want to ask you, Ms. Burlingame, whether you know of anyone who has actually traveled on one of these cards.

Ms. BURLINGAME. Yes, I do. In fact, I—

Mr. COX. What happens when you show this at the airplane?

Ms. BURLINGAME. Well, actually, I drove down. For some of the reasons that Captain Woerth was just describing, I drove here instead of flew. But if I had flown, I was going to give it a go. And not because I wasn't afraid that they would be taken, but because it is against the law to use a counterfeit ID.

Mr. COX. Well, we are glad that you didn't have to break the law.

Ms. BURLINGAME. But you know what? I was tempted to basically just to—because it would have been I guess a bit of publicity to the cause. And I understand that the Mexican government has threatened legal action against Peter Gadiel, who is the president of our group. Peter lost his son at Ground Zero on September 11th. And the interesting thing is that the Mexican government would have a hard time proving that in fact I wasn't born in Mexico, because they have no database to prove that I wasn't born in Chihuahua, Mexico, which it says on that card. And they would have a very, very difficult time. They can't prove the actual identity of anybody who had these cards, including the ones that they issue, because it is known that the birth certificates that are used as the source document are also counterfeited. And when the consulates, the mobile consulates show up, they show up with a pack of blank birth certificates that they fill in. I mean, it is that sketchy.

And so, in answer to your question, yes, I called a gentleman who is involved in this movement. He has one of these cards. His card is, by the way, identical to the ones that I have shown you in terms of technology, and he only uses that to fly in every airplane that he goes into.

Mr. COX. And does he ever get set aside for secondary screening because he is using that?

Ms. BURLINGAME. No. And in fact, I said, are they aware that you are using the matricula consular card? He said: I make sure

they know. I point it out to them: I have here a Mexican matricula consular card. Do you accept this as ID? Yes, we do.

Mr. COX. Obviously, Captain Woerth, what we need to do—and Ms. Kolander, what we need to do is get you real IDs. Now, the Real ID Act was signed into law yesterday, I note, by President Bush. But that is going to be quite some time in the making, and those are ultimately going to be optional programs with every State. And we need to fix this problem right away. The TWIC program, which we have mentioned, is designed to give you a biometric identifier that you as pilot and crew can use to get to that airplane.

We are going to have the TSA up of course, and this is preparatory for more hearings on this topic, but you can tell us usefully today what you understand from the Federal Government and specifically from TSA is the schedule for your being able to use TWIC ID. Do either of you have any idea?

Mr. WOERTH. It seems to be this slipping deadline. And when it first started out, the development would be 6 months; after 6 months of testing we would go to implementation. And I am still seeing information that now they need more time. I have heard it has been tested and ready to go. I have heard different things: One, we just need authorization, or they need an allocation of funds, or they need somebody to make the decision for them that is it all going to be voluntary at the airports and airline, or is it going to be mandated? And so I can't say with any certainty whatever that there is—I have any idea when this actually might be.

Mr. COX. So it sounds as if somebody needs to make some decisions here.

Mr. WOERTH. I think somebody has got to make the decision for them to give them a schedule and a time line and pull the trigger.

Mr. COX. Now, can you help us imagine—and, Mr. Chairman, I am happy to ask my questions on a second round and yield now.

Mr. DEFAZIO. No. I just wanted to ask the Chair if he would yield on that point for a second.

Mr. COX. Of course.

Mr. DEFAZIO. I would hope that either this subcommittee or the full committee would bring in responsible Federal officials from TSA or other agencies to both examine the ongoing delay, which we have had them in probably 6 months ago into aviation, on the TWIC card; the resistance to expanding Registered Traveler; and third, to give us a full understanding of what range of identification they are accepting. Because this is news to me that one of these cards is allowed to board an airplane. You know, it was driver's licenses. I thought foreign nationals who didn't have U.S. driver's licenses or other official ID were having to use passports.

So I would like to actually have the committee fully grasp what is allowable out there, because, just like Ms. Burlingame, Mr. Mica famously before one of our hearings had his staff go on line and obtain a bunch of phony identification that was driver's license based that could have been used at airports, let alone something that isn't even based in our U.S. driver's license system.

Ms. BURLINGAME. If I may respond.

Mr. LUNGREN of California. If the Chairman would yield for just a moment.

Mr. COX. I would be pleased to yield.

Mr. LUNGREN of California. In response to the gentleman's inquiry, we do intend to have TSA here. We think it important, though, that the people who are in the public and those who are representing those who have special positions here, the airline pilots, the attendants, I think it is important for us to find out what their understanding is, because government has an obligation, it seems to me, to be as clear as possible and to give as best guidance as possible. And here we have two people representing two of the major actors in this whole arena, and it obviously reveals itself to be befuddlement, to say the least. And so I think it is helpful for us to get the impressions that they have, and then we will have TSA here to give us their understanding. And I know Ms. Burlingame wanted to say something.

Ms. BURLINGAME. I just want you to know that we tried to actually get the answer to that question on these consular cards from the TSA itself, and they made it very, very difficult for us. In other words, we couldn't get a yes or no. We simply wanted to know: Are these cards acceptable or not? And I guess the answer was kind of a run around. I could send you the e-mails that we got back and forth. And ultimately it was almost like, yes, they were admitting that we accept them. And then, you know, I did more research, and I found out that, yes, they are accepted everywhere. And people are using them everywhere, and they are using the counterfeit ones. And so that is very disconcerting. The counterfeit ones are pretty good. So I think a determined terrorist could probably get an authentic one. And, again, when I say authentic, I use that term loosely because they have really no security features that can be sourced in any way at the airports.

Mr. COX. Well, Mr. Chairman, at this juncture we have before us a half dozen of these forged matricula consular IDs with the photographs of members of this committee and others on them. I would ask unanimous consent that digital copies of these be entered into the record.

Mr. LUNGREN of California. Without objection, they shall be entered in the record.

[The information follows:]

MEXICO MATRICULA CONSULAR CONSULAR

CHRISTOPHER COX

Lugar y Fecha de Nacimiento/Place of Birth and Date of Birth
CHIHUAHUA

Domicilio/Address
NEWPORT BEACH, CA 92660

Fecha de Emisión/Date of Issue: 12 ENF 2003
Fecha de Expiración/Date of Expiration: 3 NOV 200

Asociación/Association: CONSULMEX 9999999

INDIANAPOLIS

MEXICO MATRICULA CONSULAR CONSULAR

KHALID SHEKTI MOHAMMED

Lugar y Fecha de Nacimiento/Place of Birth and Date of Birth
RU/SALES, CHIHUAHUA

Domicilio/Address
GREENSBORO, NC 27411

Fecha de Emisión/Date of Issue: 9 SEP 2003
Fecha de Expiración/Date of Expiration: 3 NOV 200

Asociación/Association: CONSULMEX 9999999

INDIANAPOLIS

MEXICO MATRICULA CONSULAR CONSULAR

DEBRA BURLINGAME

Lugar y Fecha de Nacimiento/Place of Birth and Date of Birth
CASAS GRANDES, CHIHUAHUA

Domicilio/Address
NEW YORK, NY 10093

Fecha de Emisión/Date of Issue: 18 DIC 2004
Fecha de Expiración/Date of Expiration: 3 NOV 20

Asociación/Association: CONSULMEX 9999999

MEXICO MATRICULA CONSULAR CONSULAR

DANIEL E LUNGRÉN

Lugar y Fecha de Nacimiento/Place of Birth and Date of Birth
HURJOTITAN, CHIHUAHUA

Domicilio/Address
COLD RIVER, CA 95670

Fecha de Emisión/Date of Issue: 5 MAY 2004
Fecha de Expiración/Date of Expiration: 3 NOV 200

Asociación/Association: CONSULMEX 9999999

INDIANAPOLIS

Mr. DEFAZIO. Mr. Chairman, could I make a request at this point, too, regarding that?

Mr. LUNGREN of California. Sure.

Mr. DEFAZIO. I would request that, given the frustration that Ms. Burlingame encountered, that prior to scheduling a hearing with TSA, that the committee ask of the TSA to give us a full list of what forms of identification they are officially recognizing and accepting. That would certainly include the questions here, and there may be others that we are not aware of.

Mr. COX. I suppose I still have the time.

Mr. LUNGREN of California. Yes.

Mr. COX. I think that is an outstanding suggestion, and it is something that every member of this committee is interested in having the answer to. So that would be wonderful preparatory information for our next hearing.

But back to this line of questioning about biometric identification, TWIC card in specific, perhaps Registered Traveler and TWIC converging. Can you imagine with the airports that you are familiar with, and your normal course through the airplane to the aircraft, how it might work if we had a sturdy biometric form of identification that you might go to the airplane separate from standing in these lines, Captain Woerth?

Mr. WOERTH. Yes, sir. I can envision a system where with a machine no different than the one I use for the Registered Traveler, where you can either do it a number of ways: You can swipe your card, I can touch my fingerprint, or they look at my retinal scan. A lot of these vendors today, sir, on one card can print five different ways to do the same thing. So if an airplane wanted to do a retinal scan, fine. If they wanted to do a fingerprint, fine. If they want to have magnetic tape information in a chip in the back. There is five or six things they can do on one card.

Mr. COX. Could you envision letting yourself in, essentially, through a separate locked door that you open with your fingerprint?

Mr. WOERTH. No, I don't envision that. I think somebody—because what I think the key factor is, I think, when all those chips, when you slide your card or you touch your fingerprint—

Mr. COX. Well, sliding your card obviously wouldn't make any sense at all. It has got to be you. It has got to take your biometrics if it is going to work.

Mr. WOERTH. Right. And make that work. But what comes up like on a Registered Traveler system right now is a life-sized head shot right beside your head. So on the computer screen, and so when I touch my fingerprint or my scan, what come up on the screen that somebody else—a security person could verify this. But we could go through so fast. As soon as they see us go through the line, you know, and not taking off our shoes, not emptying our bags, they would know electronically, biometrically it was me. It is not at all a tiny picture me; it is a life-sized picture like me on a computer screen. And I think we could go through that screen as fast as we can walk through there, almost like a turnstile. It wouldn't take any time at all.

Mr. COX. Now, the trouble with converging then TWIC and Registered Traveler is that after you give your biometric in the Reg-

istered Traveler program, which I am sure you have used, you still have to go through the magnetometer. You know, you get in the front of the line, but you still go through all of that. And I take it what you have in mind a la Israel is that once we have identified that you are you, you get to go to your airplane.

Mr. WOERTH. My belief is that crew members could do that. But if it's—for everybody's comfort, if they are going to throw more roadblocks in front of us to at least throw our bags through the line, I am fine with that. I just don't want to have to take off my shoes, take off my hat, take off my belt and dump everything out. I am not troubled by running my flight bag and my suitcase through a machine. I am troubled about even after they know who I am taking all of my equipment out and taking my shoes off.

Mr. COX. Mr. Chairman, I would yield at this point. I know we have additional members here.

Mr. LUNGREN of California. I know the gentleman from Washington has just arrived.

Mr. DICKS. I am not ready yet to ask any questions, Mr. Chairman. I am glad you had the hearing, and it is an important subject. I would like to put my statement in the record.

Mr. LUNGREN of California. Your statement will be entered in the record.

[The statement of Mr. Dicks follows:]

PREPARED REMARKS FOR THE RECORD BY THE HONORABLE NORM DICKS, A
REPRESENTATIVE IN CONGRESS FROM THE STATES OF WASHINGTON

Thank you, Mr. Chairman.

I would like to join with you to welcome our panel this morning. Captain Woerth and Ms. Kolander, we appreciate your testimony and the insights you are able to provide after years of experience keeping us safe in the skies. Ms. Burlingame, we deeply sympathize with the loss of your brother on September 11th, and I want to commend you for your courage in responding to that tragedy by working hard to try and fix some of the problems that allowed that terrorist attack to happen.

Chairman Lungren and I represent districts on the west coast, and we log tens of thousands of miles in the air every year. So we are both about as familiar with the airport screening process as anyone outside of the airline industry could be.

Almost four years after September 11th, serious gaps remain in the system that TSA has implemented. To date, the focus has been in the physical screening of people and baggage for weapons and seemingly benign items that could be dangerous in the enclosed environment of a commercial aircraft. But reports by GAO, the DHS Inspector General, and others show that the effectiveness of these efforts is limited.

This can be fixed by better training and oversight. And the implementation of new technology will play a critical role. That is why I strongly support the deployment of in-line explosive detection equipment to our domestic airports. And we need to aggressively pursue better technology to screen passengers for explosives.

But even with improvements in technology and methods, the mechanical screening of passengers and baggage will continue to be a comparatively slow and cumbersome process.

Under the direction of Congress, I understand that TSA is working on some programs that will help to expedite the process of passenger screening. Secure Flight, the Registered Traveler program, and the Transportation Worker Identification Credential—when implemented—should help to address some of the weaknesses.

But on each of these programs, TSA is running well behind schedule and has been very slow in reporting back to Congress. In the Department of Homeland Security Appropriations bill we will consider next week on the House floor, serious cuts and severe restrictions are imposed on these programs because of TSA's failure to get the job done. These are very serious issues of themselves, and I hope the Subcommittee will dig more deeply into this issue at a later date.

Having reviewed your testimony, I understand that these lagging programs are having a very serious effect on the two groups of people that we most trust to keep us safe during every flight—pilots and flight attendants. I look forward to hearing

from you in more detail as to how we can address this problem from your perspective.

I would like to pause one moment to note that I am concerned a bit with the title of today's hearing, "The Transportation Security Administration's Screening of Airline Pilots: Sound Security Practice or Waste of Scarce Resources?"

I am perplexed as to why we would limit the scope of this inquiry to just pilots. It is my understanding that, with the exception of Federal Flight Deck Officers, pilots and flight attendants undergo the same extensive background checks and screening. If the purpose of this hearing is to find ways to save resources without reducing security, shouldn't we look at both groups?

Mr. Chairman, I am glad you have called this hearing, and I am eager to hear the testimony of our panel.

Mr. LUNGREN of California. It seems to me, Captain, that the major impact of your testimony is that we need to do more in identifying the person rather than fingernail clippers, for instance, that somehow would make more sense than what we are doing now. Let me ask you a generic question, which is, can you tell me whether or not the members of your organization feel that we have had some success with the additional screening, the additional security measures that we have taken post-9/11? That is, does your membership, members of your organization, feel safer today in terms of the people that are on the airplane than they did before 9/11?

Mr. WOERTH. I think the fair answer to that is they think there has been an improvement in the system that was in place prior to 2001, which was at wide variance from airplane to airplane. The quality of the screening, as you remember, before that, we had 400 percent turnover in some of the personnel in those days. And I think they recognize it was a pretty haphazard process. So they think it is a more thorough screening. But I think that the risk reward, without focusing on the right risks, the expense, and the hassle factor of it to the economy, to the crew members, to the airlines, and to the public, is far in excess of the incremental benefit that they got. The cost of it has just been extraordinary for a very little gain.

Mr. LUNGREN of California. Let me ask one more question on that. And that is, some Members of Congress have voiced the opinion that if we had another attempt to hijack an aircraft, that the flying public wouldn't respond the same way. That is, we had been trained before that if you had a hijacked aircraft, be calm, don't do anything; they would make certain demands, fly you someplace you may not want to fly, you would be captive for a certain period of time but you would get out; as opposed to you would be part of a flying missile. And the opinion has been expressed that the American public now is not going to sit down this time around, and that plane may go down but they will fight to make sure it doesn't become a missile.

Number one, do you share that opinion? And, if so, what does that say to you about the manner in which we should be dealing with security then? In other words, it strikes me that it would not be as important if someone has got a fingernail file as to spending more time trying to identify who the people are, as you subscribe.

Mr. WOERTH. First of all, sir, I do agree that the public themselves, the passengers, by United Flight 93, by the Pennsylvania flight, the learning curve had already gone up of the traveling public to do something. And so I am absolutely convinced—and there is all sorts of anecdotal evidence—that just on the flights of—to

Washington National, if somebody accidentally forgets about the 30-minute rule and stands up, four people are grabbing their shirt-tails and pulling them back in their seat right away.

So I think the traveling public will not sit idly by if they think there is anything going on on this airplane that would attempt a takeover. They would react very quickly.

Which goes to the point that I think has been made at other tables. We have a tendency always to fight the last war, and because a sharp object was used that is what we are—now we are focusing on taking away things from people. The truth is a trained terrorist needs nothing. His bare hands and bad intent will be enough if he is trying to do something bad. So we should focus on the next threat or new threats that we haven't really covered, which includes some of the members of this committee, of looking for explosive devices that are not detected because they are not metal, and rather than looking for all these tiny sharp objects. We should worry about the next threat, not the last one.

Mr. LUNGREN of California. Ms. Kolander, you had mentioned earlier that you felt there was insufficient training now from a security standpoint with respect to how crews should respond. And I guess I would ask, in the context of what was just suggested; that is, that individual members of the flying public would react differently than they would have prior to 9/11. That would suggest that the attendants would probably do something or give different sorts of commands than they would have before 9/11. Has that been incorporated into the kind of training programs that you have?

Ms. KOLANDER. Chairman, you would think, as you said, that would suggest that has been incorporated into the training. But, again, going along the same lines as having a standardized security training does involve how to react to situations where your passengers may respond in this new method. In other words, that they take control. And from our AFA representatives we have heard that this training is not being included in the current security training. We have asked that helping flight attendants to learn how to respond to more aggressive passengers in the sense of either verbal or physical aggression when it is encountered is trained to them, and we are not seeing that.

In the same lines, flight attendants do need to be trained in how to effectively manage a passenger load that may now be trying to take control over something to thwart an incident. It does go back to there has to be an effective communication method. And part of that effective communication method is that flight attendants need to be able to notify the flight deck immediately when something is happening, they need to be able to notify the Federal air marshals on board if they are on board. And all of that so that we can communicate as a team with the pilots, the Federal air marshals, and everyone else on effectively responding to this emergency system or this security event.

So I don't think that currently we are seeing an effective training on how to manage the passengers when they start responding on their own to security incidents.

Mr. LUNGREN of California. Thank you. The gentleman from the State of Washington.

Mr. DICKS. Thank you, Mr. Chairman, and I regret that I could not be here to hear your testimony. We have base closure today, and in the State of Washington that is a big issue. And California, of course.

I want to welcome all the witnesses here, and I hope that maybe you can just fill me in a little bit. Ms. Kolander, I am just—you agree with me, don't you, that flight attendants should be part of this discussion along with the airline pilots?

Ms. KOLANDER. I certainly agree that flight attendants should be part of this discussion.

Mr. DICKS. Because they are a part of the security effort on the airplane.

Ms. KOLANDER. Flight attendants have an integral role in security on board the aircraft, in dealing with passengers, through screening, and everything else. We are vetted the same as pilots are. So to have this hearing without discussing flight attendants to go through security screening may not be in the best interest, I think, of this subcommittee, because our members—AFA only represents 46,000, but there is a lot more flight attendants that are flying around in commercial aircraft out there.

Mr. DICKS. And you said they go through a vetting process. They go through a process of being checked and everything. And then is it your opinion that they, you know, there is a check every time you go through the TSA clearance. Right? Just, I see the flight attendants and pilots going through. They may go ahead of the passengers, but they go through the same screening system?

Ms. KOLANDER. Yes. Flight attendants are subject to the same background check as pilots, and we are also subject to the same security screening as pilots and other passengers. We do go through the security lines.

Mr. DICKS. Do you think that is necessary?

Ms. KOLANDER. AFA believes that it is necessary. We don't necessarily agree that we stand in the same lines as other passengers. There has to be a compromise, and we think that the ID along with a layer of screening creates a more effective security system. This is security—effective security screening is a layered approach. Part of that approach is the ID and part of that is security screening.

Mr. DICKS. Do you also—I mean, the one thing I think you would worry about, you know, if a flight attendant or a pilot is getting on the airplane and somebody might have put something into their baggage. I know you always have it with you and all that, but you know how life is. Sometimes people do get separated for a few moments. I mean, to have it—it seems to me that it is an added layer of security to have—you know, to continue to have the things that are going to go on the airplane go through the same thing that passengers. Do you disagree with that?

Ms. KOLANDER. No, I do not disagree. AFA believes that part of the layered security approach is that you do have the credential, which we have asked for, such as the TWIC program. But we also believe that you should have some screening. Because in the case that the credentialing, this new ID, does become compromised or the individual unwittingly becomes a mule, that is part of the layered approach. You can't just do only the security card, the TWIC card, or only screening. It is a combination, a layered approach.

So, yes, our members are willing to go through the security screening process.

Mr. DICKS. Captain, what is your view on that?

Mr. WOERTH. I share that view.

Mr. DICKS. You agree with that?

Mr. WOERTH. Yeah.

Mr. DICKS. What I have heard—fly a lot on United, okay, and I have asked the flight attendants, you know, how do they think this whole effort is going. And one of the things they mentioned—it is in your statement, too—is they don't think the flight attendants get enough training on this particular issue. Do you agree with that?

Mr. WOERTH. AFA does agree that our flight attendants are not receiving effective training at this point to properly respond to a security incident. We do believe that the training is inadequate, and it varies from carrier to carrier, and we would like to see that fixed. As an example, I don't think you were here, we gave an example where one carrier actually short-changed the hours required for training just so that they could take the extra hour for lunch, so that the flight attendants wouldn't miss their lunch break. So that to me says how important security training is for our members. That is saying it isn't very important even after 9/11.

Mr. DICKS. Captain Woerth, how do you feel about this?

Mr. DICKS. As to flight attendant training?

Mr. DICKS. Do you think the pilots get enough training on this subject?

Mr. WOERTH. I think all the training could be enhanced. It is still too much left over from pre-9/11, show the same videos. It is different from airline to airline. I must say there is not a standard. I represent 43 airlines; it is not the same at each one. But some have done just modest changes since 9/11. Some of the same videos that I saw as a new hire at Braniff in the mid-1970s, they are just slightly updated in the 1980s, are still shown, and a little discussion by an instructor and off you go.

Mr. DICKS. So, again, you think more work can be done in this area?

Mr. WOERTH. Yes. I think the only pilots who have got really new training were our Federal flight deck officers. I mean, they have got extensive training, but the regular line pilot doesn't have a lot different than he had prior to 9/11.

Mr. DICKS. Is there any guidance from TSA on training?

Mr. WOERTH. Not that I can see that is of any use to anyone.

Mr. DICKS. Thank you, Mr. Chairman.

Mr. LUNGREN of California. Before I recognize the chairman of the full committee, I was just going to say, Ms. Kolander, I was going to ask you if you could tell me the difference between the training of Aloha and Alaska Airlines, but I guess I won't.

The CHAIRMAN.

Mr. COX. Thank you, Mr. Chairman.

Just to finish up our discussion about the human centered focus of our counterterrorism efforts here and the fact that we are supposed to be going after terrorists, the threat—and I get, as the chairman of this full committee, briefings along with Mr. Thompson of Mississippi on a routine basis from the National Counterterrorism Center about the terrorist threat to the United

States. It is a global threat, and our chief sources of concern, it will not surprise you, are overseas. So the people that we are looking for include a pretty healthy dose of folks who are, whatever their identification says, coming at us from other countries. We need, therefore, if we are using biometric forms of identification, for not just the pilots to identify that you are the pilot but also the passengers, to connect that to some reliable database. It strikes me that, to the extent that we get lucky and some of these terrorists overlap with the criminal class and we might have criminal records on them, that the biometric identifier most commonly in use around the rest of the world with Interpol and national and provincial police departments everywhere is the fingerprint, either multiple prints or single index finger. And a biometric system that is focused on the rest of the world and our ability to interchange data with them would be superior to one that just tells us a lot about ourselves.

So I am wondering whether or not you would find it satisfactory if the Registered Traveler program and the TWIC program focused on that form of identification? Or do we need a TWIC program—because it is the pilot and we want additional security to make sure that whoever takes control of that aircraft is really the pilot, do we want a TWIC program that is based on additional biometrics such as a retinal scan?

And I would be happy to hear from any of our three witnesses on that point. And, I mean, and I start from the premise that right now we have got nothing. We have absolutely nothing. We have what you have hanging around your neck, which you described as useless. So going to a biometric would be a sea change. Picking the biometric is a refinement, but that is at least my premise going in and I want your views.

Mr. WOERTH. I concur with certainly the last part of your statement, that any new change to any biometric as soon as possible would be light years ahead of what we have now, because we have really nothing that we didn't have 40 years ago today with our current ID cards. So whatever the TSA and the Congress can work out to get the first thing implemented with TWIC, whatever that happens to be, whether that be with fingerprints or something else, I am fine. Firstest with the mostest gets my vote. Just, let us get it started, and we can improve it later.

But I also—I think you raised the other point that is very valid. At some point we want not just interoperability, we want the connectivity with all those other things we are doing.

Mr. COX. Including the terrorist watch list.

Mr. WOERTH. Including those. And I see either we are going to leave out the things and have multiple systems trying to do the same thing, and there is a good chance for everything to fall through the cracks. Simplicity, overlapping, and interoperability are the keys we ought to look for. And so I concur with what was really your statement there.

Mr. COX. Ms. Kolander or Ms. Burlingame?

Ms. KOLANDER. I think that while the Registered Traveler program and all of those other programs could be effective in the long run, I think what we need to concentrate on doing is working on the programs, the credentialing cards for crew members. If that is

the TWIC program, then we need to work on that first and foremost so that, as Captain Woerth has said, you actually start to reducing the amount of possibly excessive screening. And one of the biggest members of that group are the crew members, and so a high priority has got to be placed on getting that card out first.

Mr. COX. Ms. Burlingame, the last word.

Ms. BURLINGAME. Well, my opinion on this is that—I mean, I don't know how these things work at these various bureaucracies on the Hill. And so I would echo what Mr. Woerth said, is you get the program up and running that you can get up and running first, because the terrorists aren't waiting around for us to figure it out. And although I have to say I disagree, with all due respect, a little bit to Ms. Kolander, I think the threat risk from the cockpit and the cabin crew is significantly lowered in the next 3 years before we get Real ID in effect; that we really have to—we really have to focus on where the danger is coming from, as Mr. Woerth said, from people, and those people are going to be the ones boarding the planes. The terrorists are very—they are very, very smart. We continually underestimate them. And this idea that passengers are going to rise up and prevent things from happening, I am not so confident about that. We had the example of Northwest 327 where the passengers essentially sat there. Now, I realize—I don't know if you are aware of this incident, where we had a lot of very, very unusual behavior from 14 Syrians who were traveling from, I believe it was Detroit to Los Angeles. Now, I believe there was a Federal air marshal on board, it turned out, but the passengers were paralyzed with fear. And part of it was because they were not doing the things that we know at least now, to the extent we can, that the 19 hijackers were doing on 9/11. Their behavior was unusual and odd, and they couldn't—so the passengers didn't know how to respond to this.

Also, remember that on 9/11 these hijackers selected very light loads. They were smart about it. They cased these flights. They flew 77, my brother's plane, before 9/11. They knew that there would be very few people that they would have to contend with. And if you listen to Betty Ong's tape recorded phone call, which lasted almost 30 minutes, there was a great deal she didn't know. Again, one of the other flight attendants on Flight 175, there was a great deal they didn't know because the hijackers pushed the passengers, the few that were there, to the backs of the planes so they wouldn't see.

So I think that it is very important that we have this multi-layered approach. But I think the danger is not going to be coming from passengers or pilots, counterfeit pilots, the danger is going to come from abroad. And they are going to be sneaking through our borders, they are going to be embedding in our communities, and they are going to be figuring out ways, fashioning new ways, as Mr. Woerth said again, the next battle, not the one behind us.

So I would urge, whatever the apparatus is, to get biometrics for the flying public. That is the one I would go with.

Mr. COX. This has been extraordinarily useful testimony. I think—I am sorry, Ms. Kolander, do you want to?

Ms. KOLANDER. Yes, Mr. Chairman. May I just end with one comment?

Mr. COX. Yes.

Ms. KOLANDER. Actually, I do believe that—Ms. Burlingame had actually said a comment earlier. She said: It is a failure of imagination that we don't look for any type of security threat. And I think that it is a failure of imagination if we think that a threat cannot come internally.

Mr. COX. By internally, you mean someone—.

Ms. KOLANDER. From crew members.

Mr. COX. Someone that infiltrates the crew?

Ms. KOLANDER. That is why we believe that you have to have the layered approach, the ID card, with the security screening.

Mr. COX. Ms. Burlingame, do you want to—.

Ms. BURLINGAME. I agree. But I think that we don't have to—it is again the risk assessment that you mentioned earlier when you are trying to decide which technology to use. And I think there has to be a certain amount of—I think a concerted campaign to educate the public about biometrics. They have to—I think they would be willing to embrace this, and I think their concerns about national ID and all these things I think are completely overblown. I think the American people and in general the flying public would be very amenable to this if it is explained to them. I think it is the job of you folks here on the Hill to make it clear to them what this is and why it is being done. But I think, obviously, again, the layered approach. But I think in terms of which technology to use, I would go with the one that is going to get up fast.

Mr. COX. So it is your judgment that, while there is in fact a risk that terrorists could masquerade as pilots or crew, that there is an even risk that they would come on board as passengers.

Ms. BURLINGAME. I think it is a minimal risk that they would succeed as masquerading as a pilot. I mean, remember, Hani Hanjour, the fellow who took controls of my brother's plane, had about 200 hours in an aircraft. He was—I actually went and interviewed the flight instructors that took—instructors that took him up in Bowie, Maryland. He was terrified of when he had the controls of a Cessna trying to land that plane, trying to—he was not a happy flier. And for him to masquerade as a pilot with 2, 3,000 hours in a cockpit instrument-rated pilot, I think—I just don't see how he could do it.

But, again, then we have the example of Egypt Air. I think we do have to use our imaginations. We must not underestimate these people. We really must not. But I think the risk assessment, you know, do you spend all this money on a very, very far-fetched scenario, or do you put most of the money that you have and the resources you have in one that is very common and very practical and much more likely.

Mr. COX. Thank you. Thank you, Mr. Chairman.

Mr. LUNGREN of California. Thank you. I thank the witnesses for your valuable testimony and the members for their questions. The members of the committee may have some additional questions for the witnesses, and I will ask you to respond to those in writing if you receive them. The hearing record will be open for 10 days. And, once again, I thank you all for being here.

The committee stands adjourned.

[Whereupon, at 11:19 a.m., the subcommittee was adjourned.]

APPENDIX

ADDITIONAL QUESTIONS SUBMITTED FOR THE RECORD

QUESTIONS CONCERNING THE SCREENING OF PILOTS

QUESTIONS FOR MS. DEBRA BURLINGAME

Thank you for your moving testimony. You mentioned that many airline pilots are former military pilots. **In addition to airline pilots, who do you believe should also bypass regular checkpoint screening? For example, I was thinking, perhaps, the men and women who serve in the U.S. Armed Forces?**

There has not been a response received.

In your testimony, you mentioned Operation Tarmac and the large number of undocumented aliens and other unauthorized workers who work at airports across the country. **In your opinion, how might TSA work more closely with the airports around the country to develop sound hiring practices to prevent this from happening again?**

There has not been a response received.

QUESTIONS FOR CAPTAIN DUANE WOERTH

Captain Woerth, in your testimony you mentioned the “inherent weaknesses” in operating a watch list. **Could you please describe some of these weaknesses in more detail?**

There has not been a response received.

Captain Woerth, in your testimony you mentioned various screening initiatives, from TWIC to Registered Traveler to Secure Flight to SPOT. **To prioritize scare DHS resources, in your opinion, how would you rank order these programs and why?**

There has not been a response received.

Throughout your testimony, you refer to the Israeli aviation security screening model that is “human centered.” **Because great difference in Israel’s geographic size vis-à-vis the United States’s, do you really believe TSA could create a screener force as proficient and effective as in Israel, why or why not?**

There has not been a response received.

In your testimony, you recommended educating employees as well as the general public to act as the “eyes and ears” of security. **Please expand on your recommendation and discuss how a program might be developed that would include safeguards against terrorist countermeasures? In other words, how might such a program be developed without letting terrorists know what we’re looking and listening for?**

There has not been a response received.

QUESTIONS FROM THE HONORABLE CHRISTOPHER COX

Are methods currently in place to expedite the screening of airline pilots, especially in cases where they are under time pressure to report for duty, conduct pre-flight inspections, and so on to meet airline schedules? If not, what steps can be taken at airports to ensure that pilots are not unduly burdened by long lines at screening checkpoints and time consuming screening procedures?

There has not been a response received.

Can pilots currently use express lanes for screening at airports so equipped? How many airports have these express lanes? Who is eligible to use these express lanes (Registered Traveler Participants)? At how many airports is the screening of pilots and crew carried out at locations separate from passenger screening?

There has not been a response received.

Are TSA screeners given any specific instructions or training regarding the screening of pilots or airline crew?

There has not been a response received.

Are their bona-fide concerns that terrorists could infiltrate secured areas of airports by posing as airline pilots? Can these concerns be mitigated through means other than exhaustive screening of pilots? Would background checks and tamper resistant identification cards suffice or would this simply leave the system exposed to more risk that the TSA is willing to accept?

There has not been a response received.

Can you provide for us your perspective of the status of the TWIC Program?

There has not been a response received.

Is it envisioned that pilots and flight attendants will eventually participate in the TWIC program?

There has not been a response received.

How will the vetting process in the TWIC program differ from that of the Registered Traveler program?

There has not been a response received.

Could pilots who have already been vetted through extensive criminal history records checks and checks against government terrorist watchlists be expedited through security screening in the same manner as participants in the Registered Traveler program?

There has not been a response received.

Is either the TWIC program or the Registered Traveler program better suited for including airline pilots?

There has not been a response received.

Has the TSA taken any action to remedy screening procedures complaints from pilots?

There has not been a response received.

The TWIC pilot program is currently scheduled to conclude on June 30.

What can you tell us about TSA's plans to continue to support those locations, including issuance of new cards as well card replacement and equipment maintenance, who have volunteered their time and resources over the last 2-1/2 years to participate in this program?

There has not been a response received.

Has TSA shared any plans to expand the program beyond Delaware River, LA/Long Beach and Florida between the end of the pilot program and publication of the Final Rule? Is it TSA's intention to cease work during that interim?

There has not been a response received.

TWIC stakeholders have indicated on numerous occasions in the past that the TWIC program office has not effectively communicated system progress, potential roadblocks and/or changes in project design or scope. In some instances, there have been no communications, while in others, the messages that are communicated are inconsistent.

Similarly, the Committee has heard that TSA has not recently involved stakeholders, beyond perhaps those in Florida, in the program design and development stages. This was most recently illustrated in Philadelphia when TSA demonstrated the web portal for pre-enrollment, and there were several basic functionality suggestions made by potential system users.

When these issues have been brought to TSA's attention in the past, TWIC program personnel have acknowledged some of the shortcomings and indicated they would work to improve these processes. However, it appears that few if any changes have been implemented over the last 12-18 months.

Has TSA discussed with you any plans to address these issues?

There has not been a response recieved.

QUESTIONS FROM THE HONORABLE DANIEL E. LUNGREN

1. What is the status of the Transportation Worker Identification Credential (TWIC) and when will the card be deployed to transportation workers?

There has not been a response recieved.

2. What forms of identification does TSA permit for identification of passengers at airport checkpoints? Please submit a list.

There has not been a response recieved.

3. Does TSA accept the Matricula Consular card that is issued by Mexican authorities for verifying the identity of Mexican citizens traveling by air?

There has not been a response recieved.

