

THE TRANSPORTATION SECURITY ADMINISTRATION'S PERSPECTIVE ON AVIATION SECURITY

(108-47)

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BEFORE THE
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AVIATION
OF THE
COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES
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THE TRANSPORTATION SECURITY ADMINISTRATION'S PERSPECTIVE ON AVIATION SECURITY

Thursday, October 16, 2003

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON AVIATION, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, WASHINGTON, D.C.

The subcommittee met, pursuant to call, at 9:35 a.m., in Room 2167, Rayburn House Office Building, Hon. John L. Mica [chairman of the subcommittee] presiding.

Mr. MICA. Good morning. I would like to call this hearing of the Aviation Subcommittee to order. The order of business this morning is going to be we will have opening statements, hopefully brief, and then we will hear from Admiral Loy and give him as much time as possible to address the subcommittee.

From that point, we will go into questions, and I know Members will be arriving, and we will have questions for Admiral Loy.

Finally, what we will do is conclude, hopefully, let us see, 9:30, 10:30 hopefully, around 11:00 or 11:30 hopefully at the latest, and then we will move to 2253 for a closed briefing. Some of the issues that we are going to discuss, we do need to conduct in a closed portion. It won't be a hearing, but a briefing, so Members are invited to join us there with classified or sensitive questions to be addressed at that time.

So I think that will be our order of business, if that is acceptable, and I will start with my opening remarks today.

Today's hearing, of course, I think, is going to focus on an important issue on the progress and status of the various programs that are under the purview of the Transportation Security Administration, which is now under Homeland Security. It has been almost 2 years since Congress passed the Aviation and Transportation Security Act. That act established a new agency, the Transportation Security Administration, and gave that new agency some very tight deadlines in which to set up a new screening system. TSA, to its credit, managed to meet those deadlines for the most part. But any time you have a new government agency, and an expansive one at that, that is charged with undertaking a program of the size and scope and vision of the Security Act which Congress passed, it will have problems. And unfortunately, some of those problems have come to light recently.

Last month we heard from the General Accounting Office and the inspector general about some of the failures of the new TSA screening system. Most of the information was classified. However, what we heard was not a pretty picture. I know that you, Admiral

Loy, have had this same briefing, and we appreciate your review of that GAO material. And I know you also have your own review provided periodically by TSA and the IG, and we took that information into account.

I believe that Secretary Ridge has not heard that this review. It is critical that he become familiar with the sobering evaluation of a very costly screening system we have put in place and one that still has problems to be ironed out.

Today we must be assured of action to fix the shortcomings of the present system. Some of you have seen the report that was made public. And I hope Admiral Loy, and I think you will have read some of this testimony, will address some of the concerns and criticisms raised in that evaluation.

Part of the solution to the problems with our passenger screening system involves—and, again, the GAO report points this out—better training. But better equipment is also required. I have been insisting for some time now that we expedite research and development and deployment of new technology. Therefore, I was particularly disturbed to learn that some \$60 million of the \$75 million appropriated by Congress for research and development on explosive detection equipment and new generation equipment has been diverted to pay TSA salaries. It is disturbing to me that today we are not one iota closer to routinely screening passengers and carry-on baggage for explosives. I think that Richard Reid and Ramzi Yousef knew that bombs could be smuggled on board airplanes through passenger screening checkpoints. Unfortunately it may take another day like September 11, 2001, to get both Congress' and TSA's attention on this issue and on this urgent need.

I am also concerned about the progress being made to defend against shoulder missiles. We know that terrorists have these weapons and are prepared to use them against civilian aircraft. I believe we need to move more aggressively in this area also. If, God forbid, one of these weapons is fired at an American aircraft, it wouldn't be enough to say we failed to act in a timely manner.

We will also hear today about projects that will truly make a difference; some of them, like CAPPS II profiling, which unfortunately has also been delayed in implementation.

Finally, we continue to hear complaints from pilots about the Federal flight deck officers program. This is our arming pilots training program. They feel that the training bureaucracy created, psychological testing and other requirements that have been imposed are all designed to undermine the intent of the program. Armed pilots are our last line of defense, and we need to be moving forward expeditiously with implementation of this program.

I realize that the Congress, the press and others, Admiral Loy, all pull you in different directions, and I am not sure we could find anyone who could do a better job than what you have been able to do since you have taken on the responsibility to lead this agency. I know you will do your best to address these problems and some of the concerns that I have raised and others will raise here today.

With those opening comments, I am pleased to yield to our Ranking Member Mr. DeFazio.

Mr. DEFAZIO. Thank you, Mr. Chairman.

I just think it is always helpful to keep a sense of history in perspective. And if we remember where we were before 9/11, I had been raising concerns about passenger screening since 1988 when I first learned of its extraordinary failings and shortcomings. It took a horrible tragedy to get some action out of this Congress despite the concerns a number of us had expressed over the years.

And just to recall where we were, we had firms which employed felons knowingly, private sector firms which knowingly employed felons in supervisory and screening capacity. We had illegal aliens, it turns out, a very large number, at the Nation's largest airport, Dulles, where the screening employees were actually illegal immigrants working again for minimum wage for a private sector company knowingly. And we had extraordinary turnover. These were considered, in testimony we took from the screener of the year, as the worst and lowest entry-level jobs in the airport, hopefully people climbing up the ladder to become burger flippers at McDonald's or checkout clerks at Borders or whatever book stores are in the airports.

So that is where we started. And it is now a little more than 2 years later, and I think we have made some extraordinary progress, but there are still extraordinary problems before us. That is what I think the focus of the hearing should be today.

Admiral Loy took over from the first appointee of the President, who was an extraordinary disaster, so we lost virtually the first year of capability and progress there because of Mr. McGaw's incompetence. I did have an interesting discussion actually with United Airlines out at Dulles one day about Mr. McGaw because I had numerous conversations with him about screening, and they said, are you kidding me? He didn't bring his own ticket to the special office after he went around security. He never saw security. I know Admiral Loy travels in a way that he actually sees what is going on with his organization, so I want to congratulate him on that.

That is the good news, Admiral, and then we get to the bad news. I think I share a number of the concerns of the Chair, although I think the responsibility can be spread around. I would hope, and what I ask from you and what I asked a member of your staff yesterday is that you give us the most honest assessment of what you really need and what it costs.

I know that one of our colleagues arbitrarily decided that, since he went through the airport when it wasn't a peak time and he saw people standing around, that we should cut 6,000 employees out of the TSA. I assume that has something to do with robbing of the technology budget to pay for staff salaries because that was a totally arbitrary cut on his part, unfortunately adopted and voted for by a majority of my colleagues here and happily signed by the President.

I fear that some have the agenda of wanting to drive us to the date of next November so we can return to that halcyon day of private screening so we can bring back Argenbright and the other firms that knowingly employed felons at minimum wages in the airports. I don't think those are halcyon days, and I don't want to return there.

I want TSA to succeed, but that means we need to know honestly what you need. We need to know honestly about your failings, as much as you can say in public and as much as you want to say in private about those failings, because we all realize that there is an ongoing threat. The administration has said publicly that aviation is still frequently mentioned, and the chairman went over a number of those threats.

There is certainly the shoulder-launch missile threat. There is the explosives going on board, whether going on board with carry-on, on the person of a passenger, their clothing, or in shipped cargo. And I share those concerns with the chairman and believe that it is more likely they will try and just take down a number of planes, mirroring Ramzi Yousef's attempt, since they seem to like to repeat patterns, when he planned to take down 12 747s simultaneously over the Pacific and was only caught by accident.

I share those concerns, and I want to hear about the progress we are making or the lack of progress we are making as candidly as you can, and then the responsibility is passed. If you need more money, resources, people, expertise, or technology investment, you have got to tell the administration and tell us. And if the administration superiors and Congress ignores what you have said, then the tragedy will be our responsibility and not that of you and the other professionals.

I am not totally satisfied at all with what is going on at airports, and we can get to that in a question. I still have a concern that apparently at some unspecified and unknown number of airports that routine employees, including vendor employees and others, are passing in and out of the airport terminal without any routine screening whatsoever. Yet at the same time we are taking pilots, who have been psychologically profiled, who have a long work history, and have our lives in their hands and are flying a potential weapon of mass destruction, to be body searched. That doesn't make a lot of sense to me; same with flight attendants and others. We will get into some of that, the problems with the actual passenger screening, the technology personnel and other issues.

I thank you for being here and thank you for your service.

Mr. MICA. Thank the gentleman.

Gentleman from Tennessee Mr. Duncan.

Mr. DUNCAN. I want to thank the chairman for calling this hearing and thank Admiral Loy for being with us today.

I have said before, if you have 100—if you have 99 good flights and 1 bad flight, the flight that people always talk about is the bad one. And the TSA is in somewhat of a similar situation. I understand that there are many good things that the TSA is doing and that are happening, but when there is a foul-up, of course, that is what gets the publicity.

I have heard nothing but good things about Admiral Loy and the job he is doing in a very difficult position. That does not mean, though, that we shouldn't constantly seek ways to improve and get better. I, for one, think that the TSA has plenty of employees, more than enough employees. And in the private sector there is always pressure to do more with less, and I am hopeful that we can increase the efficiency and operation of the TSA as we go along.

But I do realize that it is an extremely difficult job that the TSA has been asked to do. I am especially hopeful that we can speed up some things that have been mentioned earlier, like getting more of these pilots qualified to carry guns in the cockpit, because there has been a lot of concern from pilots in that regard. I am hopeful that we can speed up the time when we can get charter and general aviation aircraft back into Reagan National Airport. I am particularly interested in this pilot project that started at Logan Airport yesterday about screening cargo trucks and hopeful—I have read that that has been considered to move into the smaller or medium-sized airports, and I would like to see that happen.

But I just mainly want to thank you for being here with us today, Admiral, and I look forward to your testimony. Thank you very much.

Mr. MICA. Thank you.

Mr. Boswell.

Mr. BOSWELL. Thank you, Mr. Chairman. I join with what has been said.

Admiral, I too, appreciate where you come from and what you bring to this need for our country. My observation, of course all of us on this end, we fly frequently and observe the folks in the workplace, and I think that they are doing a good job. And I remind people that they got a set of rules they are working under, and the public gets a little upset, and I say, well, don't kill the messenger. They got rules, and the final result is they are trying to make it safe for you. When I get my briefcase totally emptied and my suitcase totally emptied, those that know who I am, they seem to think that is all right, so I don't mind.

I am curious, though, and it has been referred to, but I am sure there is a number of people that are congesting the process that clearly are not a risk, whether they are people from your background, as some of the rest of us, who have had a full background check and have Top Secret clearances and the whole business. It just seems there ought to be some way—the crews, the flight attendants, the pilots—it just seems to me like there is quite a few people going through the security checks that is about as secure as it gets, if we could just figure how to know who they are. And I would like to know if you are working on that or if that is a long ways away or whatever.

Most of the other things that have been kind of heavy on my mind will deal more with the FAA. So, Mr. Chairman, I will just yield back.

Mr. MICA. Thank the gentleman.

The gentlelady from New York, Mrs. Kelly.

Mrs. KELLY. Admiral Loy, I am delighted to see you here this morning. I wanted to simply mention the fact that there have been a lot of things that I have been thinking about that have been mentioned this morning, but one of the things I have been concerned about and I will ask you in a closed session about is what outreach you are doing to enhance and amplify the technology that is being used for screening. I am very interested in the possibility that there are things out there from the procurement standpoint we perhaps haven't looked at that may be very beneficial to reducing the

wait times and possibly the anger level of some of the passengers that are flying.

In addition to that, cargo screening.

So I wanted to let you know that I believe we need to do more on that. Maybe you are doing something. I don't know. So I intend to ask you about that. Thank you very much for appearing here this morning.

Mr. MICA. I thank the gentlelady.

Ms. Norton?

Ms. NORTON. Thank you, Mr. Chairman.

First I want to thank you, Mr. Chairman, and our Ranking Member for holding hearings systematically on this problem that has been of pressing concern to this subcommittee and full committee. I certainly want to thank Admiral Loy for his work in building an agency from the ground up. Rest assured that the committee is aware of what it means to start from the bottom and then build something that wasn't there at all.

As we are aware, there is a December 31 deadline for screening luggage, and I am very concerned about alarming reports from Dulles that I will have to inquire if they are typical of what is happening around this country. Dulles is the airport used by many Members of Congress, and the reports that we have—we have sent staff out there when we first heard these reports of shortages of screeners, resignation of screeners, turnover of screeners even though there is money in the budget for screeners, that they cannot hold screeners. And this in an airport that is expanding and therefore needs more screeners. We need to know if this is happening at other airports as well, particularly given the December 31 deadline. We need to know what is the reason.

Of course, Dulles is located away from public transportation. That could be one reason. But if that is the reason, then that is the reason that many airports would be experiencing this same problem, since airports are not located where National Airport is located, in the center of an urban area. Some have suggested that it is wages. That would surprise me. So I want to know more about wage scales and whether they conform to area wage scales.

What is really alarming about this is the poor economy that persists in this country. We have a very poor economy in this area, very weak job market, and I need to know if I am looking at something special here or I am looking at something nationwide since we are talking about a December 31 deadline.

Finally, I would want to know from Admiral Loy why the TSA has been totally unresponsive on the question of charters at National Airport. We are 2 years after 9/11. This committee has done its oversight, including secured briefings. There have been petitions from the National Transportation Association. There have been letters from Congress. There have been indications in our bills. The chairman and the Ranking Member are on record wanting National open for charters. This is the capital of the United States. This is a major economic region of the United States. No response. I will need to hear why, when the White House has opened the White House now for tours for people to go through, why we can't have normal operations for taking care of business and the National Capital region.

I very much appreciate the opportunity to make an opening statement, Mr. Chairman.

Mr. MICA. I thank the gentlelady.

Mr. Beauprez?

Mr. Pearce?

Mr. Porter?

Mr. PORTER. Thank you, Mr. Chairman. I appreciate you holding this very important hearing today, as I share your belief that the efficiency of the Transportation Security Administration is vital to the safety of our country and the economic health of every community within it.

My own district and my State of Nevada, which is dependent upon tourists, close to 26 million of which arrive by air, is directly impacted by TSA, its successes and its failures. I am a frequent flyer as most Members are, and I see every day the hard work and professionalism that the TSA workers put into their jobs every day. I salute them and wish to give them every possible resource they need to do their jobs.

I have every confidence in our screeners, but I am not convinced at this point that the new agency has yet attained the right culture and skills within it. I was disturbed by several recent press articles saying that the TSA introductory testing is rudimentary and in some cases compromised, according to the GAO, and there is no program in place for recurrent training. All of our pilots and mechanics have the recurrent training to learn of new technologies, new responses to dangers. Shouldn't our screeners?

I have numerous questions that I am going to save for the classified section and would like to reserve that time, but I was disturbed by a recent article that TSA will gradually phase out its uniforms and introduce new ones with the DHS seal. During this transition travelers may become confused with screeners whose uniforms are inconsistent with others.

In addition, I have observed some screeners who no longer reflect the professionalism they once did during the early months of TSA. While this may seem minor in a community like Las Vegas and Nevada that is dependent upon first impressions and last impressions, it is critical that our travel and tourism experience be very positive and leave a lasting impression. Uniform and appearance will help bolster the professionalism of the personnel and help to reassure some of the traveling public.

Finally, I am becoming worried about the impact of TSA screening procedures on the nontraditional passenger. As a traveler every weekend back and forth to Nevada, I have learned to understand what is the fastest and most efficient way to enter the areas of the airport. But I received numerous letters, comments, and, of course, there are news articles about people being selected for additional screening because of their name, or they bought tickets in cash or bought one-way tickets. I am concerned that the existing CAPPS I program was designed around traditional business travelers and accidentally, but unfairly, can discriminate against low-fare and start-up airlines. We in Las Vegas have quite a few people buying tickets on short notice or may pay cash. We encourage as many visitors to Nevada as possible. We need to have our security systems recognize the changes in air travel over the last few years.

And I thank you, Mr. Chairman, and I appreciate you being here today, Admiral.

Mr. MICA. I thank the gentleman.

Mr. Pascrell.

Mr. PASCRELL. Good morning, Mr. Chairman.

The GAO report, Admiral Loy, to me clearly shows that the efforts made by TSA to provide an acceptable level of passenger screenings is unacceptable, and I want to associate myself with the gentleman who just spoke. While you have focused primarily on training deficiencies, and we have talked about that amongst ourselves, the report makes it clear that weapons and explosives can still find a way to our screening stations. That is unacceptable. This is dangerous business. And if we don't face up to it, no one else is going to do this.

I want to commend you for the tremendous burden that you took on realizing where we were coming from, but we haven't come far enough. The chief executive officer of the TSA—you have stated that 22,000 assigned screeners are yet to undergo background checks. That may have been reduced. And I hope you will address that, because I think it is important to all of us, and I know that you are working diligently on that.

The five screener project programs required under the very piece of legislation that we passed to me simply reflects the Federal screening programs in place in the 424 commercial airports. I hope you will change my mind on that. That is what I conclude about that.

I am proud of this subcommittee and what it has done to lead the way in the creation of the TSA. It is closing in on 2 years since President Bush signed the Aviation Security Act. The first mission was to harden the front side of the airport. Passenger and baggage screening have taken most of the funding and most of your energy over these many, many months. While I do not expect—I don't think anybody did—a foolproof system to be in place in such a short time frame, I was deeply distressed by the GAO report. You read it. It is not very long. Training deficiencies and performance loopholes are serious problems that need to be addressed.

With all this focus on the core mission of passenger screening, TSA is neglecting, I believe, other important concerns such as the access to the air side of the airport and the perimeter security. Thousands and thousands and hundreds of thousands of employees who work on the ramps, who work outside don't have to do what you have to do and I have to do, and that is go through screening.

We know that there are major problems in many of the metropolitan area airports around New York and New Jersey. We know what happened over the past 20, 25 years of theft rings that simply existed in all of those airports, and it took a heck of a long time to clean them out. These very workers are going to work—if I have to take off my shoes, why don't they take off their shoes? They can put anything on those planes, anything.

And this isn't in respect to their work ethic, and I am not questioning that, and most of them are great Americans. We don't know what is going on, and we need to know what is going on. Even if terrorists see that the front door is finally locked, they are very likely to try the back door. After more than a decade of warnings

and reports from authorities who knew that terrorism was headed our way in the form of aviation disasters and that the World Trade Center, which has been a target of the same group less than a decade before, was still a target, the slow-moving Congress never took the proper actions necessary to secure our airports. That is not your problem, that is our problem. We have that responsibility. The Federal Government has the duty to protect against terrorism. It is up to the Congress, and in particular this subcommittee, in its oversight, to assure the American people that the government is going above and beyond to ensure their protection.

And I appreciate that we are holding this hearing to give you an opportunity to present your response, perhaps, to the GAO report. And I hope that we will have other meetings, because when you look at all of those rings of security, we have a long way to go. And I thank you for your service to this country, Admiral Loy.

Thank you, Mr. Chairman.

Mr. MICA. Thank you.

Other opening statements? Mr. Hayes?

Mrs. Tauscher?

Mrs. TAUSCHER. Thank you, Mr. Chairman, Admiral Loy. I am a personal fan of yours, and you have taken on a very, very tough job, and I think that heretofore you have done very marvelous work, and I commend you for putting together under great stress a very, very able team. But I think we all know there is much more to do, and I look forward to continuing to work with you in accomplishing those goals.

I do have some questions about recruiting and retention of passenger screeners. The CAPPS II program, I know we want to reduce the size of the haystack so we can find the needle, but I think we are deeply concerned about the civil liberties issues and the retaining and securitizing of information on the flying public, and I know you are deeply concerned about those issues, too.

Mr. Chairman, I will let you get back to the hearing.

And, Admiral Loy, thank you for your service, and I look forward to working with you, and I yield back.

Mr. MICA. Mr. Lipinski—he is so overcome with emotion today.

Mr. LIPINSKI. I was coming up to speak to you, Mr. Chairman. Thank you very much for recognizing me.

I want to welcome Admiral Loy to this hearing. I have an opening statement that, without objection, I would like to have it entered into the record.

Mr. MICA. Without objection, unless there is something relating to one of the Chicago teams in that statement.

Mr. LIPINSKI. Thank God I am a White Sox fan and not a Cubs fan.

Thank you, Mr. Chairman.

Mr. MICA. Without objection, so ordered.

Additional opening statements? I think we have covered everyone.

So we appreciate your patience, Admiral Loy, and now we will turn to you and welcome you back. And I think you have heard some concerns expressed. I think you will touch upon them in your statement.

We do have a copy of your complete statement. Without objection, we will make that entire statement part of the record, so you are welcome, sir.

**TESTIMONY OF ADMIRAL JAMES M. LOY, ADMINISTRATOR,
TRANSPORTATION SECURITY ADMINISTRATION**

Admiral LOY. Thank you very much, Mr. Chairman. And I have tried to take notes with respect to the comments of the opening statements from all the Members. I will be able to grapple with those in my opening comments. I will leave that to the Q and A and trust you will each bring up those issues again when we have a chance on Q and A.

Good morning, Mr. Chairman and Congressman DeFazio, Congressman Oberstar. Good to see you and other members of the subcommittee. I am pleased to have this opportunity today to report on TSA and the progress we believe we have underway with respect to aviation security.

I will be the first to acknowledge the correctness of the sense of what I have heard of the committee at large that we still have a long way to go. This is enormously difficult work that we are doing, and with the good oversight and interchange that we have enjoyed with Members individually and with the committee as a whole, we believe we are making progress and believe we are making good progress, but we also recognize, as you have pointed out, that there are lots of road ahead to get behind us.

I also appreciate the opportunity for the closed session later this morning so we can discuss some of these more critical issues in a bit more private session and do so candidly with members of the committee.

As we near the second anniversary of the creation of TSA, I feel confident in assuring you and the American people that the civil aviation sector and the larger transportation sector at large is radically more secure today than it has ever been, and it will continue to become more secure as we are given the opportunity to mature this complementary system of systems that we have designed in our world of work.

First, I think it is critical for all of us to understand that there was and there is no silver bullet out there. We know because we worked very hard looking for it and found none. After the attacks of 9/11 and then after the creation of TSA, some of the very best minds in our country, including here in the Congress, and including here in this committee, looked carefully at all available security systems and the means by which we designed what would be right for America. And I think the harsh reality is very clear. The combination of technology now and on the horizon and the simple limits that people always bring to any effort that operate it can never ensure that even any one of these rings of security will be 100 percent foolproof, because if we could look you in the eye and tell you that with some confidence we actually believed it, we wouldn't need the rest. We would be able to depend on that silver bullet that we have not been able to find.

And as I demonstrated in that first chart that the foundation or the default position we found ourselves in was to design a system that became a series of obstacles that any bad guy would have to

get across to do his deed. Each of these elements is really a scalable dynamic keyed, among other things, to the alert condition system run by the Department of Homeland Security. We have attempted to design our system to fit well with Secretary Ridge's initiatives in that regard. And our system simply tries to take advantage of the law of aggregate numbers. If we put 7 or 8 or 9 or 10, 50 or 75 percent success elements back to back to back, the law of aggregate numbers works towards that 94, 95, 96 percent kind of effort we want to get to, again recognizing that I will never be able to sit here and tell you, Mr. Chairman, that yesterday we put the last piece in place, and we have got it where we want it to be. Each of these elements has been developed carefully with attention to not only security, but also to customer service and to keeping the economy flowing. That is an enormously important ingredient that we try to keep in mind as we do our work daily.

I will be happy to answer any questions on any of those rings in our Q and A, and they each have promoted wide commentary in the press and elsewhere as they were built and as they have been put into place. As the subcommittee knows well, virtually everything we have done in this past year and a half or so has been done with the world watching closely and with intense media coverage. That is okay. My colleagues at TSA and I welcome scrutiny, welcome constructive criticism from any source where we can find it, but it is often valuable to step back for a moment and let simple facts register what has actually been accomplished. We are always talking about today's immediate challenge and things we still have to do. Let us recognize what has actually been accomplished.

I have two sorts of then-and-now charts that I would like to put up and again call to your attention that you have those in front of you at your table as well. These, I think, tell a very simple, factual and rather impressive story. We have been working very hard. We have some very, very good things to show for that work. These elements are only part of the story, but it is very clear that we have come a long way since 11/19/01 in the aftermath of 9/11/01. Take a moment, if you would, please, to sort of register this very real progress as we continue to debate the rest of where we need to go.

It is important, I believe, for us to discuss the briefing that you recently received from GAO and the DHS IG on screener performance. Mr. Chairman, I personally received this briefing just last week, as you suggested. I welcome any input that will make our system stronger, and we have already implemented changes in our procedures to incorporate lessons learned from these reviews.

As you are also aware from our briefing, and I describe in more detail in my written statement, TSA has a very vigorous, far more rigorous, by the way, than either IG program or the GAO program, of an internal program of covert testing that is ongoing and will continue as long as TSA exists. As I designed that program, it was not just about screener performance. As you have recognized, Mr. Chairman and others have stated, this is also about equipment. It is about technology. It is about procedures as well as it is about people, and it is the system that needs tested, not just the screener.

Although we talk a lot about screener performance, let us recognize the realities of what equipment and procedures are doing as part of that challenge. As part of the closed session, Mr. Chairman,

with your permission, I have asked Dr. Elizabeth Kolmstetter, TSA's Director of Standards Testing and Evaluation, to show you some samples of the test images that we use as part of our internal testing, and these images include both weapons and improvised explosive devices that are artfully concealed. You will find this brief presentation enlightening, and I encourage the Members to come and see it, because it will give you an idea of just how difficult this job is of screening passengers and their baggage.

We are closing on the end of year 1 for TSA, almost year 2. It has been a tumultuous and challenging time for us, and especially for those screeners who see their dedicated performance challenged in the press day after day. They can and they must perform better, and I remain certain that they will when they get the benefit of the performance enhancement plan that we have built. And I look forward to further discussion in our closed session.

I am most mindful of the recent reports that our initial written testing procedures of checked baggage screeners was too easy or designed for guaranteed passing. Within the context of the entire very practical hands-on training that our screeners received and the subsequent on-the-job training that they received in the real world, I remain confident that we have an outstanding, well-trained screening workforce. And the cited investigation performed by the DHS IG referred to events that occurred a year ago and as we strained then to meet congressional deadlines. And since then we have adjusted our training program to ensure that the written and practical tests appropriately reflect the correct measure of difficulty.

This is old news, Mr. Chairman. We have been there, and we have taken the right action to correct it. It would be very wrong and indeed harmful to the public's confidence in our security system to conclude that aviation security in general or passenger screening in particular is no better today than it was on 9/11/01. Indeed nothing could be further from the truth. GAO and IG testing as well as their own covert testing point out the need for revised standard operating procedures, for strengthening one system element or another, for improved training in other areas, and for improved equipment. We are aware of all of those things as the committee has pointed out to us as well, and changes are properly underway that will take us where we need to go.

We do know that our screeners are far better trained than pre-9/11 screeners as Mr. DeFazio described, and that the threats and challenges they face have increased virtually exponentially. We also know that before 9/11 the average attrition rate for screeners was over 125 percent annually, and in places 400 percent. Our current annual attrition rate has stabilized in this Federal workforce at about 13.6 percent. Is it more in one place or another? Is it more in one town than another? Of course. But the dramatic adjustments are about what these screeners take as their challenge.

We need to build stability into the passenger screening system and mature our workforce to demand higher standards of performance, and that is exactly what we are doing. In 6 months we will actually have the data that can give us, I hope, comfort that all the trend lines are where we want them to be, and all in the right direction.

But let it be known from here, our screeners do a good job every-day. They continue to intercept huge numbers of prohibited items that passengers bring on their person, on their carry-on bags and checked baggage. They have intercepted over 5 million prohibited items over this past year. And while many of these incidents result from simple forgetfulness by passengers, our screeners are routinely finding artfully concealed firearms, knives, combustible materials, and as a result, more than 1,400 individuals have been arrested because our screeners are doing what they are supposed to do.

And I look forward to the day when we have adequate IT connectivity to all airport checkpoints. I look forward to the day when our recurrent training session has had time to actually kick in and influence the system. And I look forward to the day when we have reached the full-time/part-time balance in the screener workforce. That is when screener performance will be where we expect it to be.

And I am proud of the performance of the contract screeners at the PP5 airports. Today, there is no data foundation yet to conclude that private screeners perform better or worse than TSA screeners. Our preliminary data actually suggest that the Federal force is a bit better. Additionally, preliminary data suggest that the attrition rate for screeners at the PP 5 airports is a bit higher than their federalized counterparts. But please let us wait until the data is on the table before we come to any radical conclusions.

To provide for the necessary analysis of the PP5 airports, we have just awarded a contract for a comprehensive assessment of the effectiveness and cost of operating the pilot program. And I would therefore again ask the subcommittee to hold off on conclusions to be broadcast about private versus Federal until the facts are in. I will provide the committee our plan for such comparisons very shortly and meet any requirements that you ask of us to keep you posted. November 19, 2004, is our next key date in the system when airports may apply to TSA to opt out of Federal screening should they choose. Through the contract just mentioned, we will have good data that will allow each and every airport director to make an informed decision about that choice. Ultimately, the approval of an airport director's application rests with me.

We also continue to move forward on our development of the CAPPS II system, and I appreciate the support that this committee has shown. There remains a great deal of misunderstanding throughout the media as to how CAPPS II will function, and I hope that our effort to explain the project to members of the subcommittee has led you to a better understanding of the critical need we have to complete development, testing and deployment. CAPPS II will be a vital layer of security in our system of systems. It will actually offer us a chance to enhance and leverage other systems in the system to make a stronger contribution, and it will protect the privacy rights of the traveling public. It will largely eliminate unfocused selectee screening, and it will allow us to concentrate our screening resources on a more limited subset of passengers at large.

My staff is working very closely with GAO as they begin gathering the information necessary to allow GAO to report to the Con-

gress by next February on the issues related to CAPPS II that are outlined in the recent appropriations bill. Part and parcel of building a robust and effective aviation security system is recognizing that it has cost a lot of money. TSA had no prior foundation to base its budget on. We have built our infrastructure, and I remain concerned that there is an element of sticker shock still happening between what is it you would have us do and the resource base with which to do it.

For example, we have not been able to deploy all the updated threat image protection or TIP data to all X-ray machines throughout the country because we simply did not have the funds to do that in fiscal 2003. That connectivity is enormously important to our screeners and our trainers out there to do their jobs well; more funds to purchase the new generation of machines as quickly as we would like to do so.

I have informed the committee through monthly classified reports of those very few airports where, due to funding and enormous engineering challenges, we will not be able to provide equipment for 100 percent electronic screening by December 31 of this year. All but one or two of those airports are now covered under letters of intent that will accelerate their compliance by installing in-line systems. In the meantime, we will continue to use congressionally approved alternatives as is licensed in the law.

I realize that much of this day-to-day work we do now is labor-intensive and is costly. We must find technological alternatives that allow us to reduce that human capital investment. However, we cannot have worldwide effective security on the cheap in any way. And I am concerned now that a number of red flags are flying telling us to pause a moment with respect to any further screener reductions until we really know the security impact of the 6,000 that are gone.

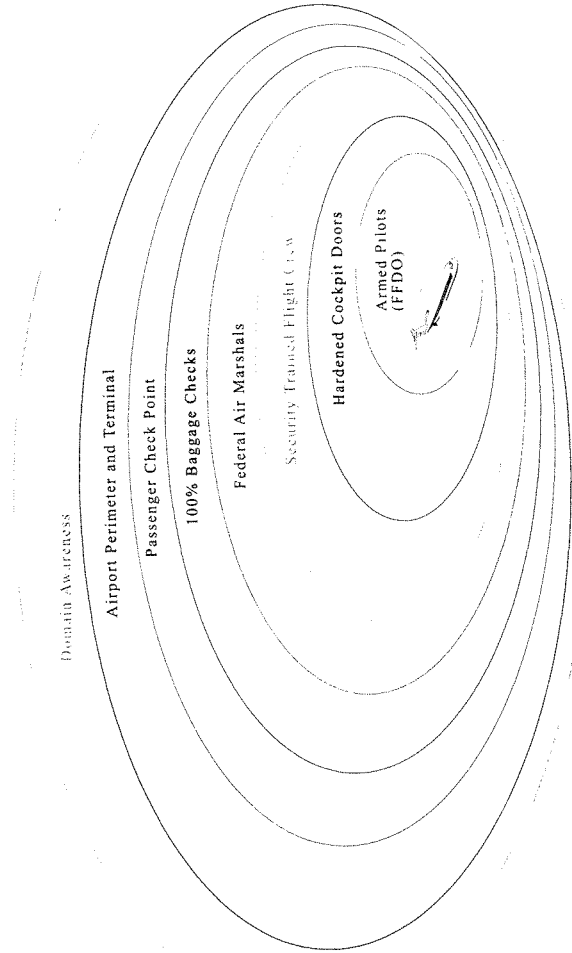
We continue to improve in many areas, including customer service. Recent data from the Bureau of Transportation Statistics indicate that many passengers are waiting longer at the ticket counter check-in than they are at the security checkpoint. In August 2003, the average waiting time at ticket counters was 22 minutes, and 14 minutes at security checkpoints. We just received dramatically improved ratings from the American Association of Airport Executives, and I can assure you that they have been a very hard grader of TSA in the past. We have all been working together to improve stakeholder relations.

Before I turn to answering your questions, I would like to briefly chat about the Federal Flight Deck Officer, or the FFDO program, because I know many of the members of the committee are concerned about it. While I realize we have differences of opinion perhaps with the chairman and myself and some Members on this, I believe TSA's FFDO program is a success story.

Before each of you are sample comments on how we are running the program, and I have a larger version on this easel. They are not taken out of context in order to give you some kind of good news story; rather they reflect the honest evaluations that we receive each and every week as pilots go through the process. The positive feedback on our training course is an impressive 98 percent. The most recent Web site for APSA, that pilot organization

that has been very challenging of the FFDO program in the past, I would like to submit as a portion of testimony to the record. Therein, they cite precisely what is described on this chart.
[The information received follows:]

Aviation Rings of Security



I want to leave you with my hope that regardless of your position on specific issues, that you respect the difficult mission that you gave to this brand new government agency and particularly the very demanding job that our screeners perform every day. They have restored faith in our aviation system after the dark days of 9/11, and they have to deal with the demanding array of threats to aviation security and with an understanding, but oftentimes equally demanding public, which is exactly as it should be.

And we frequently hear criticisms of individual screeners and their performance, and sadly we rarely hear their names mentioned when they have just eliminated a threat to a crowded flight by discovering a concealed weapon or explosive device that a passenger attempted to sneak through a security checkpoint. We rarely hear of screeners like Anthony Choate of Detroit Metropolitan Airport, who found \$10,000 left in a book at the airport, and who refused the reward when it was returned to its rightful owner; or Sergeant Jaror C. Puello of Newark International Airport, killed in action in Iraq, on temporary assignment from his Reserve status. There are countless tales of outstanding duty and patriotism by my screeners, and I ask you to support their work.

Mr. Chairman, this is hard work that we are about, and I am blessed at TSA with people who come to work day after day, Saturday after Sunday for us because they are committed Americans to our cause. Everything we have done, we have done with the whole world watching. I appreciate the intellectual challenges offered by every member of this subcommittee. Each time I have visited or talked to you on the phone, I am prodded, we are prodded to do something better. We are better off as a Nation because we challenge each other, and I want to leave a word of thanks to each of you for your interest and drive on these enormously important issues for our country. We have accomplished a lot, and we have a lot more to do.

I will be glad to take your questions, sir.

Mr. MICA. Thank you. Thank you for your testimony.

First off, I will start with some questions. Admiral Loy, this GAO report that was done was critical on the training. I asked the staff and GAO folks to look at your testimony and the progress that has been made. They have four areas which conflict with the statements that you have made in your provided testimony to the subcommittee. And rather than go through each of them, I am going to submit them to you and ask you to respond and address the conflicts that GAO points out.

I have several nightmares I have discussed with you about gaps in our passenger screening system and our aviation security programs. First one, I guess, is when we were provided, the subcommittee, behind closed doors and in other meetings, with information regarding the threat of shoulder-launched missiles, we moved expeditiously rather than waiting on legislation—I think we got some report language in, and we got a report back in 30 days. All of that went very well. The administration responded, and I think they provided even more, 100 million as opposed to 60 million that Congress anticipated using.

All this is going well, and then I heard the program was shifted into a separate office with TSA without DOD's involvement. And

I understand that those—that that has been corrected, that we now have that office operating—I am sorry, not with TSA, with Homeland Security and with—and that we have DOD now part of the equation. I was concerned because the only one that has done anything in the anti-shoulder-launch missile area is DOD that I know of.

Can you confirm—what can be confirmed publicly as to the progress of that?

Admiral LOY. Yes, sir. I can absolutely confirm that the coordination effort with respect to being housed in the S&T Directorate, if you will, in the Department of Homeland Security is one that is totally inclusive of the efforts that DOD has undertaken before. As you probably cite, there have been a number of what I will call in the public session black box programs associated with the technical countermeasures that would be potentially retrofitted on aircraft that have been programs inside the Department of Defense for years. And it is by far the most valuable source of information at the moment.

Mr. MICA. You can testify, one, we have this placed in an office, someone in charge; and, two, that we have now brought DOD back into the loop; and, three, that the program is on schedule?

Admiral LOY. Absolutely.

Mr. MICA. That is what we need for the record.

One of the other nightmares I have—and this gives me great concern—you are—you describe how difficult a job these screeners do, and I recognize that. You are going to show us in a little while in a closed session objects and detection methods that are classified. But the simple fact is you can walk through a metal detector with explosives today and go undetected. The fact is also you can pass explosives through passenger hand-carried baggage devices, and only in rare instances is trace detection equipment being used.

Now, if we had equipment that could detect explosives either on persons walking through these 1950s outdated metal detectors or equipment that can detect hand-carried baggage explosives, we would be much better off.

All this being said, first I saw \$50 million that got authorized in the original TSA legislation gone. Very little use for R&D. And now I am told original legislation, very little use for R&D. And now I am told you are turning back a requesting reprogram of 60 million out of 75- for salaries. We will never get to developing the next level of technology with much more accuracy. I mean, you can put 10,000 more people at these checkpoints, and they are still not going to be able to detect some of these explosives or weapons, but technology improvements can do that. So tell me where are we in R&D.

Admiral LOY. The citations you cite from last year, sir, are accurate ones. It is not just about salaries, however. The reprogramming package that was finally approved by the Congress, both the Senate and the House—

Mr. MICA. But you had \$75 million to reprogram—and you are reprogramming how much?

Admiral LOY. Is gone.

Mr. MICA. The year, we just finished in September, 50 million.

Admiral LOY. We took those numbers.

Mr. MICA. Can't tell you how disappointed I am. We are never going to get to this stage, Admiral, unless we have an expedited R&D program. Again, we can hire these folks and train these folks and put programs in place, but we need another level of technology.

The other thing, too, is manpower. Now, I have heard—well, I have heard conflicting reports, and there are some reports we have here about attrition rates. Kansas City, I am told, we had to send a special screening team in because we lost so many screeners in Kansas City.

I was informed that Baltimore, that they have vacancies that they cannot fill for part-time positions. Some of this isn't rocket science.

I read an interesting statistic yesterday, Members. Thirty airports handle seventy percent of all the passengers in the United States, but one of those airports I am sure is Dulles, and you just told me, Mr. Ranking Member, hour-and-a-half wait a few weeks ago?

And I've heard also there are vacancies in many of these—for these positions, now that we have higher salaries, and we are also trying to get to part time to fill in the gaps when you have these huge numbers of people traveling, and it is not rocket science. They are traveling in the morning, some travel in the noon and the evening, and it is hard to staff out, I know, especially for the Federal Government, but where are we on the question of hiring these part-time people; again addressing—we can get the statistics to sound good, but the actual performance of some of these is not that good.

Admiral LOY. Yes, sir, and where there is a concern, an alarming situation like you described at Kansas City, we have always built in a mobile screening force to be sure they will meet those needs.

Mr. MICA. Do you know how many vacancies we have of full-time positions and part-time positions right now?

Admiral LOY. We are currently about—we are supposed to start this fiscal year at 49,600. We were actually under that; about 48,000 screeners or so was where we started the year.

The personnel plan, if you will, associated with 429 airports across the country is designed to deal with that number of screeners and our challenge through fiscal 2004 is to get the FTE of that to 45,000 as is capped in the law by the end of fiscal year 2004.

We have a great thrust to only be now hiring part-timers. So as to go directly to the comments that you are offering, sir, it is not rocket science, but to know exactly what that scheduling effort is from airport to airport, it varies from airport to airport—

Mr. MICA. Absolutely, and that is what the Federal Security Director—

Admiral LOY. And we challenged the FSD to compose his workforce in a part-time/full-time mix so as to optimize the opportunity to bring to the table. That hiring is under way, sir. We have now hired thousands of part-timers.

Mr. MICA. Finally, two last questions. We have built a multibillion-dollars system, and I have expressed this concern, too. I thought we all envision this is a seamless system, and we are going to have our Federal personnel be part of this security screening process, and now I see a system where the minimum-wage-contract

employee is checking one of the most important parts, the ID and the ticket, and I have seen so many violations of this, I cannot even begin to enumerate them. But a minimum-wage employee, we have a TSA employee who is highly paid acting as a maitre d' to have folks go into different lanes, and we do not have a TSA employee at the beginning checking the ID and the basic information, which relates, again, to if we ever get to CAPS II—.

Admiral LOY. Critical.

Mr. MICA. —that that is critical. And then if we ever have information about bad guys all together, someone has to be at the very first of the screening system.

Admiral LOY. Mr. Chairman, I believe when CAPPS II is in place, that person should be a TSA employee, but I—as we speak at the moment, that is about 2,000 or so employees more that are as is necessary to work it around the clock, that in the—in the limits now imposed on me by the law, I do not have the people to put in those places.

Mr. MICA. Well, I would even change off. I will change the law. I will put a minimum wage maitre d' who can say, go to this line, and go to that line, and put somebody from TSA doing the most important part of the work. Somewhere we have got to get our thinking in terms of—what is that?

I have no problem with the appropriation. We will change the law. That is what we are here for. It was changed in the authorizations, and that is what this is all about. If there is a gap here, and he doesn't have the ability to make these changes, then that is what we are here for, I think, hopefully.

Okay. Do you see the point?

Admiral LOY. Understand the question.

Mr. MICA. We look forward to working with you on that issue.

I have a whole series of additional questions which I will just submit for the record if we get an opportunity later on.

Let me yield now to Mr. DeFazio.

Mr. DEFAZIO. Thanks, Mr. Chairman.

Just following up on that line of questioning on my initial remarks, Admiral Loy, have you submitted I guess, beginning the next budget cycle here at the administrative level submitted requests—.

Admiral LOY. Indeed we have, sir.

Mr. DEFAZIO. —for those additional people?

These cuts were arbitrary. They were imposed by the Republican chairman of the Homeland Security Committee as a rider to the appropriations bill, the bill which authorizes the number of employees, had no input into that process. I voted against—I believe I voted against that in appropriations, a number of us did—so we are in this kind of tug of war, but we need kind of a backup. Have you made a request?

Admiral LOY. Have I asked for more people, screeners, in 2005 as the President's budget is being developed?

Mr. DEFAZIO. Yes.

Admiral LOY. I cannot talk with you today about what the President's budget is likely to be.

Mr. DEFAZIO. Here is my problem, Admiral, and I have had this for 17 years in Congress. We get professionals, get a head of the

Forest Service, who is a professional. He knows the President is low-balling the money for firefighting. He knows we will not be prepared for the season. He quietly submits or asks for a larger number. He is told by the green eyeshades at OMB that you cannot have that number. The President doesn't want big numbers in this budget. Forget about it, okay?

Quietly the chief of the Forest Service goes away. Fires start. It becomes catastrophic. They have to borrow moneys from other accounts. It is stupid. Goes on year after year, Republicans and Democrats as President.

You are a professional. I believe the professionals should be able—so, okay, let me ask you this: Would you ask this committee—if you cannot tell us what you would ask of the President, do you believe—you just said you would like to have the people at the front end of the process who look at the ticket and look at the ID, and since we are developing this new CAPPS thing that supposedly we are really going to want to know whether it is that person and whether they needed additional screening, would you ask this committee to make adequate staffing levels available so those could be Federal employees under the TSA service jurisdiction?

Admiral LOY. Absolutely. I would ask this committee for adequate staffing levels, but I also feel it is my burden to bring to this committee efficiency initiatives, whether they are about equipment; for example, in-line systems that can in the long run really reduce the manpower requirement that we have in our system.

My goal is, of course, efficiency and effectiveness at the end of the day.

Mr. DEFAZIO. That is fine, but I wanted to know that, because the 6,000 was not at your suggestion, the 6,000 cut, and it was not based on any sort of assessment of the needs for screening, absent the in-line systems, given the current state of the screening system; is that correct?

Admiral LOY. Actually, it was based to a large degree on the work that we had done the second and third iteration as we went across the country to validate what the right number of screeners should be at any given airport.

Mr. DEFAZIO. Okay. If that is true and you support the cut of the 6,000, I am going to be a lot more aggressive with you and your agency when I run into these extraordinary situations. Dulles, 2 weeks in a row on a Thursday.

My colleague Mr. Waldon told me a week ago— whose responsibility is it to keep order outside of the cattle corral that you have for the passengers? What happened there was you got a cattle corral that was full. The line went all the way from one to the other end of the airport. I got in that line. When we got to the cattle corral, people started screaming at you: You cannot get in the cattle corral. The line goes that way. It turns out we were in a line that didn't exist, as were hundreds of other people. The line actually went to the other end of the airport, but there was no one directing people outside of the cattle corral.

Admiral LOY. That is a totally unsatisfactory situation, and the coordination between the airport director and the Federal Security Director there should fix that, sir.

The airport is required to have an airport security plan in place that would anticipate those kinds of circumstances and deal with it up front with design plans and then execute them properly when such situations come up fast.

Mr. DEFAZIO. Anyway, let's get beyond the personnel.

Well, one other thing about the allocation of personnel among airports. The first iteration of this was totally arbitrary, was not done with the input of FSD since we didn't have them in place.

Admiral LOY. Yes, sir.

Mr. DEFAZIO. We see some misapportionment of personnel in my State where one of the smallest, least used airports has substantially more screeners than the second largest, much more utilized airport, and we are wondering whether we are going to see some reapportionment and we are going to listen to the FSDs and do that.

Admiral LOY. Absolutely, sir. This is an ongoing reevaluation as new things happen, whether it is an airline that chooses to put two more flights on at that particular airport or wherever it might be. So the open nature of rechallenging those numbers is a very dynamic process, and I will be happy to talk with you about whatever airports you are concerned about in Oregon.

Mr. DEFAZIO. Okay. Finally, because I realize my time has about expired here, and other Members have questions, I brought this up before with you with other members of the TSA, and I still am concerned about it, I still want to pursue it, and I hear very contradictory things, and that is whether or not all airport employees, vendor employees who work in the airport, who have access to what is called the sterile area, which human beings call the terminal, beyond security, have gone through physical screening. The chairman and I observed at Detroit that, in fact, there was a special entrance right next to security for whoever just flashed their badge while wearing their overcoats and carrying things. The employees just went in and out of the terminal, and we were very puzzled by that.

I heard different things yesterday in a briefing by principals of your staff. I was told that, in fact, they do not know which airports are allowing that and which aren't. And I guess perhaps, partially at my suggestion, they are sending out an e-mail to FSDs to ask something long overdue I think since I have been raising this issue for 6 months or longer since we viewed Detroit. That was May; 5 months and it is still going on. I mean, it makes the whole thing a joke. If somehow the pilot who flies the plane has to be body-searched, but the vendor employee wearing an overcoat doesn't, it just doesn't make a heck of a lot of sense. And it is hard for me to tell my angry constituents who complain about the waits or the abuse that they perceive they get in the process that, well, that is necessary because we are providing the best security, when some other person is just flying through there.

Admiral LOY. Yes, sir.

Mr. DEFAZIO. And the letter I received from you yesterday in response to my May 9 letter on this issue said these employees, that is anybody who does not have a SIDA badge, a special identification display area, which would be all the vendors and many other employees, as well as TSA screeners, are required to go through a physical screening at the passenger security checkpoint before en-

tering the airport sterile area. From what I heard in the briefing yesterday, that assertion is not correct.

Further, last week I was called, because I had raised this issue at a homeland security meeting, by a reporter of the Chicago Tribune who said he really wanted to pursue this, but he had been told by TSA that, no, I was wrong. Everybody was being physically screened. So what is the real answer here?

Admiral LOY. The truth is this, sir. I do not believe today that all of those SIDA-badged employees are being physically screened.

Mr. DEFAZIO. Not SIDA. Non-SIDA badge.

Admiral LOY. Those are not being physically screened at every airport in our country today. We do have a data call out to get to the bottom of that. The conversations that you and I had back in May, my concern there was to recognize that among other things that came in our direction with the aviation security challenge, there has been a system in place for years where airport security plans would be developed and submitted to the Federal Aviation Administration for scrutiny as to whether or not they were good, bad, or indifferent.

I have given rebirth, if you will, to that, because I think it is the way that we will get a handle on access controls internally, the kind of things you are describing, and there really are three areas of concern. There are those just-inside-the-door open areas which we are concerned about that. We are concerned about the guy leaving his briefcase at the front door with Lord knows what is in it. There is the sterile area, which is between the checkpoint and getting on the aircraft; and, then, of course, there is the SIDA, the tarmac, if you will, where the concerns there are not about—they are not about Starbucks or kiosk operators, they are about mechanics and maintenance workers and cleaners and what have you on the aircraft itself. Each of them, in my mind, requires a jacking up of our respective security concerns.

One of the approaches I am trying to take, Mr. DeFazio, is to imagine whether or not a stronger background investigation process of all of those workers, SIDA, sterile area or otherwise, can reflect the capabilities in many private contractors these days to go towards two different things. One, a—one is a notion of what is the real terrorist threat analysis effort that we can undertake to make a judgment as to whether this worker is a good, bad, or indifferent guy. The second is to recognize that even you and I today may be among the good guys, and Lord knows whether, you know, we go the dark side tomorrow. I want to eliminate that possibility by some sense of almost a perpetuity kind of background investigation process that doesn't say we are okay when we give somebody the BI, and it is okay for 5 years or 3 years or 2 years.

Both of those dimensions, constancy of review as well as recognizing that people to the sterile area, is one thing. People to the SIDA is yet something else, and I think you are absolutely right, sir, to be concerned about this. I appreciate you are bringing it up, and I look forward to working with you on giving you the right answer.

Mr. DEFAZIO. Thank you, Mr. Chairman.

Mr. MICA. Thank you.

Mr. Duncan.

Mr. DUNCAN. Thank you.

Admiral Loy, I would say about 3 years before 9/11, I recommended to the FAA they start a school for screeners, because many people had pointed out that the weak link in the system was the screeners because of the 3 or 400 percent turnover in some airports and because of the minimum wage salaries and so forth. And I really am pleased to see that you have cut that turnover way down, on this chart we have been given down to 13.6 percent, and that the training has been greatly increased. And so I commend you on that.

What I am interested in: What do you think now is the bigger threat, that a terrorist would carry explosives on a plane through the screening checkpoints, or would they ship them in cargo? And what I am really sort of getting at is have you made any changes, or are you in the process of making changes in the way the cargo is handled after that gentleman shipped himself from New York to Texas and got all that publicity?

Admiral LOY. Yes, sir. I would suggest that either of those dimensions of threat are very serious concerns that we should be taking on.

The chairman properly cites the notion of investment R&D-wise into equipment and technology that will allow us to not only sense in our checked baggage system for explosives, but to be doing that with carry-on baggage and with the people, with the passengers themselves as they go through.

There is an absolute mandatory requirement that we get onto that and do it as quickly as we can, and I would offer, Mr. Chairman, as part of our 2004 game plan, not only because of the barriers that have been put into the reprogramming guidance for the 2004 appropriation, we are not going to be able to go to that R&D account even if we wanted to, which I do not, to reprogram funds out of it in the direction of anything else.

To go back, Mr. Duncan, to your question, I believe that there is great legitimacy to our being concerned about the capacity to detect plastics, the capacity to detect a number of different threats that are in the inventory that I can talk a bit more about in the closed briefing than I am able to do in the public sector, but I think it is well known.

Whether it is about liquids, whether it is about plastics, whether it is about a number of things that can have detection capability, we must find the technology more than the people that are associated with that particular dimension of our challenge.

I am sorry, cargo?

Mr. DUNCAN. Yes.

Admiral LOY. We have sort of a three-prong approach at this moment. One of the reasons we are doing that is because the technology doesn't exist today. You sort of come to a fork in the road with respect to cargo. You can either decide to screen it all, not unlike you do passengers and their baggage. When you come to the airport, you screen it before you put it in the belly of the airplane. If you have the technology to do that, clearly that is the preferred way to go.

We do not have the technology to do that, so we are stuck with the other course, if you will, at the moment, which is to go back

up the supply chain and develop as great a comfort level as we can develop with respect to the players that are in that supply chain. And so our efforts to date are to strengthen the Known Shipper Program, which was recognized by the Congress in the original acts of legislation, strengthen it in terms of if you are absolutely going to be a known shipper and, therefore, be able to put things in passenger aircraft, your frequency of shipment, your registration of activity with the airlines is such that we really can identify you as a known quantity, not someone who just happens to walk in today with whatever box it is that they like to send forward.

Second thing we need to do is invest in that R&D so the technology becomes available as quickly as possible. And the third thing we need to do is to prototype some things like K-9 teams and others that will enable us to do a better job with respect to cargo today while we are waiting for the better solution.

Mr. DUNCAN. My time is about to run out, so let me just say before we get to advanced technology, I do assume that you are telling me supervisory personnel to pay more attention to the cargo situation in all these airports. But let me ask you a couple questions real quickly, and then I will stop.

One, the chairman just pointed out to me a few minutes ago that there is no standard ID for law enforcement people, they vary widely from all over the country, and that people can still get on planes with just letters that could easily be faked. And I would like to know what the situation is there.

And secondly, the staff tells me that some of these private companies that they are screening at these five airports now say that they can greatly improve the screening efficiency and so forth if they were given more flexibility and allowed to innovate, do innovative-type things.

What do you say in response to those two inquiries?

Admiral LOY. Sir, let me take the second one first. I believe we do need to interject some degree of flexibility; otherwise we will find ourselves hard-pressed to compare apples and apples when we approach 11/19/04 with an airport director who wants to reprivatize.

I am not predisposed in one direction or another. What I want at the other end of the day is a security system adequate to the Nation's needs. If that is a federalized system, fine; if it is a privatized system, fine.

At the end of the day, I think we can cite enormous evidence leading up to 11—or 9/11/01, where, when offered the opportunity, the combination of minimum governmental oversight and maximum private sector utilization of the system, we ended up where we ended up on 9/11/01, so I think there will always be now oversight requirements on the part of the Federal Government to do that well, but we must be able to think about access flexibility or training flexibility or management flexibility of one kind or another in the design work that we have to do between now and then, so I can come back with great confidence with this committee and say the data is on the table. Any airport director can take it upon himself to choose to apply to reprivatize, and we will be able to give him a very, very good answer based on what we have found out between now and then.

Mr. DUNCAN. That is a good answer, but what about the ideas for law enforcement people that the chairman was asking you about?

Admiral LOY. There are a great variety of identification elements with respect to law enforcement personnel, and I cannot tell you I have an answer for that at the moment. We are working the credentialing issue, and we seem to be the agency that is getting more and more of the taskings associated with credentialing.

Now, credentialing, the first job is about transportation system workers, and we are working that very hard with our transportation workers identification credential project in its second phase, on its way to its prototype phase, and we will do very good work there and learn a lot about where elsewhere credentialing issues need to be grappled with.

The chairman is right on with respect to the law enforcement credentials, the variety that we have to deal with.

Mr. MICA. Thank you.

The gentleman, Ranking Member of the full committee, Mr. Oberstar.

Mr. OBERSTAR. Thank you, Mr. Chairman.

Admiral Loy, you have done a superb job since your ascension to the position. I think we have been wringing our hands and wrangling over the Transportation Security Administration had your predecessor remained on board, given the direction the whole process was headed at the time.

I think you have brought enormous personal integrity, organizational skill that you have demonstrated at the Coast Guard. You went from 13 employees to 65,000 in the year. You met every deadline we set, 30 deadlines.

I would note comparatively in this committee room we wrote the Clean Water Act of 1972 31 years ago, and we had 135 deadlines in that act. Not a single one of them was met, not a single one, not in 5 years, and some of them still not met. You have done it.

Security, clearly, is superior, vastly superior, today compared to what it was prior to September 11.

Admiral LOY. It is.

Mr. OBERSTAR. We are at the point with the tools and the skills and the law where Mr. DeFazio and I have—at least for 18 years in my work in the Investigations Oversight Subcommittee and the Aviation Subcommittee, and Mr. DeFazio about the same amount of time—having a federalized screener work for us.

I fear, however, that the future of that workforce, notwithstanding your monitoring and measuring and evaluating of the five privatized airports, the future of that workforce is going to be driven more by policy than by merit. There is a policy in this administration announced last Spring to take 850,000 Federal employees off the Federal payroll by contracting out.

We have a—we have a major contest in this committee, in the House-Senate conference on the FAA authorization bill about privatizing air traffic control towers, and I suspect the same policies that drive that issue are going to drive the decision, and there will be pressure put on both TSA and on airports to downsize the Federal workforce by contracting out the security workforce at those airports.

And I applaud you on your statement that you want to—you want to see that decision made on the basis of merit, whether it is Federal or private, but I strongly suspect, and I lay it on the marker now, that decision will be made by other considerations than merits.

And, Mr. Chairman, it would be good to bring that FAA report to the House floor soon, I think you have the votes to do that, and let's overcome this offensive language in the appropriation bill that puts a cap of 45,000. They seem to think they know more about our business than our committee does.

Mr. MICA. I am ready to go. Just tell me how many Democrat Members you have to vote on it, and we will bring it up.

Mr. OBERSTAR. Well, Mr. Chairman, you have the votes to do it. I think this would be a redeeming quality, but not a sufficient reason to vote for it.

Mr. MICA. Well, I want it to be redeeming in a bipartisan fashion. Let's keep working toward that.

Mr. OBERSTAR. My real concern, though, Admiral Loy, is one that I have talked to you about one on one and that now I feel compelled to raise publicly, and that is the FSDs, who are the frontline lieutenants in the campaign for security at our airports, are increasingly frustrated by what they see as a top-heavy TSA organization, growing layers of bureaucracy about which I privately raise concerns. And in one or two news interviews I have done is that kind of the normal progression of a maturing organization, those layers of upper-level bureaucracy are eating into the staff allocations for the FSDs and undermining their authority at the airports. That is a serious warning sign.

Wherever I have traveled, and when I have the time, and I make time at almost every airport to go and do a tour of the security checkpoints with the FSD, there is a high level of morale. They are just so proud of what they are doing. They feel they are making a real contribution to the security of America, but that is being undermined by the eating away of the authority of the FSD. Then I think there is a gnawing problem internally, organizationally and structurally within the TSA. I would like to know.

You were going to call, I think you did, to have a meeting with the FSDs. Are you doing this on a regular basis? Are you amending this problem? Are you getting at this layering and insulating which is happening of the FSDs from you personally?

There was a time when they could call you directly. I do not think they can do that now.

Admiral LOY. Thankfully, many of them still do, sir, and I do thank you for the private counsel that you offered me then and the private nature that you offer me today.

Just a couple of thoughts. We have established a Federal Security Director Advisory Council whose purpose is to be the communication link between me personally, because I sit down with them when I come to town, and I want them to come to town at least four times a year, if not five times a year, with an agenda established up front that is theirs, of their making, and their only obligation is they cannot drop the grenade, pull the pin, and run back to their airports. They have to stay long enough to be part of the

solution, as well as, having identified the problem, to have engaged the headquarters staff in that regard to do so.

We have had three sessions now of the Federal Security Director Advisory Council. They have taken on some very, very good issues, and they are making some enormously valuable contributions to our policy development end of the organization.

The headquarter's contingent of TSA is about 1,500 strong out of 60,000 people. I will put that up against any 60,000-person organization in this town as a minimum headquarters structure to get done what is necessary for that agency. The agency that I came from, the service that I came from, that I have a great abiding love for, the United States Coast Guard, is about 40,000 people strong servicewide, and a hell of a lot more than 1,500 people at the building you cannot get into the parking levels for because the hurricane blew it away. So I am actually very proud of the leanness, if you will, of the headquarter's contingent.

One of the ways we have been able to do that, Mr. Oberstar, is to take advantage of the authorities provided by the Congress, which coincide with the President's management agenda in the sense of contracting out those things that can actually be done very much better and has been proven to be the case in the private sector. So, to some degree, when we have, for example, an acquisition shop with billions and billions of dollars of contracts out there being managed, we have maybe 35 or 40 people in our acquisition shop, and I can tell you any other agency with that kind of a portfolio of contracts out to be managed is in the hundreds, 3-, 400 people, that they have doing that work.

So I am actually very proud of the leanness of the headquarters fashioned, and this effort to engage the FSDs routinely brings that field dimension, which I was always enormously a part of as a Coast Guard officer. I in the field wanted my 2 cents' worth on the table when those headquarters folks were going to do whatever policymaking they were going to do, and now I am one.

Mr. OBERSTAR. Yes, now you are, and you need to continue working on it.

That really is the shock troops of this organization.

Admiral LOY. Indeed, they are.

Mr. OBERSTAR. I have heard from numbers of airport directors their concerns that money is not forthcoming to acquire the EDS machines—

Admiral LOY. In-line system.

Mr. OBERSTAR. —the in-line system, which is delaying and causing severe—will cause contract cost increases in their ability to install the equipment and adapt their facility.

What is the budgetary picture? What is the budgetary picture now?

Admiral LOY. And yield the personnel savings it might offer.

Mr. OBERSTAR. Yes.

Admiral LOY. Sir, I have issued six letters of intent, using the tool that was developed with principally the subcommittee on appropriations—Chairman Rogers's committee, to think our way through how best to deal with this budget challenge that we still have out there.

If you listen to airport directors through their trade associations, many of them would suggest it is about still a \$5 billion problem yet to be dealt with.

The Department of Transportation IG, just before we left, suggested that the value of that problem still out there was about 2 billion, maybe a little more. So, you know, the airport director would have us come in and buy everything, including the kitchen sink, if that was the appropriate way to enhance security at the airport.

My notion is we have to be very thoughtful about using the taxpayers' dollars well in that regard.

We have issued six letters of intent to the most challenging engineering-based challenges that we have in airports across the country. They represent actually seven airports. The one for LAX also includes a small airport adjacent to it. But those are now there, and over the course of a 4- to 5-year budget cycle, we will get the utilization of amortizing that challenge over time.

We have a blessing to do probably at least four more very quickly, and the dollars are in the 2004 budget to do that, and I think at the other end of the day, if I had to guess, there should not be more than 18 to 20 that we would ever issue.

Mr. OBERSTAR. You think—in conclusion, you think it is going to be at least another budget cycle before you get all the equipment deployed?

Admiral LOY. Actually, sir, we, in fiscal 2004, because of the generosity of the Congress, we have dollars both for equipment purchase and installation that will probably get us very close to where we need to be by fiscal 2004.

Mr. OBERSTAR. All right.

Thank you.

Mr. MICA. I thank the gentleman.

Mr. LoBiondo.

Mr. LoBiondo, would you yield for just a half a second?

How many actually—actual installed in-line systems in our airports do we have today, totally integrated in-line, how many airports?

Admiral LOY. A handful.

Let me see if I have a good answer from my staff.

Mr. MICA. Ten?

Admiral LOY. Okay. We will get you an answer.

Mr. MICA. Ten?

Admiral LOY. It is in the 10 range.

Mr. MICA. I am sorry, Mr. LoBiondo.

Thank you.

Mr. LOBIONDO. It is okay, Mr. Chairman. Thank you. Any time.

Thank you, Mr. Chairman.

Thank you, Admiral Loy.

I would like to echo the comments and sentiments of the chairman concerning R&D money that I think we have had some private discussions, and just would like to be publicly on the record as saying that I think that is really a common-sense approach that yields us a place that we would very much like to be in at the end of the day and a much safer aviation environment. But one quick

question, Admiral Loy: Can you update us on the status to implement self-defense training for flight attendants?

Admiral LOY. Yes, sir.

Sort of two things going on there: One, we have developed the standards that we would have asked the airlines to use in crew training, and we are sort of putting it on the back burner for the moment pending what we see as language in the FAA Reauthorization Act.

If that is going to come forward, it is a very different program than is going to be insisted on at that point than what we have been asked to do to at this point in time. To this point in time, our challenge was to design the system, design the training, and then offer that to the airlines so they would conduct the training for their respective crews.

As I read the draft language in the FAA reauthorization bill, it is about us doing the training. So, A, we do not have the dollars appropriated for that; and, B, we would have to reshape our thinking in terms of TSA actually doing it as opposed to overseeing the airlines doing it, which was the original intent.

Mr. LOBIONDO. Thank you, Admiral Loy.

Mr. MICA. Other questions?

I have to go to Ms. Norton first. She was first.

Ms. NORTON. Thank you, Mr. Chairman.

I had to leave for a moment, but I wondered whether anyone extracted from you an answer on whether or not you are going to meet the December 31 deadline.

Admiral LOY. There are probably a very small number of airports that I would be glad to talk with you about in the private—in the closed session that we will not get the equipment in place to meet the 12/31/03 electronic screening deadline. We will continue to use alternative methods, as we have to this point in time, at those airports, and the advantage on the table at the moment, Ms. Norton, is that we have issued letters of intent to all but one of those particular airports such that the accelerated opportunity to go directly to an in-line system will be the result that we want to have there, so—.

Ms. NORTON. Is that a production problem of machinery or is it an agency issue?

Admiral LOY. It is two things, ma'am. It is a budget issue from 2003 rolling into 2004 and with respect to TSA's budget, and it is a recognition of just enormously challenging engineering changes that have to be made in just this small number of our large airports around the country.

Ms. NORTON. When would you expect the December 31 deadline, therefore, to be met for all airports? If not December 31, when?

Admiral LOY. We would project now that we have been able to issue the letters of intent to all those airports save one, and there is a grappling effort that we are still going on with one. We will certainly meet those goals in fiscal 2004.

Ms. NORTON. In what? In fiscal 2004?

We set a deadline, and I think we ought to keep with the notions of deadline because it helps people to know that there is an end game, and so I would appreciate a date.

Admiral. LOY. I would be glad to get back to you with a date. I would offer, Ms. Norton, that we submit to the Congress on a monthly basis a classified report that spells every bit of that out for you, and I would be happy to make that available to you, ma'am.

Ms. NORTON. Yes, and could I ask that you submit to the chairman and Ranking Member a new date that would cover all of the airports that are still outstanding?

Admiral LOY. Happy to do that. The monthly report does that, ma'am.

Ms. NORTON. You know, I want a date like a December 31 date when every airport in the country will be covered.

Admiral LOY. I understand your question.

Ms. NORTON. Thank you.

Just let me just ask you a question about general aviation, because this is a persistent unanswered question here. Nonscheduled carriers or charter carriers totally absent 2 years after 9/11. The National Transportation Association has submitted a petition. The chairman, Ranking Member have written letters.

I would like to know the status of this matter; first, the status of the petition, because there has been no response to that, then the status of—.

Admiral LOY. In response to the NATA's petition?

Ms. NORTON. Right. That I know of. Yes.

Admiral LOY. We have been working with them hand in glove, ma'am.

Ms. NORTON. And in working with them hand in glove, where are we now?

Admiral LOY. We have taken the inputs that we have received not only from NATA, but other trade association representatives, and forged a TSA position with respect to that, which we have pressed forward into what you know to be the Airspace Work Unit, the National Capital Area Airspace Working Group, that has been the decisive body, if you will, including, on several occasions, having it raised literally to the deputies and the principals at both the Homeland Security Council and the National Security Council. So we have pressed that forward in terms of whether or not the time is right to deal with the reintroduction of charters and then gradually—.

Ms. NORTON. And what is the answer?

Let me ask you this: Can you at least say that there is no intent to indefinitely cease operations for charters at that airport?

Admiral LOY. I certainly have no intention to have that as—.

Ms. NORTON. What is this working group doing? Because we certainly do not have feedback from them.

Admiral LOY. That working group is just what its name implies, a group of—.

Ms. NORTON. It is working at what?

Admiral LOY. They are working at thinking through in the National Capital area airspace whether or not the time is right—given, A, the intelligence read on one hand and what we have been able to do positively with security on the other, is the time right for us to think—.

Ms. NORTON. So far the time must not have been right.

Admiral LOY. That is exactly right, ma'am.

Ms. NORTON. Just like December 31 gave us a deadline for screeners, I would like a deadline to know when you intend to do at least something on charters. This is a major problem for this region, it is a major problem for government, it is a major problem for private industry in the entire National Capital region, and a "duh" after 2 years is just not good enough. We have to have some idea of what the time line is for reaching a solution to this issue.

I remind you that in 2002, there were indeed procedures developed in writing, procedures which this committee never received, but procedures in writing, to allow screening, preboarding screening procedures. I take it they must have been more stringent for commercial airlines. I understand the industry is willing to do whatever you say, and those have never been forthcoming.

Can those—are those matters being worked on by the working group at the present time?

Admiral LOY. Sure. The 12/5 rule that was issued is very much the standard of that dimension of the aviation sector, and certainly if there was to be reintroduction of charters into DCA, the absolute requirement would be that they meet the same level of security standards that passenger commercial aviation is using at the airport.

Ms. NORTON. I am going to ask that in closed session—we have had these closed briefings, you know, these secured briefings with the walls that nobody can hear except us, and those briefings were all about almost ridiculous scenarios. They were not about the kind of scenarios you would expect people to be contemplating in the real world. Therefore, I am not sure, because if you go to security people alone, that is what you are going to get.

I would like to have—at least in closed session, I would like to know what the working group is doing to move us to the point where we would not have indefinite or permanent closing of charters, noncommercial air carriers in the most important region in the world. That obligation we know—we have no information on, and I would request that we have specific information on what the working group is doing to move us forward in closed session. Can I get that from you, sir?

Admiral LOY. Yes, sir.

Mr. MICA. I thank the gentlelady.

Ms. NORTON. Thank you, sir.

Mr. MICA. The gentleman from Georgia Mr. Isakson.

We are going to try to move through these questions, if you have them, in open session. We can have some in closed session. There are going to be two votes up until 11:45, so we want to give everybody an opportunity to participate.

Mr. Isakson.

Mr. ISAKSON. Thank you, Mr. Chairman. I will be brief.

Admiral.

Admiral LOY. Yes, sir.

Mr. ISAKSON. Thank you very much for your hard work, from my experience in Hartsfield, and most particularly with the agency.

I have two questions. In Hartsfield, in terms of the baggage screening, there has been some questions over whether the L-3 or CX-9000 equipment is going to be used, and there is a significant

difference particularly regarding the capacity and the throughput of the CX-9000, which is far preferable to that of the L-3. Do you know if that decision has been made yet?

Admiral LOY. It has been made, sir. It will be the 9000s, and it has been communicated to the airport director weeks ago.

Mr. ISAKSON. That is a wonderful decision. Thanks.

Second thing, real quickly. Now we have got to go with that airport, and I believe it appears in conjunction with TSA's overall goal of trying to have security be a 10-minute or less procedure.

Admiral LOY. Standard.

Mr. ISAKSON. My experience at both Hartsfield and Reagan has been that there are extensive waits, at least extensive beyond the 10-minute time, and it is my experience that those protracted waits are predictable. For example, when we left Washington Wednesday 2 weeks ago in anticipation of the hurricane which came the following Thursday, Reagan was jam-packed, as was expected, because you had 48 hours advanced.

At the peak time, between 6 and 9 o'clock, when the flights were leaving, actually two of the screening doors into the terminal that goes to Delta and the shuttle were actually down, and the manpower was less than I had experienced other times. And I have seen at Hartsfield during predictable peak flying times like the 7:30 to 8:30 window in the morning, it appears to me and others that the staffing doesn't match the predictability or flow. And I am not saying that I am right and I am an expert in that, but that has been my appearance.

I would make a request to the maximum extent possible that the TSA supervisors try to match their manpower with the predictable flow of passengers.

Admiral LOY. As the chairman said earlier, this is not rocket science, and matching workforce to workload is exactly what we want to do with this mix of part-time, full-time employees. The Federal Security Director of all of our airports has been given license—let's say he is in an airport that has FTE of 100 people there. I do not care whether he has 98 full-timers and 4 part-timers, or 2 full-timers and 190 or whatever it would be part-timers. What I want him to do is recognize that schedule at his airport and design his part-time/full-time composition of his workforce such that he could put the workforce on the workload, which is exactly where we are going. And the only thing we are hiring as we speak today, sir, in the screener inventory are part-timers so as to obviate the mix that we are trying to get out at all of our airports across the country.

Mr. ISAKSON. Thank you very much, sir.

Mr. MICA. Let's see. Mr. Pascrell.

Mr. PASCRELL. Thank you, Mr. Chairman.

Admiral, we secured the cockpit. We sort of armed the pilots. We multiplied the air marshals. We have improved screening, et cetera. There are problems remaining, you know that.

I'd like to ask you this question: Is a terrorist, in your estimate, less likely to try to bring a device onto a plane than that terrorist would be to violate the perimeter of the airport and try to do harm to a plane and its passengers by a weapon of sorts, some of which

have been mentioned by other Members today? What is your estimate of the question?

Admiral LOY. Just in terms of my consumption of the intel going by, sir, in a public setting, I think that the chairman's comments about—I think it was Mr. Mica—who talked about the propensity to repeat, go back where they were before; the Trade Center was, as we all know, attacked once and then again.

I think at least in terms of what we are seeing going back at the moment, the propensity for that terrorist would still be to try to do something by getting on the airplane rather than with MANPADS, but those kinds of judgments are very, very hard.

I know, if we had—as you know, intel is all about specificity, and if we had the specificity along the lines your question suggests, we would certainly be able to prioritize our work in a much more dramatic fashion than we have been so far.

Mr. PASCRELL. Well, that is exactly what I am trying to get at, Admiral, in terms of priority. Again, when everything is a priority, nothing is a priority.

Admiral LOY. Right.

Mr. PASCRELL. I asked you less likely.

It would seem to me that with all we have done to secure the airport outside and the plane, you know, at a time when we are still confiscating and taking away from some of my best friends, little old ladies, their nail files, their scissors, when all we have done to secure the cockpit, to increase the air marshals on domestic flights, et cetera, et cetera, you still believe that that is a greater danger to the air traveller than the parameter, for instance, of an airport which—many of which are just growing, nobody knows what is going on around those airports, very few airports—you saw Allan in New York City—

Admiral LOY. JFK?

Mr. PASCRELL. That is correct. So you still believe that the major—we cannot get into anybody's head, I understand that, but you have to spend money according to where you think the greatest vulnerabilities are. You have to make those decisions, and I trust that you do have these risk assessments that would lead you to a very, very specific answer on the question that I have asked, even though we are not mind-readers, even though we are not mind-readers, so that you will better spend the money. And one of the questions that the chairman asked and some other people asked about R&D money is, I think, very appropriate, very appropriate, as to what your Department might think is a priority, and we do not see it yet, or we do not accept it.

Admiral LOY. Um-hum.

Mr. PASCRELL. So, what you are saying as of October 16, today, that you feel that when you look at these aviation rings of security which you have put up here before, that our major emphasis—that doesn't mean we do not emphasize all of these rings, but the major emphasis is the individual coming into that airport and what is on the airplane in the first place; is that what you are saying?

Admiral LOY. It is, sir, and let me tell you when I would change my mind. And I would change my mind when—when a CAPPS II system is in place that allows me to not only take advantage of that system and its infinitely greater capability than the CAPPS I

that is on the docket today, in the airports today, to truly identify from among the population of passengers that are going on that aircraft a much more finite, small segment of potential terrorists than CAPPS I is doing for us today. And, also, it will enable me, because of the nature of what CAPPS II will do, to leverage other elements in the system.

What I mean by that, CAPPS II will be much more dynamic. CAPPS I is a passive program. CAPPS II will be a dynamic program, and it will almost be like a rheostat. As I watch intel go by, if I have a concern about a flight, about an airline, about an airport, I will be able through CAPPS II to recognize that and leverage FAMS to make certain they are on that flight or out of that airport that day, to influence the scheduling process so that FFDOs are on that flight or in that airport that day, and then we will have leveraged this set of rings to a point that I might want to look you in the eye and say, I am comfortable enough, sir, there that—but it is not an either/or choice. You know it is not an either/or choice, but the intel of the day suggests that there are no immediate threats with MANPADS inside the United States of America.

I do not say that with great comfort.

Mr. PASCRELL. I understand that. Are you giving consideration—is the TSA giving consideration at this time to reaching out to former law enforcement officers and military personnel to do the very strategic jobs that are necessary to secure our flying public? Do you think that is a bad idea, do you think it is a good idea?

Admiral LOY. There is an enormous amount of talent available in both the communities you just described and others as well. We are trying and getting, frankly, the very best talent that we can into the jobs, and we are getting the best.

But you bring up a very serious issue with respect to perimeter security at our airports. At the moment the responsibility for perimeter security at our airports lies with the airport director and does not lie with me other than the oversight challenge of making sure that airport security plans as they are submitted cover the template of activity that we would have them cover.

Mr. PASCRELL. Thank you very much for your forthrightness, and I hope everybody was listening to your final answer.

Mr. MICA. Mr. Hayes.

Mr. HAYES. Thank you, Mr. Chairman.

Thank you, Admiral Loy, for your presence and your performance. Last time I checked, there have been no hijacking incidents since you took over.

Admiral LOY. I wish that could be standard, sir.

Mr. HAYES. Following up on the question by Mr. Pascrell, I think I heard you say that your major concern is still a person getting on an airplane and doing something. With that in mind, let us focus on general aviation for just a minute. I would agree with you. Are there any changes that are being considered for the Washington airspace defense identification zone, the ADIZ, beyond the ones that became effective on November 1?

Admiral LOY. We are in constant communication or discussion with representatives from the general aviation community to contemplate and think our way through additional changes to the ADIZ as you just described. I do not have anything sort of at the

decision point on my desk, sir, that would suggest in the next weeks or months there would be changes.

Mr. HAYES. In the same vein, given the study by yourself and the Working Group of General Aviation and its potential in the discussion we are having today, what is your assessment of concern when the discussion process began after 9/11 and where we are now? Can you kind of bring us up to date on that?

Admiral LOY. Surely. I think in the emotional aftermath of the tragedy, there were judgments taken, decisions taken, even sort of things sort of set mentally in our minds that in the case of general aviation, I think, frankly, the community was—it was suggested that the community represented a greater threat than it actually did. And I continue to believe that.

And so my—my sense is, as I tried to explain to Ms. Norton, these judgments that were taken fall into a couple of categories. You might recall right after I was given this job, there was a sort of a stupid rules review that I was asked to undertake, and I did, and we went back and thoughtfully looked back at a half dozen or so emotional decisions taken in the immediate aftermath of 9/11 and threw things out. Some of those had been around for 10, 15 years; the questions being asked at the counter when you were purchasing your ticket, which had absolutely no security value, so we eliminated those.

I think we will get to the point now, sir, to think our way through the 30-minute rule out of DCA on passenger commercial airlines. We will get our thoughts together with respect to the questions you are coming from vis-a-vis general aviation either at the charter level or private flyer level, which I know is of great personal interest to you and so many thousands of others. So I think we have to be recognizing that where we have come to, given the security investments we have made and the reconsideration process of impulsive decisions taken then or judgments taken then that have to be reconsidered. That is part of the dynamic challenge of my job, and I will try to continue to do that.

Mr. HAYES. Last question. Thanks to your efforts I was able to meet with the working group. I think that is who we met with in the basement. In many instances it was a fruitful discussion. I am still waiting for the follow-up not from you and TSA, but some of the other folks who seem to be holding up the works on some important issues and just may or may not want to comment on that, but the offer is still open.

My interest in this is purely for the general aviation community. Any personal interest I try to keep completely masked by the seriousness. But there is some experience here that I think is valuable.

Admiral LOY. Let me go back and review my minutes from that meeting and give you a call to make sure—and if I can help the process of getting you an answer, I will certainly do that.

Mr. MICA. Thank the gentleman.

Ms. Millender-McDonald.

Ms. MILLENDER-McDONALD. Thank you, Mr. Chairman.

Thank you, Admiral Loy, for the fine work that you have done so far with the security measures at the airport. I would like to also get a report and follow up on general aviation as I have airports in the State of California, and I am a senior member on this

committee from California. I also would like to—I know that you commend David Stone for the work he did when he was with us at LAX because we met our deadline in getting the EDS machines up and going. But my question now is Long Beach.

Long Beach is America's fastest-growing airport with an annual growth of 240 percent. I sent a letter to you on September 4, I think it was, inquiring about the screeners, because we have reduced the current screeners at the Long Beach airport from 149 to 106, and that is causing some additional concerns there in the city of Long Beach.

And I was wondering, what is your methodology by which you do employ screeners at airports and certainly the ones that are there at Long Beach? And the recurrent training that is being done, I know that several of the FSD implement their own recurrence of training, but the question is how effective is that; what type of oversight do you do on those; and if there are outside contractors doing this, what is the cost to TSA for that?

Admiral LOY. On the workforce, you know, the threshold, if you will, the established numbers associated with Long Beach or any other airport, the most fundamental input is originating passengers; in other words, to the degree that people are coming into an airport—if they are going from A to C by way of B, while they are in B, if they are in the sterile area, they are not being screened, of course, because they are already screened at A in order to get to C. So it is originating passengers. And the volume of that is the fundamental best input we have to ascertain the right requirement in terms of screening capability at the airport.

Now having said that, then it is the FSD's responsibility, as I mentioned a moment ago, to think through the mix of part-time/full-time at that airport, given whatever the schedule anomalies through the day may be at, in this case, Long Beach. I will be glad to go back—.

Ms. MILLENDER-MCDONALD. I would like for you to do so. Perhaps you are at a disadvantage.

Admiral LOY. One of the important things for me to add, and you pointed out quite correctly, at an airport that is growing 200 percent on an annual basis, we must recognize that in our algorithm and reflect that in terms of an adjusted screening force where it may be appropriate at any given airport across the country. My challenge there is it is not just what is happening at Long Beach for two reasons. What is happening at the other 428 airports across the country, that is part of that algorithm we have to be sensitive to. And secondly, given the cap, if I plus up Long Beach, somewhere in the system it is at the expense of somewhere else.

Ms. MILLENDER-MCDONALD. I would like to get an overview of all of the airports in California as to the screeners and the reduction in screeners, if I may do that. I would like to talk with you about a blast-resistant container that I think is critical as we look at technology and the improvement of national security. I will not bother you with further—speaking on that, I will contact David Stone and perhaps have a meeting with you on that particular issue.

Thank you, Mr. Chairman.

Mr. MICA. Thank the gentlelady.

Mr. Shuster.

Mr. SHUSTER. Thank you Mr. Chairman.

Admiral Loy.

Admiral LOY. My home district.

Mr. SHUSTER. I bring you greetings and thanks from the people of Altoona and Blair County, Pennsylvania, and also to let you know that we are very, very proud of the job you have been doing for us, for this Nation. My question deals with privatization, and as we go forward in talking to airport directors and reading for the past couple of months, there may be as many as a dozen to two dozen large airports that are going to possibly opt out of the Federal program. My question is has the TSA put together or are you putting together some information for them so that they can make a judgment not only based on their own personal experience at the airport, but private screeners versus Federal screeners, their performance? And also, are you putting together a plan to give them guidance if they decide to opt out and move down the road for the private screeners?

Admiral LOY. Yes, sir. I think it is perhaps—certainly one of my most important responsibilities between now and, let us say, 6 months from now to have both of those elements of the question that you properly asked about in place, if you will. We have just issued a contract to BearingPoint to help us in the evaluation process. And I don't mean we are telling them how to go evaluate. We are asking them to help us design the evaluation process—goes back to the chairman's commentary about flexibility—among the 5—we call them PP 5 airports, so that at the right point in time, these guys aren't going to wake up on 11/19/04 and then for the first time begin thinking about it. They are thinking about it now, and they want to make a good decision that bears on their airports, and that is what we need to be able to support.

So our challenge to BearingPoint is to figure out how to build a criteria set in the evaluation process itself and then translate that to a clearly understood, if you will, application process so the airport director is fully capable, fully able to make a good objective decision and then to follow it through with whatever the application process would be appropriate to its decision.

Mr. SHUSTER. And you will have that in the next couple of months?

Admiral LOY. It will have to be done over the course of the next quarter to 4 months so as to be—I want it to be there 6 months in advance of 11/19.

Mr. SHUSTER. Do you have a sense of how many airports out there that will opt out or are thinking about it? I have been reading some things.

Admiral LOY. I personally do not have a sense. I stay in touch with the folks at AAAE. I stay in touch with the folks at ACI-NA, the two principal trade associations representing airport directors across the country. I just sent my deputy around all five of the private airports to get a sense personally of what needed to be done and make sure we are on track doing that. But as I sit here, no, sir, I don't have a feel for 100, 200.

Mr. SHUSTER. In your answer you did say there will be information in there, a comparison between what the private airports--.

Admiral LOY. We want data on the table to give them a feel for cost comparisons, for efficiency comparisons, for effectiveness comparisons. That criteria set is what we will then generate our data collection effort around and have that on the table for people to make a good objective decision.

Mr. SHUSTER. Thank you very much. And as I said, the people of Altoona thank you.

Mr. MICA. Thank you.

Ms. Berkley.

Ms. BERKLEY. Thank you, Mr. Chairman, and thank you, Admiral Loy. It is a pleasure to see you again.

As you know, I represent Las Vegas. McCarran airport is the lifeline to my district and the economic well-being of the people that I represent. Almost 50 percent of the people that come to Las Vegas, and that is 36 million visitors a year, come through McCarran, so it is very important for me that McCarran operates well, and it does.

I think I do have a two-part question that is similar to what Ms. McDonald spoke to you about, but I appreciate if you expanded a bit. As airports like McCarran continue to expand to meet the demands, and we are now back up to pre-9/11 visitor volume levels, is the TSA going to allocate the resources for baggage and passenger screeners to continue to assess all airports' unique situations? Are you going to continue to look at the number of origination and destination passengers when allocating personnel?

And as you know, next to Los Angeles airport, which is the number one airport when it comes to originating passengers, Las Vegas is just behind them as the number two airport for originating passengers, these passengers and their baggage are screened, obviously, by TSA personnel at McCarran. To what extent is TSA factoring in a number of origination and destination passengers when allocating passenger and baggage screener resources?

Admiral LOY. It is the most dramatic inputting element in our algorithm to sort our way through that. My notion is that probably annually there ought to be, you know, a rerecording, if you will, of the demand side of the equation with the caveat that any Federal Security Director, again in conjunction with a collaborative process with his airport director, can always point out to us at any time what is happening at the airport that would offer a requirement for dramatic adjustment one way or another with respect to the workforce.

Having said that, you and I know that the Federal budget is an annual device, and so on the input side, I now have for fiscal 2004 both report language and a dollar value associated with the screener workforce. And until I get a new one in 2005 or a supplemental or whatever might be an adjustment process along the way, that is where I am for the year.

Having said that, we should also recognize that there is more than just entering originating passenger throughput as part of that eventual algorithm. We must be about, for example, finding the mix between full-time and part-time in a FTE sense at each and every airport. Beyond that, we should be focusing our efforts in terms of R&D on developing technology to allow us, like we are doing at McCarran, to put that in-line system in there so we can

reduce the human capital investment, because we have made a better equipment capital investment at the airport.

So there are a number of factors that go into the eventual number that gets to be the FTE that the FSD will use at McCarran this year. But clearly always one of the most pressing will be originating passengers at the airport.

Ms. BERKLEY. I appreciate that, and I can tell you that the people at McCarran are very pleased with the TSA. My concern is when we open the E gates, which is coming, that we take already existing personnel from the other four gates, because I have been in those lines, and that 10-minute rule is a big surprise to me. There have been times that it took me longer to get through the line than to fly from Las Vegas to Burbank. So it impacts on visitor volume because if somebody is going to have to stand in a security line longer than they have to fly into Vegas, especially with a destination resort area like Las Vegas, they are not going to come, and that has incredible ramifications for the people that I represent.

Thank you for being sensitive to this, and we will keep in touch.

Mr. MICA. Thank the gentlelady.

Mr. Beauprez and Mr. Honda.

Mr. BEAUPREZ. Admiral Loy, it is good to see you again, and let me add my compliments to the accomplishment of yourself and TSA on your watch for the safety of all of us, whether it is by the grace of God or by good effort or a little bit of both. We have been blessedly a safe public. So please pass that on to your employees as well.

Also to the Chairman's original comment for supporting R&D, you and I have had a separate conversation about that subject, and I think that is one of the most significant challenges in front of you to essentially stay technologywise and otherwise ahead of the bad guys. And you are also aware on I believe it was July 2, I held a meeting out at the Denver airport on the issue of security wait lines, and I came away with that considerably better informed myself as to the whole process.

I want to get at the issue of staffing. And one thing of note to me recently from that meeting, I took away a fact that—I went into the meeting very concerned about the size of your staff. United had some, I think, cogent remarks. They had done their own independent study. United handles 55, 60 percent of all the flights in and out of Denver. They did not take exception with the size of the workforce. In fact, they confirmed it and said they thought it was appropriate, but they didn't think it was shaped correctly. Thus your move to part-time employees made good sense. Further, we found out that technology could save a lot of bodies. You have spoken to that.

My concern, sir, and this is my question, is it possible that there is still much to be learned from other people, other industries out there that have similar challenges of moving people efficiently and still safely in this case certainly? Is there much to be learned that we might be even better able to right-size and shape—I keep calling it shaping the workforce—and improve throughput and accuracy and safety by a variety of mechanisms? I am wondering if we shouldn't be casting the net out there to learn these things.

Admiral LOY. I think it may be a good time to recast the net. One of the very first things that Secretary Mineta did in the wake of 9/11 was he took the RSPA Administrator, he took her off her job and asked her to put out a basic broadcast announcement that DOT is accepting any good idea from anybody anywhere in the world. And she was overwhelmed with input. And then—the challenge became sort of separate the wheat from the chaff and see where we would end up with a package of good ideas to begin the design process for the systems that we have put together.

One of the things they also did was to think our way through specific functional expertise and whether it existed inside the Federal Government, and if not, reach elsewhere. One of the licenses the committee gave us and the authorities under the law were to reach to the private sector very adroitly and bring in expertise when we needed it. BWI became our laboratory, if you will, to try out hundreds of different things. One of the things we did was literally go to the Disney Company and say to the CEO, this is Norm Mineta calling the Disney Company, and saying, Joe, whatever his name is, you guys are perceived to be the experts at making people enjoy standing in lines. Come and help us with the design work associated with our airports which now we will get into the business of managing lines and people in those lines. So there was a reach to the expertise elements that we thought were most appropriate.

But your notion is a good one. Here we are 2 years later to recast the net and find out whether there are some—if not silver bullets in terms of security, at least better ideas.

Mr. BEAUPREZ. One final comment. I came away from Denver again remembering a statement that was made. I think the average throughput that TSA enjoys at Denver is about three passengers per minute per station. And someone in industry said they ought to be able to get to six. I don't know if that is reasonable or not, but if you get to four, obviously you increase throughput considerably with the same number of people.

Admiral LOY. Twenty-five percent improvement.

Mr. BEAUPREZ. I yield back, Mr. Chairman.

Mr. MICA. I thank the gentleman waiting patiently, last but not least, Mr. Honda.

Mr. HONDA. Thank you, Mr. Chairman, and welcome, Admiral Loy. Given the time, I will be real concise and brief.

I understand relative to charter service to Washington National Airport we will have a discussion behind closed doors, and if I may submit some questions in writing?

The issue around EDS, that has been discussed pretty much thoroughly. But the question I had was—and I understand was answered—the letter of intent, there has been about six that has been granted. There is about 27 plus out there right now. My question is, is there an airport among the 6 or 27?

Admiral LOY. Certainly not among the six. Which airport?

Mr. HONDA. San Jose.

Admiral LOY. It is not in the six. Let me get you a real good answer as to where—I don't know at what point in the development of an application process San Jose is with us. We work with hundreds of airports in that regard. So I will get you a good answer, sir.

Mr. HONDA. And relative to certification of checked baggages and carry-on bags and passenger screening, those certification standards need to be established, I guess, by TSA before the companies can establish or create detection devices for them. When can we expect these standards and certification standards to be ready by TSA?

Admiral LOY. Based on whatever the piece of equipment might be—are you focusing on equipment, sir, a better magnetometer, a better wand? Our laboratory in Atlantic City works through those technical issues with Dr. Hallowell's staff, our chief technical director, routinely in terms of improving or getting a better mousetrap in terms of the inventory of equipment we are using today. And, of course, we want very much to be thinking not only about how to optimize the use of what we have today, but making the investment that the chairman has talked about at the beginning of the hearing into the next generation, especially the very expensive, the very large—if we can find a way at the end of the day to a smaller footprint, to a piece of technology that goes the whole range of the threats that we are concerned about, that is where we need to go.

Mr. HONDA. Is there a time in the future that you are looking at as a target date to have all this done by?

Admiral LOY. R&D is one of those things which you really don't know where the target date is going to be. We are constantly making small improvements to the existing package we have; better false alarm rates, better resolution opportunities, better all those dimensions that represent the equipments' attributes.

Mr. HONDA. To support that, there is funding and funding levels. And I imagine Congress appropriated about 175 million for certified EDS, and Congress just appropriated about 55 million for cargo screening. What is your plan of how this is going to be spent?

Admiral LOY. The R&D game plan, if you will, for this upcoming year is basically to recognize the specific investment that Congress asked us to take on with respect to cargo initiatives, finding, if you will, the technology that could be out there so as to be able to go away from the Known Shipper Program and toward a screening program for all cargo getting on a passenger airliner or all cargo period at the end of the day. There is a spoken-for \$55 million R&D investment. The rest will be divided in half between next generation research on one hand and optimizing current generation activities on the other.

Mr. HONDA. I will submit my specific questions relative to that.

Admiral LOY. We will be glad to provide you the information.

Mr. HONDA. We had a discussion regarding flight attendants' training in terms of self-defense, and the word was changed from "shall" to "may." and as administrator, do you have a position if it comes back "may," what will be your decision in terms of training for flight attendants?

Admiral LOY. I wasn't aware—if you are talking about current language in the FAA authorization bill—is that what you are speaking of, sir?

Mr. HONDA. Yes.

Admiral LOY. There are a couple of dimensions of change there. As I mentioned to one of the early questioners, the existing package for which we have been preparing charge TSA with devising

the curriculum so as to give it to the airlines so they could do the training. As I understand, the most recent draft language in the FAA reauthorization bill, the potential now says TSA may actually be charged with doing that training, and I am not aware of the "shall" or "may" end. I believe there is value to crew training. And so to the degree that I am—it is identified as a priority from the Congress. Authorized and appropriated dollars are provided to me to do it. We would certainly—we would be along the road of doing it.

Mr. HONDA. I could summarize your personal training, and we need clarification for you whether it is "shall" or "may."

Admiral LOY. We have worked with the flight attendants and other crew representatives.

Mr. HONDA. Sounds like we need to place responsibilities on one body or another or both with the proper funding.

Admiral LOY. As I say, our goal was to already have it out there, frankly, but that is sort of on hold until we see what the new language will be.

Mr. HONDA. I am very concerned about San Jose airport in terms of its staffing. I think other people have mentioned it. And we are coming close to the holiday times, and we are sorely understaffed at San Jose by about 60 FTEs. I understand in your previous discussion that you have some plans perhaps you can put in writing.

Admiral LOY. Let me take up San Jose when I get back to my desk, sir, and I will get back to you with the game plan.

Mr. MICA. Thank the gentleman, and thank Admiral Loy for this public hearing session. There are three votes. We will see you at 2253 at about 12:30 to 12:40. You have about 10 minutes, and then your staff can conclude the closed briefing. There being no further business, this subcommittee hearing is adjourned.

[Whereupon, at 12:05 p.m., the subcommittee was adjourned.]

Opening Statement of William O. Lipinski

The Transportation Security Administration's Perspective on Aviation Security

Aviation Subcommittee Hearing

October 16, 2003

Thank you Mr. Chairman for holding this hearing today on the TSA's perspective on current aviation security issues. I also thank Admiral Loy for appearing before us.

As we examine aviation security issues and the crucial job of securing the safety of the flying public, it is also essential to note the importance of maintaining a functioning airport while providing this security.

We all understand the need to have an effective and thorough airport security system. However, it is also necessary to have a national airport system that works just as seamlessly, in order to keep the American public flying.

This a particular concern at Midway Airport in my district; which is one of the fastest growing airports in the country.

Through the first six months of this year, the number of passengers at Midway increased by more than 10 percent compared to 2002. During a period of time where many airports are experiencing a slump in the number of passengers, the good news is that many individuals are traveling through Midway. This summer, Midway airport experienced exceptionally long wait lines at security checkpoints. In order to handle the large number of passengers, the airport is expanding from their current 32 airline gates to 43 gates. There are currently 11 federal security checkpoint positions serving the 32 gates. While security screening waits are now at a reduced level; a long-term plan is needed. Unexpected weather circumstances

and next year's airport expansion will likely cause screening checkpoint backups.

I am pleased that in August, Admiral Shkor and other TSA staff members were able to visit Midway airport and see the screening checkpoints firsthand. However, I am concerned that the issues of maintaining adequate TSA staffing and performance measures; funding a three-phase program for checkpoint expansion at Midway airport; and federal funding of in-line baggage screening solutions at both Midway and O'Hare were not sufficiently addressed.

Admiral Loy, hopefully you can outline some of the steps that the TSA has taken and will take in the future to address the Midway security situation and other security screening chokepoints across the nation.

I believe that the security of the traveling public is a critical concern. However, there must also be a degree of efficiency that accompanies the new security procedures. Unreasonably delaying passengers discourages air travel, negatively affects the already financially strapped airline carriers and is detrimental to economic development.

Again, Admiral Loy, I thank you for your testimony today and I look forward to working with you to solve the security problems at Midway airport. Thank you.

DEPARTMENT OF HOMELAND SECURITY

STATEMENT OF ADMIRAL JAMES M. LOY
ADMINISTRATOR, TRANSPORTATION SECURITY ADMINISTRATION
ON TRANSPORTATION SECURITY
BEFORE THE
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEE ON AVIATION
UNITED STATES HOUSE OF REPRESENTATIVES
October 16, 2003

Good morning Mr. Chairman, Congressman DeFazio, and Members of the Subcommittee. I am pleased to have this opportunity to appear before you today to report on the Transportation Security Administration's (TSA) progress and plans for improving security in the Nation's aviation transportation system.

Under the leadership of Secretary Ridge and Under Secretary Hutchinson, we have forged working partnerships with other Department of Homeland Security (DHS) organizations, and we continue to work closely with the Federal Aviation Administration (FAA) of the Department of Transportation (DOT). They provide another vital link with air carriers, airport operators and aviation associations, and we communicate daily to share expertise to ensure that we make the best use of each organization's resources and opportunities.

Much has been accomplished in less than two years since enactment of the Aviation and Transportation Security Act (ATSA), and less than one year since completion of the federalization of passenger security screening at U.S. airports. I feel confident in assuring you and the American people that the civil aviation sector is more secure today than it has ever been, but I am mindful that as a young organization there is much yet to be done, as we mature our many-layered "system of systems." Today, I would like to focus on the performance of TSA screeners—a critical line of defense in the multiple rings of security that comprise our system of systems approach to aviation security. As our system of systems approach recognizes that no human workforce alone, no matter how skilled, well-trained, and well-supervised, can assure absolute security, I will also review briefly some of the other major strides that we have made in aviation security that complement the work of our screeners, and our action plan for making further improvements.

Every passenger entering the sterile areas of an airport is screened by members of a highly trained force of TSA screeners.¹ National, validated skill standards for all screeners form the foundation for an integrated system for hiring, training, certifying, and measuring performance. Our screeners must meet national standards that demonstrate qualifications, knowledge, skills, and aptitudes necessary to successfully perform as a

¹ TSA is also operating a pilot program at five airports using private screeners that must meet all TSA eligibility, training, and performance requirements and must receive pay and other benefits equal to those of TSA screeners.

transportation security screener. They receive a minimum of 40 hours of classroom training, and 60 hours of on-the-job training. Screeners are subject to periodic proficiency assessments and unannounced testing. They are made aware of new threats and methods of concealment. This stands in marked contrast to the workforce responsible for U.S. airport security screening before the creation of TSA. Screeners employed by the airlines, often through contracts with private companies, received minimal training and were often poorly motivated. Contract screening forces were plagued with high rates of attrition that resulted in an average screener tenure of 4.5 months, making it all but impossible to develop the consistent level of proficiency required to assure reliable screening.

No matter how qualified a screening workforce is, maintaining a high level of screener proficiency requires constant vigilance. We have a multi-layered approach to monitoring and improving performance. On the most basic level is the initial training. Screeners who fail any operational test must complete remedial training as a condition of continuing with their screening duties. A recurrent training program is under development; two modules have already been delivered to the field, and Federal Security Directors (FSDs) have been encouraged to use the training modules of the Basic Screener Course as recurrent training. Many have done so and others have developed their own supplementary training. Additionally, screeners are required to undergo weekly x-ray image interpretation training using state-of-the-art computer-based training. Our personnel at airports have received the first of a series of screener performance improvement videos, and will have access to more than 350 courses via the new Online Learning Center that goes live this month or via compact discs. We are also certifying over 800 screeners and training coordinators to teach various topics at each airport.

Finally, approximately 500 of our 3600 screener supervisors have been enrolled in a U.S. Department of Agriculture (USDA) Graduate School Introduction to Supervision course through September. This month the course is being modified to be airport security specific, and starting in November the course will be further tailored to meet the needs of screening supervisors, and will be offered beginning in March, 2004. An advanced course for screener supervisors to provide them with a higher level of technical knowledge and skills is also being developed.

All screeners must meet annual recertification standards, which require passenger screeners to pass an Image Certification Test, SOP (standard operating procedures) Job Knowledge Test, and Practical Skills Demonstration, and requires checked baggage screeners to pass an SOP Job Knowledge Test and Practical Skills Demonstration. In addition to passing these tests, developed at the national level, FSDs will be responsible for ensuring that all screeners have a satisfactory record of performance in accordance with their individual performance management plan. Recertification for 2003-04 began on October 1, 2003, and will run through approximately March 2004. As part of our recent rightsizing effort, approximately 28,000 screeners completed proficiency testing; we will consider successful completion of those tests to be a part of the annual recertification.

In July of this year we conducted a Screener Performance Improvement Study to determine the root causes for deficiencies in screener performance. After identifying what the desired level of screener performance should be, we gathered data from multiple sources to determine the actual, current level of performance and the root causes of the gap between desired and actual performance. Based upon this study, we have identified an array of solutions and are in the process of evaluating and implementing them. Some solutions are focused on additional training, as already discussed; however, those solutions are dependent upon providing network connectivity to training computers to afford access to real-time training on current threats.

We are also in the process of implementing an updated version of the Threat Image Projection System (TIP), originally deployed by FAA after operational evaluation and validation testing in 1999. TIP is a system that superimposes threat images on x-ray screens during actual operations and records whether screeners identify the threat object. By frequently exposing screeners to images of a variety of dangerous objects, the system provides continuous on the job training and immediate feedback and remediation, and allows supervisors to monitor screener performance.

Our TIP system is already greatly improved over the FAA system in several respects. First, we are expediting the replacement of the approximately 1,800 conventional x-ray machines with TIP-ready x-ray machines (TRXs). We now have over 1,300 new TRXs in place. Additionally, whereas the FAA used a library of only a few hundred images, which were frequently shared with screeners, eliminating any real test value, we are deploying a more comprehensive library of 2,400 images. We expect the new TSA TIP image library to be deployed on all TRX machines that are in place by the end of this calendar year. Through the combination of increased deployment of TRX machines and deployment of the expanded TIP image library, we will be able to collect and analyze significant amounts of performance data that had not been previously available to us. As we continue to deploy the expanded TIP library on all TRXs, during the months of October and November, we will primarily rely on using the limited library as an on-going training tool and to provide limited, local performance data to FSDs. Once TSA has the expanded TIP library on all TRXs in place (end of November), we will collect and analyze the data in December, allowing us to establish our first, national baseline view of screener performance, as measured by TIP, using the fully expanded TIP library of 2,400 images. This baseline view will help us better understand our strengths and weaknesses, allowing us to implement appropriate skill enhancement strategies. Finally, although the FAA collected TIP data and published it occasionally, for technical reasons the data was never used in any meaningful way for improving screener performance as planned in the early stages of development. In contrast, we will be using TIP as it was intended--an active training and management tool, used to evaluate individual screener skills and enable us to focus on areas needing skill development.

Yet, training alone is not sufficient to sustain excellence. Another important tool is our operational testing program, which consists of unannounced, covert testing at airports

across the nation, as required by law,² performed by a select professional staff. Through this program, we challenge screeners to detect threat objects at screening checkpoints and in checked baggage, using simulated terrorist threat devices and current techniques. Timely feedback on the results of these tests is provided to screeners, FSDs, and other TSA officials to drive change and improvement through modification of our SOPs, remedial training, or improving technology, as appropriate. The covert tests serve as one of many indicators of screener performance, and must be viewed in the context of a larger performance measurement system, that includes individual screener TIP data, annual screener certification, supervisory oversight, the adequacy of our SOPs, and the reliability of equipment and technology. Between September 2002 and August 2003 our Office of Internal Affairs and Program Review (OIAPR) conducted 733 checkpoint tests and nearly 2,200 airport security access and checked baggage tests at 95 airports. We are conducting covert testing at over three times the annual rate of the old FAA “red teams,” and our testing uses more difficult, realistic testing situations. I cannot discuss the results of our tests in detail in this setting, because of the security sensitivity of the data, but I can say that generally results have shown an improvement of over 10 percent since testing began. This is particularly significant because the difficulty of the tests has increased over the past year. OIAPR’s testing plan is designed to test all airports during a three year period with Category X airports tested annually, Category I and II airports tested biannually, and contract screener pilot airports tested semiannually. The U.S. General Accounting Office (GAO) published a report in September 2003 of its preliminary observations on progress made in airport passenger screening, which was based in part upon their own covert tests and tests performed by the DHS Office of the Inspector General (OIG), in addition to the OIAPR tests. This report notes the continuing need to improve screener performance. We concur with that finding.

In sum, in this first year of a federalized screening force we have seen significant improvement over the pre-9/11 non-Federal screener performance, but we recognize we must constantly strive for an optimum level of performance. We are committed to continuous testing of the system and will constantly raise the bar on the difficulty and complexity of our testing to drive enhanced performance.

Our rightsizing effort continues as we work to find the balance between airport and air carrier needs, and staffing requirements for TSA passenger and baggage screeners to maintain effective security. After we ramped up to meet the deadlines for federalizing passenger and baggage screening, we had learned much about our staffing requirements. As we analyzed our staffing model, it was clear that there were airports where we had an imbalance in staffing at passenger screening checkpoints. In some airports this meant we had too many screeners for the passenger load at those locations. At others, particularly those in large metropolitan areas, we had too few screeners. In many locations it became clear that a part-time workforce segment makes sense, given the peaks and valleys of scheduled air carrier service. As a result, and in response to Congressional direction in connection with the FY03 appropriation, I made a decision to reduce the number of screeners by 3,000 by May 31, 2003, and by an additional 3,000 by September 30th of this year. We have reached these targets. Where we required additional part-time

² Title 49 U.S. Code §44916(b) and §44935(f)(6)

staffing at airports, we have begun to open assessment centers for individuals to apply for those positions.

In light of the fact that TSA met this difficult goal of reducing the workforce by 6,000 screeners before the end of this fiscal year, I ask this Committee's understanding of our need to pause and stabilize the screener workforce during the next 3 to 6 months. This will permit TSA to complete the conversion process of many screeners from full-time to part-time status as we re-shape the workforce. It will also allow us to complete the immediate requirements to hire additional part-time employees to maintain our current screener workforce levels and to balance the full-time equivalence (FTE) allocations at the various airports throughout the country.

Of course, even optimum human performance alone cannot get the job done completely. We have also greatly improved the technology used at screening checkpoints and have improved our capability to detect weapons, explosives, and other prohibited items. The combination of our screening force and enhanced technology has resulted in almost 800 arrests at screening checkpoints and the interception of over 4 million prohibited items since the November 19, 2002, deadline to have TSA screeners at all commercial airports.

During the past several months, the media has reported on improvised explosive devices secreted in ordinary items that passengers might carry onto an airplane, and continued attempts by terrorists to perfect the shoe bomb apparatus employed, unsuccessfully, by convicted terrorist Richard Reid in December, 2001. These threats are a stark reminder that we must maintain our focus on security through reasonable and prudent, but effective measures efficiently applied. The number of prohibited items that TSA screeners continue to intercept from passengers is still large. In June, July, and August of this year the number of weapons, explosives, and other prohibited items that our screeners intercepted totaled 1,436,969, a 28% increase over the number of prohibited items intercepted in the same time period in 2002, even though we have reduced the list of prohibited items to eliminate non-lethal items such as nail clippers. Among the items recently intercepted were a knife concealed inside a sealed soda can and a gun secreted in a child's teddy bear.

Although ATSA mandated the federalization of airport security screening, it held open the possibility that airports could return to contract screening, provided the high standards required of the Federal screening system could be met. TSA is currently operating a pilot program at five airports using private screeners that, by law, must meet all TSA eligibility, training, and performance requirements and must receive pay and other benefits equal to those of TSA screeners.

Beginning on November 19, 2004, any airport operator may apply to have screening performed by a contract screening company under contract with TSA. In preparation for this option, on September 26, 2003, we awarded a contract to perform a rigorous comparison of the performance of pilot program screeners with that of Federal screeners, to determine the reasons for any differences, and to develop criteria for permitting airports to opt out of the Federal screening program.

Many other elements in our system of systems complement our screening efforts. First, the flow of intelligence on terrorists, their methods and their plans, has greatly improved our understanding of the threats that we face and helped us focus our resources on meeting those threats. There have been countless times when information shared with airports or airlines has alerted them to threats and encouraged enhanced security on their part. In FY03 we issued 36 Security Directives (SDs) and 13 Emergency Amendments (EAs), and 26 Information Circulars (ICs)—16 of those in aviation.

TSA has increased cooperation with our international partners at airports overseas and with air carriers that fly into and out of the United States. We have required thousands of criminal history records checks for U.S. airport workers needing unescorted access to secure areas of the airport and we are working on improving the access process as part of our overall airport security program.

TSA and the FAA have helped fund many local airport projects to improve perimeter security, such as construction of perimeter access roads, installation of access control systems, electronic surveillance and intrusion detection systems, and security fencing. One local initiative demonstrates how quickly interagency cooperation can be marshaled to fill security gaps when they are discovered. When perimeter security was breached at New York's JFK Airport, the Port Authority of New York and New Jersey rapidly orchestrated an effective plan to enhance the protection of the remote runways of their facility.³ A new level of perimeter security is now in place that involves people, technology, and innovation. It is also an example of the products that skilled security planners can develop locally, without specific direction from a Federal agency. Our own TSA security inspectors, FAA's Air Traffic Service, the Port Authority Police, the NYPD Boat Patrol, and the U.S. Coast Guard have joined forces to create a cooperative arrangement that will result in tighter perimeter security including the waterside runways of that airport.

The realization of and the response to the threat from Man Portable Air Defense Systems (MANPADS) is part of our focus on improved perimeter security, an element of the security plan required for each airport. We take the threat of MANPADS extremely seriously and continue to perform vulnerability assessments on our airports even as both the Science and Technology Directorate of DHS,⁴ and the Department of Defense accelerate their review of technology to find the right way to protect commercial airliners from this threat. Other components to protect civil aviation from MANPADS include non-proliferation efforts and border and customs enforcement, all key areas that DHS, the State Department, the Defense Department, and many other agencies continue to pursue.

³ Among the new measures that the Port Authority has instituted are increased perimeter patrols, posting police or security guards in marked patrol cars in unfenced boundary areas during nighttime hours, and directing other mobile patrol units to regularly monitor perimeter activity.

⁴ The Science and Technology Directorate has issued a pre-solicitation notice as the first step in DHS's two-year \$100 million program to protect aircraft from shoulder-fired missiles. The two-phase systems development and demonstration program for anti-missile devices for commercial aircraft first, will analyze economic, manufacturing and maintenance issues to support a system that will be effective in a commercial aviation environment, and second, will include the development of prototypes using existing technology.

I want to emphasize, however, that there is no credible intelligence that MANPADS are in the hands of terrorists in this country.

As you know, we expanded the Federal Air Marshal Service (FAMS) from dozens of agents before 9/11 to thousands of highly trained law enforcement officers, flying the skies on both domestic and international flights. The FAMs will be transferred to the Bureau of Immigration and Customs Enforcement (BICE) no sooner than November 1, 60 days after notification was provided to Congress, as required by the Homeland Security Act. This will create a "surge capacity" to effectively support overall homeland security efforts by cross-training FAMs and BICE agents to counter aviation security threats.

Under FAA rules, all commercial passenger aircraft that fly in the United States now have reinforced cockpit doors, making it highly unlikely that terrorists could successfully storm the cockpit.⁵ The "Crew Training Common Strategy" (commonly referred to as the "Common Strategy"), was originally developed by FAA to address hijacking threats. It was restructured immediately after 9/11, and TSA and FAA are currently engaged in a further revision to the Common Strategy to address the threats posed by suicide terrorists. Pilots are now trained to refrain from opening the flight deck door, and if terrorists should somehow breach the reinforced flight deck door, they would meet with a flight deck crew determined to protect the flight deck at all costs. An increasing number of pilots are armed and trained to use lethal force against an intruder on the flight deck.

We have implemented the Federal Flight Deck Officer (FFDO) program. We held the first training class this past April and we trained, deputized, and deployed our first group of volunteer pilots serving as Federal Flight Deck Officers. We closely reevaluated the training, and indeed, the entire program, and we have revamped both. In close cooperation with organizations representing many airline pilots such as the Air Line Pilots Association (ALPA) and the Coalition of Airline Pilots Associations (CAPA), we have begun full-scale training of volunteer pilots. The FFDOs that are currently flying have now flown over ten thousand flights, quietly providing another layer of security in our system of systems. As more FFDOs are deputized, this number will rise quickly into the hundreds of thousands of flights.

We transferred FFDO training on September 8, 2003, from the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia, to the new permanent site at FLETC's training facility in Artesia, New Mexico. FLETC Glynco was operating over capacity, largely as a result of the added requirements for law enforcement training following September 11. The Artesia facility offers the capability to double the student throughput each week and we plan to do so starting in January 2004. FLETC Artesia is also the home of the basic training program of the FAMS, and thus, has training facilities specifically geared to the unique environment and circumstances present on an aircraft. FLETC Artesia has three environmentally controlled commercial passenger jets on

⁵ In a widely reported statement, a spokesman for The Boeing Company, which has produced thousands of flight deck door conversion kits, related that the new door withstands bullets and small explosives and can resist a force equivalent to an NFL linebacker hitting it at Olympic sprinter speed.

hardstands available for use as tactical training simulators, and ample indoor and outdoor shooting ranges. Prior to starting our training in Artesia, a delegation of pilots and TSA staff visited the site and was unanimous in its praise of Artesia as a better option. I intend to use geographically dispersed facilities for semi-annual recertification training required of FFDOs, including private facilities. By the end of FY04, at the current pilot application rate, we expect to have trained the vast majority of pilots who have volunteered for the program and met the initial background requirements.

Over the last three months, I have been able to sign the first Letters of Intent (LOIs) that TSA has issued to airports. These LOIs will provide for the installation of explosives detection systems (EDS) that are integrated with efficient checked baggage handling systems, thus reducing unacceptable clutter in the terminal buildings. Integrated baggage systems foster efficient movement of passengers through the screening checkpoint while their checked baggage is screened by EDS and moves through the conveyor systems. TSA has established and is applying prioritization criteria to allocate appropriated funds amongst airports through the LOI program. I issued the first series of three LOIs to Dallas-Fort Worth International Airport, Boston-Logan International Airport and Seattle-Tacoma International Airport. I awarded another set of three LOIs for McCarran International Airport in Las Vegas, Denver International Airport, and Los Angeles International Airport and Ontario International Airport in California. These six LOIs, covering seven airports, represent a Federal commitment of approximately \$670 million over the next four budget cycles.

We know that we cannot solve all security concerns solely with the power of a strong security workforce. We must be able to develop and deploy new technology to make our screening operations more effective, more efficient, less time consuming, and less costly, and we must be able to look beyond the horizon to identify and adapt to emerging threats. Led in large part by our Transportation Security Laboratory (TSL), TSA is attempting to do just that.

The certification, purchase, and installation of some 1,000 explosives detection systems (EDS) and 5,300 explosives trace detection (ETD) machines at more than 400 airports throughout the country in such a short time after TSA was created met an aggressive congressional deadline. We are continuing to work on identifying the next generation of explosives detection equipment for use in screening carry-on and checked baggage. We are working with the vendors of the currently deployed technology to develop enhancements to existing EDS platforms to improve alarm rates, throughput and reliability. We are simultaneously working with new vendors to develop technologies that will enable us to detect explosives at lesser amounts than are currently established in our certification standard, and occupying a smaller footprint at already overcrowded airports. TSL is looking at new applications of X-ray, electro-magnetic, and nuclear technologies to better probe sealed containers for materials that pose a threat.

To help our screeners better identify explosives and weapons that an individual may attempt to carry into the cabin of an aircraft, we are testing two explosives trace detection portals that analyze the air for explosives as passengers pass through them. TSA has also

established a new performance standard for walk through metal detectors (WTMD) and replaced every WTMD at all U.S. commercial airports with the latest technology for these devices. We are developing a document scanner that will detect traces of explosives on a boarding pass type document handled by a passenger. We are also evaluating "body scan" technologies, such as backscatter x-ray, millimeter wave energy analysis, and terahertz wave technology.

We are replacing all checkpoint x-ray equipment with units that will be equipped with TIP to support the efforts previously mentioned for improving screener performance. We are also developing a system to multiplex TIP-ready x-ray units to allow more flexibility regarding staffing to monitor checkpoint operations. Our goal at the passenger screening checkpoint is to work towards sensor fusion, which will result in fewer boxes with combined capabilities.

I know that this Committee is very interested in blast resistant cargo containers that hold either cargo or luggage and contain an explosion. The issues we face with devices now available in the marketplace involve weight, cost, and durability. TSA, through TSL, is working on improving this technology for use on wide body aircraft by conducting explosive testing in a pressurized wide body aircraft to determine post-detonation survivability under simulated live conditions. We continue to need the airline industry's assistance for hardened container operational evaluation and reliability testing.

Cargo security on passenger aircraft remains a matter of concern for this Committee and for all of us engaged in transportation security. I am firmly convinced that our air cargo security strategic plan is on the right track. Proposals to require the physical inspection of every piece of cargo shipped on passenger aircraft without a risk-based targeting strategy are no more practical than similar calls to physically inspect each of the more than 6 million containers that enter the United States each year through our seaports. Proposals of this sort would simply prevent any cargo from being carried on-board passenger aircraft. Rather, we have focused our efforts on three key components in ensuring the security of air cargo.

First, we use a threat-based, risk-management approach. All cargo manifests and other information should be screened for a determination of the threat and the risk that it poses. Certain cargo deemed suspicious or "high-risk" will be subjected to more intense security screening under the TSA approach. Part of this process involves banning cargo from unknown shippers from passenger aircraft, and greatly strengthening the "Known Shipper" program. Participation in the Known Shipper program is now more rigorous. Passenger air carriers, all-cargo carriers, and freight forwarders have been given added responsibility for verifying a customer's status in the Known Shipper Program. TSA performs inspections of these links in the supply chain to ensure compliance. TSA is also moving forward with the Known Shipper Database and automated Indirect Air Carrier certification/recertification. TSA plans on the full deployment of this database in FY 04.

The second component of our strategic approach to air cargo security involves the use of information analysis to assist in "pre-screening" cargo. Using sources external to TSA,

we will gather information on whether or not cargo is of a suspicious origin, warranting additional scrutiny. TSA is already working with the Bureau of Customs and Border Protection (BCBP) and its National Targeting Center in the development of tools for pre-screening air cargo. Again, we plan to develop and begin deployment of our targeting efforts in FY 04.

The third component in our air cargo security strategic plan involves the development of technology to aid in screening and inspecting air cargo. Our goal is to subject higher-risk shipments to heightened security screening, but TSA will need a toolbox of inspection methodologies and technologies, as no one technology or technique can be applied in all operating environments. A combination of EDS, ETD, x-ray devices, and canine explosives detection teams, and perhaps even emerging technologies will need to be made available to the field. We will have to overcome a number of hurdles to be able to inspect cargo efficiently by remote means without damaging the contents or unnecessarily delaying shipment, and we will need to establish standards for detection and cargo facility design that reflect new security requirements. This research and development and deployment effort must be supported.

Air cargo security, just like security for all other aspects of the transportation system, is a partnership. The air cargo industry must participate with us in a collaborative effort and must be able to bear its fair share of the costs. I am grateful for the cooperation that TSA has received from the industry through its participation in cargo working groups, an offshoot of the Aviation Security Advisory Committee (ASAC).⁶ On October 1, we received almost 40 recommendations from these groups, covering twenty-two topic areas, including enhancements to Known Shipper program, the development of additional screening technologies, greater security of Indirect Air carriers (freight forwarders), and enhanced security measures for the all-cargo air carriers. TSA will review these recommendations as part of the development of a strengthened regulatory program.

Our continuing efforts to improve aviation security inevitably focus on more accurate information about people who have access to various aspects of the aviation and overall transportation system. I am pleased with the continued support from the Congress for our Transportation Worker Identification Credential (TWIC) program. This program is developing a system-wide uniform credentialing standard which, if necessary, has the potential to be used across transportation modes for personnel requiring unescorted physical and/or logical access to secure areas of the transportation system. We believe that uniform credentialing standards will enhance security and make economic sense to an industry for which multiple cards and mixed standards are commonplace. Using funds already appropriated by Congress, we now have a technology evaluation underway in two regions. One is on the East Coast covering the Philadelphia-Delaware River area and the other is on the West Coast in the Los Angeles and Long Beach area of California.

⁶ The Aviation Security Advisory Committee (ASAC) is a standing committee composed of federal and private sector organizations that was created in 1989 in the wake of the bombing of Pan Am 103 over Lockerbie, Scotland. In May 2003, three working groups of ASAC met for the first time to develop recommendations to the TSA to enhance cargo security.

The information that we glean from these technology evaluations will enable us to make key decisions about further development of this program.

Of course, our most visible mission since September 11th has been to keep terrorists off commercial airliners. Our plan to move forward with development, testing, and implementation of the second-generation Computer Assisted Passenger Prescreening System (CAPPS II) is critical to a robust aviation security system. As part of its ongoing dialogue with the public on CAPPS II and related issues, DHS has issued a revised Interim Final Privacy Notice, which provides information regarding CAPPS II, including the type of data that the system will review, and how the data will be used. As always, public comment on the Notice was requested. The closing date for submission of comments was September 30th. CAPPS II will be a threat-based system under the direct control of the Federal Government and will represent a major improvement over the decentralized, airline-controlled system currently in place. Mr. Chairman, I pledge to continue to work with this Committee to assure you and the Members of this Subcommittee that our development of CAPPS II will enhance security without compromising important privacy rights or our civil liberties.

We are also developing the parameters for a pilot program to test key elements of the voluntary "Registered Traveler" program, including background checks, positive identification, and new checkpoint operations. We intend to test these concepts at several airports later this year. Our airline partners have expressed strong interest in working with us.

TSA's actions to enhance aviation security are not limited to commercial aviation. We have made great strides in the last two years in improving security for the general aviation (GA) community. This is a substantial undertaking, as there are approximately 220,000 GA aircraft in the United States, responsible for 77% of all air traffic, and more than 18,000 landing areas throughout the nation. TSA has several initiatives underway that will continue to improve security in this critical arena. We are working collaboratively with key stakeholders in the GA community to develop and disseminate appropriate security guidelines for the thousands of public and private use GA airports and heliports. TSA is conducting detailed planning in preparation for launch of a GA vulnerability assessment in early 2004. Coordination with the Directorate for Information Analysis and Infrastructure Protection (IAIP) is ongoing to ensure that this assessment is harmonized with the overall DHS risk management program. We are looking at more in-depth background checks for some GA pilots. This would assist in issuing waivers to certain restricted airspace to cleared individuals such as corporate pilots. Finally, we are reviewing with the FAA and other agencies some of the restrictions in current FAA Notices to Airmen (NOTAM) to assess their security value. We will advise the FAA about whether certain airspace restrictions add real security value and we will recommend that FAA engage in appropriate rulemaking to permanently codify those security-based airspace restrictions that add real security value.

In conclusion, during these two years since the tragic events of 9/11, we have come a long way in meeting the enormous challenges presented to us in the Nation's call to

improve the aviation security system. We have built a highly skilled screening force and have worked diligently to assure that imbalances in the initial placement of screeners in airports across the Nation are corrected by staffing adjustments. We have enhanced security technology at airports across the nation and expect to have electronic screening for explosives of all checked baggage in all but five airports by December 31, 2003. We have all learned a great deal very quickly, and will continue to do so as we refine our training and testing methodologies, always striving to use every tool at our disposal to motivate our screeners and drive our entire screening system toward excellence.

We can surmount the very real threats to our security only by working as a team. You have my assurance that TSA will continue to reach out to all elements of the aviation transportation and security communities, public and private, as we move forward. Our goal remains reasonable and effective security, efficiently applied. Thank you for the opportunity to testify before you today. I will be happy to answer any questions you may have.



Transportation Security Administration

Security Screeners THEN and NOW

Issue	Screeners Then (Pre 9/11)	Screeners NOW (After TSA)
Employment	Contract employees	Federal employees
Selection Process	<ul style="list-style-type: none"> - Minimal Screening - No U.S. Citizenship requirement - Background Checks-minimal; no standards 	<ul style="list-style-type: none"> - National comprehensive, competency based standards - Must be U.S. citizen or U.S. National - Extensive, standardized background investigation
Pay	Minimum wage; no benefits	Improved pay and benefits
Training	12 hours classroom, 40 hours On the Job	40 hours classroom, 60 hours On the Job, end of training certification required
Certification	None	Annual certification required
Supervision	Through air carriers	Direct Supervisory Control
Attrition	100-400% annually	13.6% (2003)



Transportation Security Administration

Aviation Security System of Systems THEN and NOW

Security Program Component	THEN (Pre 9/11)	NOW (After TSA)
Airport Security Screeners	Contract screeners with no national program of operating procedures or standards	Federal screeners operating in consistent, standardized security protocols and who meet 100% of the national standards
FAMs	33 on International flights	Thousands on tens of thousands of monthly high-risk flights
Cockpit Doors	No hardened doors	All hardened doors
FFDOs	None	Hundreds now, more trained every week
Checked Baggage Screening	5% bags screened	100% of 1 billion bags screened annually
Federal Security Directors	None	158 FSDs for unified airport security
TIP	FAA 200 images	TSA 2,400 images
WTMD	Outdated technology	State of the art WTMD at all airports

Questions for the Record
House Aviation Subcommittee Hearing--October 16, 2003

1. **Under TSA protocols, those who do trace detection on bags are supposed to open a certain numbers of bags. What assurance does TSA have that this is in fact occurring?**

Answer: Federal Security Directors (FSDs), Assistant Federal Security Directors for Operations, and Screener Managers routinely monitor passenger and baggage screening activities to ensure that the screener workforce is complying with the standard operating procedures and policy directives. In addition, TSA Internal Affairs inspectors conduct assessments of screener performance with emphasis on regulatory and procedural compliance.

2. **Sreeners are supposed to receive 40 hours of classroom training and 60 hours of on-the-job training. Some have complained that they have not received the required training. What is TSA doing to make sure that the required amount of training is received?**

Answer: Screener candidate rosters are prepared up to two weeks prior to the start of training. Screener candidates are matched against these rosters at the start of each training class and rechecked each training day. Rosters of screener candidates successfully completing the classroom training are provided to the respective FSD at the conclusion of the training and prior to the start of the On-the-Job Training (OJT). Training Coordinators at the airport monitor the OJT through standard checklists that each OJT Monitor is required to complete. At the end of the OJT, the Image Mastery Test (IMT) is administered only after a minimum of 60 hours of OJT has been completed. The individual results of OJT and the IMT are recorded in the interim Learning Management System (LMS). The FSD is accountable for ensuring every screener candidate has satisfied all of these requirements.

3. **Can x-ray machines currently used at passenger screener checkpoints see through lead-lined film bags? Can they see underneath them? Has TSA given guidance to screeners on how to handle lead-lined film bags? What does that guidance say?**

Answer: The x-ray machines in use at the majority of the nation's airports have state-of-the-art imaging capabilities, and because of that, many of the commercially available film bags can be cleared through x-ray inspection alone. In those instances when an x-ray machine cannot clearly portray an image of any item within a bag, which includes instances involving lead-lined film bags, an opaque image will show up on the x-ray monitor screen. Screeners are trained to only clear bags when the image clearly indicates that a dangerous item is not present. In those instances when a bag does not portray a clear image, screeners are trained to refer that bag for

secondary screening to include a physical search and/or use of ETD equipment to resolve any suspect/unclear items.

- 4. In your prepared statement, you note that screeners are required to undergo weekly X-ray image interpretation training using state of the art computer-based training. However, according to GAO's recent passenger screener report, screeners they interviewed stated that they had not received any X-ray image interpretation training since they completed their basic screener training nearly a year ago. When was this new weekly X-ray image interpretation training instituted and how was the requirement communicated to FSDs?**

Answer: The requirement to undergo weekly image interpretation training was instituted by a July 23, 2002 memorandum sent to all Federal Security Directors (FSDs). The requirement is also included in the on-the-job training procedure guidance sent to all airports.

- 5. In your prepared statement, you report that approximately 500 of the 3,600 screening supervisors have been enrolled in a USDA Graduate School Introduction to Supervision course. At what airports did screening supervisors participate in the USDA training? Did all 500 of the supervisors complete the entire 5-day course? When will the remaining 3,100 screening supervisors receive the training?**

Answer: As of October 16, 2003, 467 screening supervisors, representing 152 airports, have attended the USDA Graduate School Introduction to Supervision course. An additional 27 supervisors from the Oklahoma City airport attended a similar course offered by the Oklahoma City Community College. All 494 supervisors that attended these courses completed the entire curriculum.

The plan for the remaining supervisors developed with the USDA Graduate School includes 140 additional classes, spread across the 15 non-Federal holiday weeks commencing the week of November 17, 2003. We will conduct two classes in each of the five TSA operational regions each week until the training is completed. In order to minimize disruption to screening operations, we are staggering training of supervisors at any given airport. We intend to have all supervisors complete the course by the end of March 2004.

- 6. In your prepared statement, you note that approximately 28,000 screeners completed proficiency testing as part of TSA's rightsizing effort and that TSA will consider successful completion of these tests to be a part of the annual recertification. Are the tests TSA is using for the screener recertification program the same tests TSA used for the rightsizing effort?**

Answer: Yes, the Standardized Proficiency Review and the Image Proficiency Review were used in the rightsizing effort as part of the Competency-Based Testing. These tests, along with two additional components not used in the recent rightsizing

effort, are used in the re-certification program. The two additional components are the Practical Skills Demonstration and the screener's Annual Performance Assessment.

7. **At Kansas City (1 of the 5 pilot program airports), TSA had to deploy a mobile screener force to staff one of the airport terminals. Why was turnover so high at the Kansas City Airport? Are there any other airports in which TSA has had to deploy a mobile screener workforce due to high attrition rates? How much did TSA spend in FY 2003 on costs associated with mobile screening forces?**

Answer: The turnover rate in Kansas City Airport has been comparable to the average Federal airport in the same risk category. In circumstances where the screener workforce has insufficient capacity to meet an airport's operational demands, TSA may deploy the National Screener Force to supplement the efforts of the regularly assigned screeners. TSA deployed the National Screener Force to Kansas City Airport based on its needs at the time.

TSA provides National Screener Force support to airports regardless of their participation in the pilot program involving contracted screeners. Several airports, including five of the largest, have required such deployments because their full complement of screeners was never completed due to a combination of insufficient candidates and natural attrition. In addition to other airports to which the National Screening Force has been deployed, the five large Category X airports that have required deployment of the National Screener Force are: BWI, Baltimore, MD; IAD, Dulles, VA; JFK, New York City, NY; LAX, Los Angeles, CA; and LGA, New York City, NY.

The funding for all activities conducted by the National Screener Force at these five and all other airports for FY03 is outlined below:

HOTEL COSTS ¹	AIRFARE CBA ³	MSF TRAVEL REIMBURSEMENT ⁴	SNEAD CONTRACT ⁵	LOCKHEED MARTIN CONTRACT ⁶	TOTAL MSF EXPENDITURES
\$7,500,000 ²	\$16,200,000	\$25,888,270	\$200,000	\$37,960,227	\$87,748,497
¹ Billed to Centrally Billed Account (CBA) for July 2003 to September 2003.					
² Hotel Cost based on average CBA invoices - 2.5 million x 3 months = \$7,500,000 (July to Sept). Please note that these costs are distinct from the hotel costs incurred under the Lockheed Martin contract.					
³ Airfare is based on an average cost per month of \$1,350,000.					
⁴ MSF travel reimbursement - information taken out of Delphi.					
⁵ Sneed Contract started July 2003 This small disadvantaged business (certified under the Small Business Administration's 8(a) program), provides the travel and logistics support services for the Mobile Screening Force. It took over the services previously provided by Lockheed Martin.					
⁶ Lockheed Martin Contract: From October 1, 2002 through June 30, 2003, Lockheed Martin provided support for the Mobile Screening Force, including arranging travel and providing logistics support. MSF hotel costs were invoiced to TSA by LM during this time and are included in the \$37,960,227. These costs are distinct from expenditures recorded under "Hotel Costs."					

- 8. Your prepared statement notes that some of the performance improvement solutions are focused on additional training; however the additional training is dependent upon providing network connectivity to training computers to afford access to real-time training on current threats. What is the cost of the connectivity and when does TSA currently plan to have the connectivity in place? What interim steps is TSA taking to deploy real-time training on threats?**

Answer: Connectivity to airports is broken down into two categories: 1) airport connectivity that supports passenger screening, baggage screening, training rooms, break rooms and office space located on airport premises, and 2) FSD connectivity that supports the professional and administrative needs to manage the screener work force. We have identified these as two different categories because most of the FSD offices are not located on airport property.

Complete connectivity at the airports is estimated to cost approximately \$158 million. Complete connectivity at the FSD locations is estimated to cost approximately \$68 million.

In the interim, TSA is taking a two-pronged approach to deploying real-time training for the recognition of emerging threats. For airports with connectivity and as airport connectivity is expanded, this training will be available via TSA's Online Learning Center (OLC). This training is also currently available on compact disc, e-mail or other means to those airports without connectivity. Screener supervisors are

encouraged to deliver this training during pre- or post-shift briefs. However, we expect that the most effective and efficient delivery method is the OLC, which is why airport connectivity is so important.

9. Does TSA provide or have a plan to provide recurrent training for screeners?

Answer: Yes, we have already begun to execute our plan for screener recurrent training by deploying two recurrent training modules along with an image interpretation Computer Based Training (CBT) program. Prior to this deployment, as an interim step, FSDs were encouraged to continue to use modules from the existing basic screener training course to address recurrent training needs. Our plan includes deploying a full range of recurrent training modules over the next six months, including training on Conducting a Thorough Physical Bag Search, Screening Persons With Disabilities, Threat-Item Recognition, Online Image Interpretation Web Based Training (WBY), Hand Wanding and Pat Down, Checked Baggage EDS, ETD and Physical Bag Search, Customer Service Skills, Checkpoint Exit and Entry, and Prohibited and Dual Use Items.

10. TSA has chosen to contract out many critical functions, such as training, a component of the screener certification program, and the evaluation of the contract screening program. What is TSA's process for determining which functions/tasks to contract out and which functions/tasks to perform in-house?

Answer: A fundamental operating principle, established in the earliest days of TSA, is to keep the agency's supporting infrastructure relatively small in comparison to other Federal agencies. We rely on contractors to perform services, including many aspects of training, historically performed by government employees at other agencies. TSA, nevertheless, retains the in-house capacity to set standards, establish program priorities and direction, establish policies, make program decisions, and monitor contractor performance. Advantages resulting from this approach are the avoidance of long-term costs that accompany hiring full-time Federal employees for instructional purposes and the maximization of operational flexibility in shifting resources to match training needs.

TSA considers overall cost and value to the Government when deciding which training and training support services to contract to commercial sources. Operating within the guidelines of OMB Circular A-76, TSA contracts out the majority of training and training support services to commercial entities or other Federal agencies. Currently, we use in-house instructors to train only regulatory enforcement agents (a capability inherited from the Federal Aviation Administration) and agency specific portions of the Federal Flight Deck Officer (FFDO) program. Training for screeners, supervisors and other professional groups is conducted using commercial contracts, internal staff on a part time collateral duty basis, or through reimbursable/inter-agency agreements with other Federal agencies.

Additionally, TSA contracts out much of the work associated with curriculum development, providing the contractors with specific objectives.

11. What steps has TSA taken to address the performance deficiencies identified by the Internal Affairs, DHS IG, and GAO's covert testing?

Answer: TSA has taken a comprehensive and systemic approach to addressing these performance deficiencies by concentrating on the people, processes, and equipment involved in the screening layer of our security system. In the near term, TSA will work to increase FSD support and accountability, continue to identify new screening technologies, refresh Aviation Operations policy, procedures and practice, complete Threat Image Projection (TIP) system deployment, develop and deploy enhanced and recurrent training for screeners and supervisors; continue efforts to provide information technology connectivity to checkpoints and training computers, improve workforce management capabilities such as scheduling and staffing, and increase covert testing.

In the long term, TSA will fully implement the over 70 recommendations of the Screener Performance Improvement Study. The Aviation Screening Performance Improvement Council, a cross-functional team of senior TSA executives, will coordinate these efforts. These actions include improved human capital programs such as career development, advancement and mentoring programs; more focused training programs that are tied to specific performance deficiencies; collecting and institutionalizing local best practices that result in high screener performance; improved part time and full time staffing levels that permit specific time for training.

12. Your prepared statement notes that the Internal Affairs results show an improvement of over 10 percent since testing began. Were the improvements across the board or in only specific tests? Were improvements made across all categories of airports or did certain categories or certain airports account for a large percentage of the improvement? Were improvements made at both airports with contract screeners and airports with federal screeners?

Answer: The TSA Office of Internal Affairs and Program Review (OIAPR) tests passenger checkpoints, checked baggage screening, CAPPS procedures (airline selectee and screening), and access control points, including the airport perimeter and SIDA areas. The 10 percent figure cited in our statement refers to an increase in our checkpoint test results between September 2002 and August 2003. Test results vary depending on the type of test object, but we saw improved overall checkpoint test results in all airport categories but one. In more recent testing conducted between August and October 2003, checkpoint test results have shown further improvement. While overall test results for Category I airports declined slightly, overall results for Category X and Category II airports increased significantly. Categories III and IV overall test results also improved. Since August 2003, overall checkpoint test results for all categories improved.

13. Your prepared statement mentions that in the first year of federalized screening, TSA has seen significant improvement over the pre-9/11 non-Federal screener performance. What is this conclusion based on, since TSA has only limited data on screener performance?

Answer: Direct comparisons of performance between the pre-9/11 and post-9/11 workforces are not possible for several reasons. First, no formal studies are available that duplicate performance measures. Second, test and operational protocols were changed significantly after TSA took over airport screening operations. Comparison of historic and current performance indicators does not produce an “apples-to-apples” result. Although direct measure comparisons are not possible, the changes implemented after 9/11 combine to create a much more effective screening layer of security within the overall aviation security system of systems. Important changes include:

- a. National job standards used for screener applicant assessment based on required competencies;
- b. Implementation of Standard Operating Procedures across the system;
- c. Increased formal and on-the-job training (OJT) provided as part of basic training;
- d. Formal and standardized post OJT certification assessments;
- e. Ability to intervene directly at the screener level to resolve performance issues.

Today, federal screeners meet consistent national protocols and receive much more robust and comprehensive training than their predecessors. The current screening workforce overall is better-trained, better-compensated, of a higher caliber, and significantly more stable as compared to the airline contract screener workforce in place on 9/11. These facts are illustrated in the following table.

Category	Pre 9/11 Screeners	Post 9/11 Screeners
Pay	\$12,480 (\$6.00 per hour)	\$23,600 to \$35,400 (\$11.35 to \$17.00 per hour) plus locality pay
Benefits	Minimal	Full Federal employee benefits
Employment Standards	Minimal	Competency based
Basic Training	12 hours classroom 40 hours OJT	40 hours classroom and 60 hours OJT; Certification test
Annual Re-cert	None	Job standards based
Performance Intervention	Through air carrier	To screener
Attrition Rate	126%	13.47%

14. Do foreign governments test their screeners? Do we know the results of that testing? If so, how do our screeners compare?

Answer: Foreign governments test screeners as required by the International Civil Aviation Organization's Annex 17 - Security. Section 3.4 of that annex addresses quality control and includes a subsection that requires each Contracting State to conduct surveys that identify security needs, to inspect for the implementation of security controls, and to test the security controls to assess their effectiveness.

Whereas foreign governments may share information regarding the entity that performs the testing, who is tested, how test subjects are tested, and the frequency of such tests, the governments do not share the actual results. In addition, TSA does not share results, as this information is classified by the U.S. Such information sharing would need to be negotiated between governments and would likely require reciprocity on our part.

The TSA Foreign Airport Assessment Program addresses foreign airports' testing and inspections programs through host government interviews and observations of screening. During these evaluations, detailed questions are asked regarding the authorities who are responsible for conducting surveys, inspections, and tests; the content of the surveys, inspections, and tests; their consistency with national standards and objectives; and the frequency with which the surveys, inspections, and tests are given. Information obtained from this and all other Standards is classified Confidential.

15. Are all passengers who are selected by CAPPS to receive additional screening secondarily screened? If not, how do screeners determine which selectees should receive additional screening? What controls does TSA have in place to ensure that selectees are actually secondarily screened, particularly at airports in which contract airline employees rather than TSA screeners check the boarding passes?

Answer: The FSD determines the proportion of selectees to receive additional screening based on the available staff, resources, and checkpoint space, as well as the threat level. At the vast majority of airports, TSA does not control checkpoint queues, and therefore, airports and air carriers are responsible for ensuring that selectees are directed to and enter the appropriate lanes for selectee screening. The precise process will vary by airport based on the physical layout of the terminal and queue and the designation of the selectee lane(s). The responsibility of airports and air carriers at each airport is outlined within Airport Security Plans (ASPs) and Aircraft Carrier Operator Standard Security Plans (AOSSPs). TSA reviews and approves all ASPs and AOSSPs and inspects airports and air carriers for their compliance.

TSA screeners ensure the selectee will:

- Put all carry-on bags and parcels through the x-ray device;
- Walk through a walk-through metal detector;

- Receive a hand-held metal detector scan and body pat down; and
- Submit their shoes for explosives trace detection (ETD) inspection and submit carry-on items and bags for physical and ETD inspection.

16. It's our understanding that armed law enforcement officers, their property, and prisoners they escort through the screening checkpoints are not required to undergo regular screening. Additionally, dignitaries under the armed protective escort of U.S. Secret Service or U.S. Department of State are deemed to have been screened by virtue of their escort. What mechanism(s) does TSA have in place to verify the identity of law enforcement officers? If there are no procedures in place currently, what steps is TSA taking to develop procedures?

Answer: Your understanding of the first two sentences is correct. All law enforcement officers (LEOs) flying armed must be trained, know pre-flight notification procedures and possess an appropriate identification card in accordance with 49 CFR § 1544.219.

In addition, TSA issued a security directive (SD 15344-00-02H, dated November 19, 2002) that requires the aircraft operator representative to review the badge and credential of the armed LEO at check-in. The aircraft operator representative must ensure the badge and credential are issued by the same law enforcement agency and the name on the credential matches the name on the travel authorization, e.g., ticket or passenger name record. Specifically, for local or State LEOs traveling armed, the LEO must present and the aircraft operator representative must review an agency authorization letter confirming the need to fly armed and providing an itinerary for travel while armed. That letter must be on official agency letterhead and bear the signature of a supervisor of command rank within that agency.

The aircraft operator issues armed LEOs a "flying armed" form to assist in admitting them to the sterile area. This document is also issued to the pilot-in-command of the flight on which the armed LEO intends to travel so as to advise him/her that there is an armed LEO on-board. If more than one armed LEO is traveling on a flight, the air carrier is required to ensure that all LEOs are aware of the seating of other armed LEOs.

In addition, TSA Standard Operating Procedures require a Screening Manager, Screening Supervisor or if available, a local LEO to review the credential, badge, air carrier documentation form, and one additional government issued form of ID, e.g., driver license, passport. Once admitted, TSA Screening Supervisors or Managers must then record the name, agency information, and flight number of the armed LEO.

TSA is currently examining alternatives and will likely begin pilot testing additional LEO credential validation procedures, including a common LEO credential. TSA will be glad to report results of such testing when they are available.

In the event either the air carrier or TSA Screening Personnel are suspicious or unsatisfied with the documentation presented for review, they may request assistance from local law enforcement support agencies at the airports.

17. Are armed law enforcement officers allowed to carry their gun in the passenger cabin? If so, why are Federal Flight Deck Officers not allowed to carry their gun when traveling in the passenger cabin?

Answer: In the performance of their official duties, designated law enforcement officers are permitted to carry their weapons in the passenger cabin. These officers usually are highly trained with years of experience in handling and safeguarding a weapon, having received extensive training in these areas particularly for such an environment.

In the case of the Federal Flight Deck Officers (FFDOs), TSA was required by statute to "establish a program to deputize volunteer pilots of air carriers...as Federal law enforcement officers *to defend the flight decks of aircraft* of such air carriers against acts of criminal violence or air piracy." (Emphasis added) For this reason, FFDOs are not permitted to carry weapons in the passenger cabin.

18. What is the procedure for Federal Flight Deck Officers to retrieve their gun after a flight in which they were traveling in the passenger cabin? Are these guns supposed to be picked up from the baggage conveyer belt in the passenger terminal? If not, does that ever occur inadvertently?

Answer: The procedure for weapon retrieval is contained in the Standard Operating Procedures (SOP) presented to all FFDOs and is considered Sensitive Security Information (SSI). We would be happy to provide you information relating to the SOP, as well as any instances involving failure to adhere to the SOP, under the appropriate conditions.

19. When Federal flight deck officers check their guns, are they loaded? Is that permitted by FAA rules?

Answer: The procedure for weapon handling, including loading and unloading, is contained in the SOP presented to all FFDOs and is considered SSI. As indicated previously, we would be happy to provide you this information under the appropriate conditions. FAA and TSA worked together to modify the regulations to accommodate the FFDO program requirements.

20. The GAO report stated that Federal Security Directors complain that they have limited authority to respond to airport specific staffing needs. Some have also complained that they do not have access to intelligence information because they are not law enforcement officers. Do you think either of these are valid complaints?

Answer: TSA is currently working under a staffing model that was developed in response to TSA's rightsizing initiative. This necessitated several rounds of industrial engineering modeling that permitted FSDs and stakeholders to comment on proposed changes. Those comments were taken into account for the final modeling solution. Although not everyone received a desired staffing allocation, each FSD and stakeholder was given a full opportunity to press their case with headquarters. With overall congressionally mandated reductions to the screener workforce nationwide, there are limited avenues available to an individual FSD for augmented staffing even over the short-term.

All FSDs receive security directives and information circulars that pertain to their airports. Intelligence information is disseminated to the field consistent with each FSD's ability to receive that information via secure networks, and then store or dispose of the classified material. As TSA continues to deploy high-speed data transmission capability, the ability of headquarters to disseminate classified briefings to the FSDs will improve.

21. Congress has appropriated nearly \$1.5 billion for the long-term installation of explosive detection equipment in airport baggage systems. The TSA has used additional funds from the Airport Improvement Program for this purpose as well. How has this money been spent so far? Can you provide the Subcommittee an accounting for all of it?

Answer: The \$1.488 billion appropriated in FYs 2002, 2003 and 2004 have been used for the following requirements:

- \$820.9 million to cover facility modification and equipment installation costs to meet the Congressional mandate to provide for and conduct 100% screening of all checked baggage for explosives at over 440 airports.
- \$231.4 million in support of the first six completed Letters of Intent (LOIs).
- \$17 million for contract support to complete various tasks associated with the installation of explosives detection systems (EDS) and explosives trace detection (ETD) equipment, including site acceptance testing of EDS and ETD equipment at the time of delivery from the vendors and once installed at an airport, engineering and installation services from equipment vendors, and administrative and technical support work.
- \$1.5 million to individual airports for completion of projects associated with EDS/ETD equipment installation, for example, HVAC, demolition work, and electrical work.
- The remaining \$417 million will be applied to LOI payments, direct contracts between TSA and individual airports for in-line EDS installations, and payments for the general contractor to continue facility modifications and equipment installations.

- 22. The airports claim that the final cost of installing EDS equipment in airports is \$3 billion to \$5 billion. How much additional funding does the TSA anticipate is needed for EDS installation? Does the agency intend to seek additional resources for EDS installation in fiscal year 2005?**

Answer: The cost for installing in-line EDS systems across all or most airports is not clear, though it is likely to be a multi-billion dollar effort. While cost estimates vary, the actual costs would depend on a range of factors, including the size, scope, and solution chosen for any particular airport. Whether the Federal Government contributes to this cost now or in the future, through installation and/or equipment cost, depends on whether airports have enough passenger traffic that the use of in-line systems would be cost effective when considering realistic air carrier operating conditions, staffing, and lifecycle costs.

To date, TSA has been appropriated \$1.488 billion for this purpose (\$738 million in FY 2002, \$500 million in FY 2003, and \$250 million in FY 2004). The FY 2005 budget request for EDS installation is \$400 million.

- 23. Does the agency intend to tap AIP funds for EDS installation, as was the case in fiscal years 2002 and 2003? With so many needs and limited resources, how is the agency prioritizing on an airport-by-airport basis?**

Answer: With regard to continued use of Airport Improvement Program (AIP) funds, FAA has advised TSA that AIP funds will not be specifically designated for EDS installation projects beyond FY 2003. Furthermore, the Vision 100—Century of Aviation Reauthorization Act (P.L. 108-176) prohibits the use of discretionary AIP funds for activities relating to replacement of baggage conveyer systems and reconfiguration of terminal baggage areas. However, an airport could request that its entitlement (i.e. "apportioned") funds be allocated for this purpose.

TSA also notes that the Consolidated Appropriations Act, 2004 (P.L. 109-199) contains a provision that prohibits funds from being expended for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements necessary to install bulk explosive detection systems.

TSA will continue to prioritize airports for assistance with available resources based on security mission needs of the Federal Government.

- 24. The TSA has recently signed Letters of Intent with a handful of major airports aimed at providing funding for integrating explosive detection equipment into airport baggage systems. It is my understanding that the agency anticipates signing several more in the near future. Can you update the subcommittee on where the agency is with LOIs and how you intend to use this tool in the future?**

Answer: To date, TSA has executed six LOIs. Presently, TSA anticipates action on the remaining LOIs and will make information regarding any future LOIs public, following the required Congressional notifications. TSA will continue to use the LOI process for airport in-line explosives detection systems as funds are available through TSA appropriations. We will continue to work closely with the Congress on this matter.

- 25. For the past several years, airports and state and local governments have been assisting the TSA in meeting its mandate to provide law enforcement services at screening checkpoints with the TSA providing reimbursement for this work. It is my understanding that the TSA is in the process of renegotiating those agreements. What is the agency's long-term plan for law enforcement at screening checkpoints and at airport perimeters?**

Answer: TSA was provided flexibility in deployment of LEOs at airports in the Consolidated Appropriations Resolution, 2003 (P.L. 108-7). There are currently 282 Reimbursable Agreements in place and three others pending for 2004 with options to renew for four years with pay rate adjustments being reviewed each year. This five-year interim plan will provide an opportunity to develop a long-term plan for LEO deployment consistent with security needs identified by DHS/TSA.

- 26. As you may know, plans are underway to relocate the Panama City-Bay County International Airport in Florida. Upon successful completion of the Environmental Impact Statement, they will begin constructing a completely new airport from the ground up. We have seen on more than one occasion the difficulty with which our existing airports have been retrofitted to deploy the necessary security measures. We have also seen how expensive retrofitting can be when the airport is designed before the technology. Could TSA should take advantage of one of the first major airport construction projects after 9/11 to test and implement the newest security technologies, including perimeter access, passenger screening, baggage screening and other areas where existing facilities have faced certain limits on deployment? If so, would you be willing to work with the local airport authority in Panama City to put them in touch with the private companies developing these technologies and, where appropriate, assist the authority with federal funding?**

Answer: TSA will work proactively with all local airport authorities—including Panama City—and will provide the airport authorities with information and guidance regarding emerging screening technologies for both passenger and baggage screening functions. TSA will continue to work with all eligible airports to assist in cost-sharing and federal funding assistance where appropriate.

- 27. On April 24, 2002, Secretary Mineta announced that he was designating BWI Airport as a "test laboratory" for the newest screening measures, which at that**

time were the TSA's federal screeners. Would you be willing to make a similar "test laboratory" designation at the new Panama City-Bay County Airport?

Answer: TSA is willing to explore designating the new Panama City-Bay County Airport as a test bed for emerging technologies and would certainly consult and work with local airport officials to determine whether such designation is appropriate.

28. Is it true that the Deputy Director of Screener Training and Performance is the same person who was the manager of FAA's Civil Aviation Security Field Office in Boston at the time two of the aircraft were hijacked on 9/11? Are you concerned that we will not get better screener performance when the same person is in charge?

Answer: The former Deputy Director of Screening Training and Performance had previously held the position of manager of the Civil Aviation Security Field office (CASFO) in Boston during the period surrounding the September 11, 2001 hijacking. However, as a point of clarification, under the FAA at that time, the duties of a CASFO manager did not include screening of passengers or property at any airport. That responsibility rested with the air carriers. In addition, at the time under the FAA structure, and by law, the sole responsibility for FAA security oversight of passenger screening at Boston Logan Airport rested with the FAA Federal Security Manager, not the CASFO manager.

In March 2002, the former CASFO manager at Boston's Logan Airport was hired into the Screener Training Division at TSA. In November 2002, this individual became Deputy Director of Screener Training and Performance and assisted the Director with the overall management of the division. Responsibilities in this position included formulating the budget and hiring staff to ensure timely delivery of screener training work products developed by subject matter and curriculum design experts. This individual has since accepted another position within TSA outside the Office of Screener Performance and Training.

It is important to remember that items used to overcome flight crews on 9/11 were not prohibited from being taken onto commercial flights. The weak link was one of policy, not any particular individual who implemented such policy.

29. There have been numerous actions, including TSA and FAA regulations, taken to improve general aviation security including:

- Advanced screening of pilot databases**
- Revocation of airman certificates**
- Background checks for foreign nationals**
- Airspace restrictions across the country and**
- Security enhanced pilot licenses and identification.**

Which ones have contributed the most to security?

Answer: Specific measures that have been undertaken by TSA to secure general aviation generally fall into the following categories:

- cockpit access control (i.e. screening of pilot databases, revocation of airmen certificates, and background checks),
- airspace access control (i.e. temporary flight restrictions, Air Defense Identification Zone, and Flight Restricted Zone),
- aircraft security (i.e. Twelve-Five and Private Charter Programs),
- community cooperation (i.e. General Aviation Hotline).

Although each of the listed actions and those identified in the question have contributed to improve general aviation security, each measure only comprises part of the overall general aviation security strategy.

The numerous actions taken to improve general aviation security work together to create a multi-layered security system. No one security measure provides the level of security necessary to mitigate the threat of an airborne attack against key assets and critical infrastructure. However, the multiple measures that have been implemented do serve to mitigate such a threat.

As TSA moves forward on refining a threat-driven approach to managing the security risks associated with general aviation operations, collaboration with the general aviation community and other Federal government agencies will be essential. In this regard, a working group under the auspices of the Aviation Security Advisory Committee has been established to assist in developing general aviation best practices and guidelines with regard to General Aviation airport and operations security measures. In addition, a threat assessment module is being developed that will use input from the General Aviation industry that will assist TSA and the industry in identifying areas of potential vulnerability.

30. In comparing the various modes of transportation, shipping, rail, highway and air, which mode do you see needing the greatest additional resources to meet the TSA's identified threat to national security?

Answer: Enormous strides have been made in improving transportation security across all modes of transportation. Fulfilling our mission to ensure the security of the traveling public is a never-ending effort. The appropriate allocation of resources will require ongoing review of criticality, vulnerability, and threat assessments. For the near term, we envision that aviation security will continue to be the biggest consumer of resources.

31. Section 44920(d)(2) of Title 49 seems to give TSA the discretion and authority to allow companies which are "owned or controlled" by foreign global companies to bid on private contracts with airports who "opt out" of federal screeners next November. However, I understand that TSA has told such companies that they

are not eligible, even though the statute seems to give some latitude if no domestic companies are available. Does the TSA currently have the authority or discretion to allow private companies who are not owned or controlled by American citizens to bid on any private screening contracts that may be put out under the "opt-out" section of the law"? If 50 airports, for example, notify TSA next November that they want to opt out, are there enough qualified American companies, as defined by law, to provide qualified private screeners?

Answer: 49 U.S.C. 44920(d)(2) states that TSA may enter into private screening contracts with companies that are "owned and controlled by a citizen of the United States, to the extent that the [Administrator] determines that there are private screening companies owned and controlled by such citizens." Under 49 U.S.C. 40102(a)(15)(C), a corporation possessing United States citizenship is defined as "a corporation or association organized under the laws of the United States or a State, the District of Columbia, or territory or possession of the United States, of which the president and at least two-thirds of the board of directors and other managing officers are citizens of the United States, and in which at least 75 percent of the voting interest is owned or controlled by persons that are citizens of the United States" TSA must adhere to the specific requirements of 49 U.S.C. 40102(a)(15)(C) regarding United States citizenship in determining the eligibility of companies to bid on any potential private screening contracts. TSA has no discretion in following the law when determining if a company is owned and controlled by U.S. citizens.

As TSA gathers information relating to the private screening pilot program and prepares to receive applications to opt out of Federal screening after Nov. 19, 2004, TSA will consider whether sufficient capacity exists among qualified contractors that satisfy current statutory eligibility requirements to carry out the opt out program fully. If TSA believes that the capacity does not exist among qualified contractors, TSA will work with the Administration and Congress on an appropriate solution.

32. **There are several major private security companies who operate not only around the world, but who, under very strict rules by the DOD and DOE, guard some of our nation's most sensitive facilities. These companies are "proxy" companies, with American CEO's and Board of Directors with "firewalls" that preclude any security risks. In fact, they have been specifically certified to not be security risks by top-level government review. Are you aware that the Department of Defense and the Department of Energy currently employ private companies to guard some of this nation's most sensitive facilities, and that some of these companies are owned by foreign companies, but employ a mechanism known as a "proxy company" under very strict government supervision and are certified by a top-level board to be of no danger to national security? Why shouldn't these companies be allowed to guard our airline passengers as well?**

Answer: As indicated in the previous answer, TSA must adhere to statutory requirements regarding United States citizenship in any potential contracts for private

screening. TSA is aware of so-called "proxy company" arrangements to insulate DoE and/or DoD contractors that require facility security clearances from foreign ownership, control or influence. However, the fact that a company has entered into such an arrangement is a different question than the legal determination of whether the company is owned and controlled by a United States citizen within the meaning of Title 49, Subtitle VII, United States Code.

- 33. If a change in the law were necessary, would the Administration object to a provision in the law that would give the Undersecretary the discretion to certify that companies who comply with strict security controls, and who are "proxy companies" with American citizens as CEO's and Board of Directors, are eligible to bid on any private contracts with TSA in the future for airport screeners?**

Answer: TSA is gathering information relating to the private screening pilot program as it prepares to receive applications to opt out of Federal screening after Nov. 19, 2004. TSA will consider whether additional statutory authorities are appropriate and necessary to improve screening efforts by the Federal and private screener workforces. As part of this consideration, we will assess the "proxy company" concept.

- 34. What is the status of training and training capacity for Federal Air Marshals and Federal Flight Deck Officers? Do you have sufficient training resources and capacity to expeditiously accommodate the number of pilots and air marshals Congress authorized you to train? Are you looking at satellite locations for regional training?**

Answer: The Federal Air Marshal Service (FAMS) was recently transferred to U.S. Immigration and Customs Enforcement (ICE). As a consequence, ICE is the best source of information concerning current training and training capacity for the FAMS.

With regard to the FFDO program, relocation of training operations to the Federal Law Enforcement Training Center (FLETC) in Artesia, New Mexico provided the capacity to expand training for FFDOs. In January 2004, we will double our training throughput for FFDO candidates to accommodate qualified applicants. Additionally, TSA is examining satellite locations for FFDO weapons re-qualification training. As indicated in a previous response, we expect to have 10 to 12 such sites available for re-qualification training beginning in January 2004.

- 35. Has TSA considered the use of biometric smart gun technology for air marshals or Federal Flight Deck Officers to ensure that only the person authorized to use it could fire the gun?**

Answer: With regard to the FFDO program, TSA follows generally accepted law enforcement standards regarding the selection of weapons. Additionally, FFDO training for the pilots provides instruction in weapons retention techniques. However, TSA has not specifically evaluated any biometric capabilities for FFDO weapons.

Rep. Michael M. Honda
Questions for Admiral James M. Loy
Administrator – Transportation Security Administration
Subcommittee on Aviation - Hearing on
“The Transportation Security Administration’s Perspective on Aviation
Security”
October 16, 2003

1. Are you going to meet the deadline for electronic screening of checked baggage by the end of the year?

Answer: A handful of airports will not meet this goal, but plans are in place for ensuring that electronic screening requirements are met at each of these airports as soon as possible.

2. How many LOI requests have you received? Is the \$250 M allocated for FY04 going to meet those airport needs for EDS installations?

Answer: To date, TSA has issued 6 Letters of Intent (LOIs) covering 7 airports. TSA has received requests to fund in-line baggage screening solutions through the LOI process from 25 airports, beyond the 7 airports already covered by LOIs. The \$250 million allocated in FY 2004 for explosives detection system (EDS) installations will cover installment payments on the original 6 LOIs, and initial payments for any additional LOIs issued under this appropriation.

3. In FY03, Congress appropriated \$174.5 M for certified EDS. How was this money spent?

Answer: As of 9/30/03, TSA obligated \$171.7 million for the purchase of EDS and explosives trace detection (ETD) equipment for checked baggage inspection.

4. Congress just appropriated \$55 M for cargo screening. What are your plans for this money?

Answer: We have divided the \$55 million for cargo screening research and development into 3 areas. The breakout is as follows:

- \$26 million directed to the EDS air cargo inspection pilot program which will deploy commercially available or non-developmental explosives detection equipment to airports for the inspection of high-risk cargo
- \$21.5 million directed for research and development to determine what existing technology can be used to build air cargo inspection systems

- \$7.5 million directed for research and development to determine what existing technology can be used to build automated inspection systems for the transport of U.S. mail on a passenger aircraft
5. We have certification standards for checked baggage. When do you expect to establish a certification standard for carry-on bags and passenger screening? How can we expect companies to develop solutions without these standards? What guidance are you giving to companies?

Answer: The TSA has established Qualification Criteria and Specification Requirements for explosives detection technology to be used for carry-on baggage and persons. These criteria and requirements are communicated to potential vendors through our Request for Proposals (RFP). Simultaneously, TSA is conducting tests to establish an explosives mass certification standard for EDS for carry-on baggage. We will notify participating vendors of the standards once the standards are identified and finalized. Incorporation of the explosives mass standard will not conflict with the currently established qualification criteria and specification requirements, but be a clarifying element that vendors must achieve.

Rep. Ellen O. Tauscher
Questions for Admiral Loy – Hearing on Aviation Security – House
Transportation and Infrastructure Committee’s Subcommittee on Aviation –
October 16, 2003

Mr. Chairman, Ranking Member DeFazio, thank you for holding today’s important hearing--Admiral Loy, always good to see you.

Recently, TSA committed to Oakland International Airport that it would increase staffing levels for TSA screeners and checkpoint officers at the Airport to 400 people.

Even 400 is insufficient for the airport’s needs, but certainly would be a much needed improvement over the current staffing level of approximately 300.

It appears, however, that TSA has been unable to hire enough personnel to maintain even its current level of staffing, let alone expand to 400.

It is clear that staffing levels will not be adequate to handle the coming holiday traffic and there are concerns about TSA’s ability to provide staffing for next summer’s passenger traffic.

I understand that this has been happening at a number of airports around the country.

This has obvious ramifications on the efficiency, effectiveness and security at Oakland and around the country.

Admiral Loy, in your estimation, what is preventing TSA from hiring enough personnel to both maintain the current level of service and expand the number of personnel to the level authorized by Congress?

Answer:

The challenges in achieving the optimal quantities of screeners vary considerably airport by airport. We are continuing to work to determine the appropriate level of screeners and the ideal mix of part-time and full-time employees, matched to an optimal level of service.

While the overall size of the workforce is declining, TSA is creating additional capacity through achieving greater efficiencies in the scheduling of screeners. Federal Security Directors (FSD) at each airport now have access to scheduling tools that provide real-time information enabling them to forecast periods of peak demand for screening. TSA uses more split shifts and part-time screeners to maximize the operational flexibility available to FSDs when scheduling screeners to satisfy varying levels of demand. As a result of reducing excess capacity at periods of lower demand, fewer FTEs can be used to meet the workload.

Nevertheless, TSA continues to recruit and train screeners to fill vacancies at traditionally hard-to-fill and understaffed airports. We review on an ongoing basis the workforce requirements for each airport, considering the number, location, and mix of full-time and part-time screeners. We engage airport operators and air carriers to ensure that growth rates, changes in flight schedules, and other concerns are incorporated into our planning. TSA shares Congress' desire to ensure that our human capital is deployed effectively to maximize the safety and security of the traveling public.

Question #2 for Admiral Loy

The TSA has made a strong effort in increasing screening for passengers and luggage and has made sure that pilots that wish to be armed have received training at a cost to the American taxpayers of approximately \$50,000 per pilot.

Admiral Loy, do you believe it is necessary for flight attendants to receive mandatory security training as outlined in the Homeland Security Act?

Answer: First, I would like to clarify the cost information you have presented with regard to the FFDO program. The initial cost to assess, train, outfit, and complete a background investigation during FY 2004 is estimated at just over \$4,200 per graduate. Actual training costs are about \$1,700 per FFDO candidate and include tuition, materials, ammunition, training equipment, transportation during training, and instructor costs. Each deputized FFDO course graduate also requires semi-annual re-qualification at an estimated cost of \$600 per FFDO per year.

Regarding security training for crew members, including flight attendants, Section 1403 of the Homeland Security Act (HSA) required that TSA update crew member self-defense training guidance and require by rule that air carriers develop and deliver to their flight crews a training program based on TSA-issued guidance. TSA completed the development of that guidance in June 2003.

Section 603 of the Vision 100 - Century of Aviation Reauthorization Act (H.R. 2115) alters the requirements of HSA Section 1403. The legislation requires that each air carrier providing scheduled passenger air transportation carry out a basic security training program for flight and cabin crew members to prepare the crew members for potential threat conditions. Each program is to be approved by the Under Secretary for Border and Transportation Security (BTS). The legislation specifies that not later than one year after the date of enactment, TSA may (but would not be required to) establish minimum standards for the training provided under this subsection and for recurrent training. The legislation also states that not later than one year after the date of enactment, TSA shall develop and provide a voluntary advanced crew member training program for flight and cabin crew members of air carriers providing scheduled passenger air transportation.

TSA has been working on developing the requisite training program and is exploring options with respect to how best to deliver advanced training to volunteers within available resources and will carry out the requirements of this law with respect to crew training within available resources and will carry out the requirements of this law with respect to crew training.

Congress spoke on this very issue almost a year ago and yet TSA has not issued this rule.

This requirement was called for at the same time as arming pilots provision.

Can you please explain to this committee why these two groups of aviation workers are being treated differently?

Answer: Although the crew member training and Federal Flight Deck Officer Program were established in the same Title of the Homeland Security Act of 2003, the statute clearly contemplates different timelines for implementation of the two programs. Section 1401 of the Homeland Security Act provides that the FFDO program shall be established "[n]ot later than 3 months after the date of enactment." In contrast, Section 1403 requires TSA to issue a rule that would "ensure that air carriers provide the initial training...within 24 months of the date of enactment."

Furthermore, in addition to changing program parameters, H.R. 2115 sets a new deadline for crew training. The legislation provides that TSA may establish minimum standards for the initial and recurrent training "not later than one year after the date of enactment" of H.R. 2115. As discussed above, TSA has been working on developing the requisite training programs and exploring options with respect to how best to deliver advanced training to volunteers. TSA is confident in its ability to meet the deadlines that would be applicable under the new legislation.

U.S. Department of Homeland Security

JAN 8 2004

The Honorable John L. Mica
Chairman, Subcommittee on Aviation
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter requesting that Secretary Ridge, Under Secretary Hutchinson, and Transportation Security Administrator (TSA) Loy be briefed by the General Accounting Office and the Department of Homeland Security Office of Inspector General regarding preliminary results of their security screening tests at a sampling of our Nation's airports and the testing methodologies employed.

Secretary Ridge, Under Secretary Hutchinson, and Admiral Loy have all received the GAO and IG briefings on screener testing programs, methodologies, and results. I want to take this opportunity to thank you for your diligent attention to this important issue. The efforts of the Aviation Subcommittee to improve the security of our Nation's aviation system are valued, and I believe that we can continue to make the necessary modifications to ensure that we are providing the highest possible level of security and customer service to the traveling public.

TSA's Office of Internal Affairs and Program Review has also been conducting count tests similar to those conducted by GAO and the OIG. Timely feedback on the results of tests such as these is provided to screeners, Federal Security Directors (FSD), and other officials to drive change and improvement through modification of TSA Standard Operating Procedures, remedial training, and/or improvement of technology, as appropriate. We are always looking to improve our security system, and the information gleaned through the covert testing will be helpful in ensuring that airports with below-par performance receive special attention. Appropriate personnel from TSA will continue to identify the causes for poor performance at these airports and work with FSDs to design and implement solutions. Follow up will include additional covert testing and FSD accountability for any continued performance deficiency.

Washington, D. C. 20528

I appreciate your interest in the Department of Homeland Security, and we look forward to working with you on future issues. If we may be of assistance, please contact the Office of Legislative Affairs at (202) 205-4412.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela J. Turner".

Pamela J. Turner
Assistant Secretary for Legislative Affairs



United States Department of Transportation
TRANSPORTATION SECURITY ADMINISTRATION

400 Seventh Street, S.W.
Washington D.C. 20590

APR - 4 2003

The Honorable John L. Mica
Chairman, Subcommittee on Aviation
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I would like to take this opportunity to provide you with some answers to questions that were raised at a March 19 briefing and to respond to concerns expressed by you and your colleagues regarding Transportation Security Administration (TSA) airport staffing and the installation of in-line EDS machines. Please note that some of the information enclosed is marked Sensitive Security Information (SSI) and requires proper handling.

TSA successfully met the November 19, 2002 passenger screening deadline and the December 31, 2002 deadline to screen 100% of checked baggage for explosives. We were able to reach these milestones by placing over 55,500 well-trained and deeply committed screeners at all commercial airports across the country. To give you an idea of our current staff allocation and per your request, I have included a document with the number of TSA screeners at all 443 airports.

Given the nature of the task, the speed with which it was accomplished, and the necessity of adding additional personnel to cope with incomplete EDS installations, I recognize that staffing allocation must be improved. We have been working to evaluate staffing models and to enhance our scheduling processes to more clearly align them with the peaks and valleys of daily passenger traffic resulting from changing airline schedules, as well as increased passenger traffic due to seasonal growth. To do this, TSA is taking the following steps to ensure that the size of our screener workforce and our scheduling models promote security, reduce the hassle factor, and promote the retention of our skilled workforce.

I have commissioned a "Risk-Based Workforce Right-Sizing Study" to determine the proper staffing levels at all airports. Using both in-house industrial engineers and an industrial engineering consulting firm, TSA expects to complete the study within the next few months. The data developed by this study will be used to create a more precise and sophisticated staffing matrix for each airport. Airport security staffing depends heavily on equipment layout, hours of operation, and volume of passengers passing through security screening. This study will improve upon the previous staffing work developed during airport federalization and subsequent

modifications. When the study is complete, I will provide you with the results. Additionally, TSA is undertaking a broad economic study to identify how changes in the airline industry and passenger traffic levels may affect our screener workforce for the immediate future.

I have also taken immediate action to reduce the screener workforce by 3,000 persons, and adjust allocation of 1,000 screener positions, over the next 60 days. I have done this in full recognition that there will be some adverse impacts on customer service. I have set aside the 10-minute wait customer service standard. With this action, TSA will be on track to reduce the screener workforce to 51,000 by September 30 of this year. As a result of our ongoing workforce rightsizing efforts, and budget clarification affecting further installation of EDS equipment, I expect to have over the coming months a better picture of ultimate screener workforce requirements, and will advise you as soon as I am able.

You and I agree that our Federal Security Directors (FSDs) are the key security figures at our Nation's airports. The FSD is expected to be able to quickly respond to unforeseen incidents at the airport during duty hours, and to be available on short notice during off duty hours, or have an empowered designee who is. As the local representative of TSA, the FSD is the public face of TSA and is responsible for the leadership and coordination of TSA security activities within the airport, including the efficient implementation, performance and enhancement of security and screening standards for airport employees and passengers, and passenger, baggage and air cargo screening. The FSD also manages all TSA resources associated with the airport, including personnel, funding, equipment, and information. For your information, I have enclosed an updated and complete duty contact list for the 158 FSDs.

In striving to meet its baggage screening deadline, TSA worked with every airport to develop plans tailored to that individual airport. As a result, we met the original deadline to screen all checked baggage with electronic screening by December 31, 2002, at over 95% of the commercial airports in the United States. We are aware of the revised statutory requirement to provide for 100% electronic screening at the remaining few airports by December 31, 2003. However, our ability to do so depends on whether we will be able to satisfactorily resolve current funding shortfalls. To meet this deadline and to continue to reduce our screener numbers, we have identified four priorities.

First, as of this week very few airports have not met the 100% electronic screening mandate. I have detailed the continued progress at these airports in a separate classified report that I submit to the Committees monthly. Up to this point, these locations have been using the other congressionally approved screening alternatives such as canine teams, manual searches, and/or positive passenger bag match. For these remaining airports, TSA is installing 100% in-line solutions where schedule and funding permits and hybrid (ETD/EDS) stand-alone solutions for the remainder. We continue to work with those airports with hybrid solutions to migrate to in-line solutions over the next 2-3 years.

Second, there are a large number of airports that achieved 100% electronic screening at reduced volumes. However, when the seasonal peak loads occur, as early as May, it will be very

difficult for these airports to remain compliant under the burden of higher traffic given the current allotment of equipment that was deployed to meet the December 31, 2002 mandate. Within available funds, TSA continues to work to install additional equipment at approximately 31 airports where non-compliance will be created by seasonal traffic, temporary construction, or by air carrier moves, additions, or changes.

Third, many airports have EDS implementations that are operationally disruptive and require a larger TSA staff due to the numbers and types of equipment that were deployed to meet the congressional mandate. At these airports, TSA plans to install additional equipment where funding permits. We are also working with many of these airports, at their request, to design full in-line systems as well as facility modifications and equipment installation that would eliminate congestion and adverse operational impact in their terminals.


The last category of airports that we are working with are those that rely heavily on ETD equipment which requires almost twice the number of staff to operate as that required for the operation of an EDS unit. Depending on the availability of funds, we would be able to lower TSA staffing by replacing slower ETD units with an EDS unit that would continue to meet the operational needs of the airport for years to come.

I have enclosed for your information a brief summary of the status of new EDS technology and a description of in-line final EDS solution plans currently in place. As we all agree, most lobby installations at larger airports, which are fully functional, would be more efficient and cost-effective if the EDS equipment were integrated into the in-line baggage handling systems. We must also note that such installations are very expensive and the decision to move to in-line systems must be weighed against the availability of funds and our interest in next generation technology. I have also enclosed the status of EDS In-line Implementation Plans at the Nation's 40 largest airports.

The bottom line: TSA is working with the Department of Homeland Security, the airports, air carriers, State and local law enforcement agencies, and other stakeholders to ensure that we collectively identify and pursue security solutions that use staff and funding resources in the most efficient and cost-effective manner possible.

I appreciate your continued support and look forward to continued dialogue with you and your colleagues regarding the security of our Nation's transportation systems.

Sincerely yours,


J.M. Loy, ADM
Administrator

Enclosures

cc: The Honorable Don Young
The Honorable James L. Oberstar
The Honorable Peter DeFazio
The Honorable Christopher Cox
Members of the Aviation Subcommittee (w/o enclosures)



**Transportation Security
Administration**

SEP 2 2003

The Honorable John L. Mica
U. S. House of Representatives
Washington, DC 20515

Dear Congressman Mica:

Thank you for your letter of June 3, 2003, in follow up to our earlier conversation about reducing aviation operational costs at Greater Rochester International Airport (ROC).

Creating a new Federal agency consisting of more than 60,000 employees in a few short months was a daunting task, and the Transportation Security Administration (TSA) is still faced with many challenges including hires, transfers, promotions, and other human resource related changes.

Regarding our conversation, I offer the enclosed information on the issues mentioned in Mr. Slaybaugh's correspondence.

I hope this information is helpful. If you need further information or assistance, please call Ms. Leslie Adlam, Acting Director, Office of Legislative Affairs, at (571) 227-2717.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'J.M. Loy', is written over the typed name.

J.M. Loy, ADM
Administrator

Enclosure

GREATER ROCHESTER INTERNATIONAL AIRPORT (ROC)**COST ISSUES**

Screener Staff Reduction from 287 to 117 or Fewer. Current staffing for McNeil Technologies is 213 full-time (FTE) and 40 part time personnel, not 287. The recent Screener Workforce Reduction Team (SWRT) has ROC screening staff targeted for a reduction to 133 personnel.

Reduce the Number of FSD's Staff from 20 to 5. Current TSA staffing at ROC is 12 not 20. This includes three Screening Managers on site who also support three CAT III airports in addition to the hub airport (ROC). Those Screening Managers typically do not count toward any staffing end strength. It is also worth mentioning that ROC is under staffed by three positions.

Centralized Checkpoint. As you may know, the Authority planned to construct a centralized checkpoint plus in-line baggage system for \$33,000,000 before TSA's arrival at ROC. TSA supports the airport's project plan to build a consolidated checkpoint at ROC. The airport could apply for Airport Improvement Program (AIP) grant funding—as they were going to do before TSA's arrival—and build the space; TSA would provide equipment and staff. As has been discussed previously with ROC, given current passenger volumes, TSA plans to provide equipment for and operate four screening lanes in the consolidated configuration. As traffic grows and resources allow, TSA will determine when to install and operate the fifth and sixth screening lanes. This is one of the project's primary benefits, as the current space at ROC does not allow for any additional screening lanes.

Multi-level In-line System for Checked Bags. TSA was securing funding for this initiative last fall when airport management decided they did not want to pursue the system and the associated TSA-approved EDS equipment. The County had developed ties to TSA non-approved Heimann equipment; had even traveled to Germany to tour their factory and meet company executives. They decided to wait until this equipment received TSA certification to pursue an in-line system.

Utilize Airport Director and Staff to Run Security Operations. This did not work prior to September 11, 2001, when airlines were tasked with security. The airport director's charter is one of generating revenue and ensuring that security does not negatively affect airport operations. There are circumstances such as dumping a flight, concourse or the airport, or costly security measures or unfunded mandates, which would prove challenging for any airport director to accomplish without presenting an appearance of impropriety. The airport director also has limited staff educated in security issues.

Embrace Formal Regulatory Process Similar to FAA Process. The scenario described by former employees and airport operators alike was one akin to a game of cat and mouse where the inspectors may show up once per year, write some violations, deficiencies were temporarily corrected, and once the inspectors were gone things tended to revert back toward the previously documented deficiency. I fail to see how a return to a pre-9/11 process would enhance security and protect the passengers we serve.

The other deficiency of this legacy is that there was no FAA on-site agent to disseminate security directives or emergency amendments, and more importantly no one on site to ensure that these mandates were truly carried out.

Cost Effectiveness. TSA will document the overall cost effectiveness of Federal screeners vs. contract screeners.

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TSA Airport Staff Census
January 2003

	Code	CAT	Airport Name	State	Total Pax On Board	Total Baggage On Board	TOTAL Screeners On Board
##	MSN	II	Dane County Regional Airport	WI	40	42	82
##	MSO	II	Missoula International Airport	MT	20	35	55
##	MSP	I	Minneapolis-St. Paul International Airport	MN	404	537	941
##	MSS	IV	Massena International Airport	NY	9	0	9
##	MSY	I	New Orleans International Airport	LA	254	178	432
##	MTJ	III	Montrose County Airport	CO	20	0	20
##	MVY	IV	Martha's Vineyard Airport	MA	5	0	5
##	MWA	IV	Williamson County Airport	IL	14	0	14
##	MWH	III	Grant County Airport	WA	12	0	12
##	MYR	II	Myrtle Beach International Airport	SC	39	42	81
##	NQM	III	Midway Island Airport		0	0	0
##	OAJ	IV	Albert J Ellis Airport	NC	8	0	8
##	OAK	I	Metropolitan Oakland International Airport	CA	223	215	438
##	OFK	IV	Karl Stefan Memorial Airport	NE	3	0	3
##	OGG	I	Kahului Airport	HI	112	97	209
##	OGS	IV	Ogdensburg International Airport	NY	7	0	7
##	OKC	I	Will Rogers World Airport	OK	125	91	216
##	OLM	IV	Olympia Airport	WA	8	0	8
##	OMA	I	Eppley Airfield	NE	98	101	199
##	OME	III	Nome Airport	AK	5	0	5
##	ONT	I	Ontario International Airport	CA	181	121	302
##	ORD	X	O'Hare International Airport	IL	961	1212	2173
##	ORF	II	Norfolk International Airport	VA	168	135	303
##	ORH	III	Worcester Regional Airport	MA	18	5	23
##	OSH	IV	Wittman Field Airport	WI	4	0	4
##	OTH	IV	North Bend Municipal Airport	OR	8	3	11
##	OTZ	III	Kotzebue 'Ralph Wien Memorial' Airport	AK	3	0	3
##	OWB	IV	Owensboro Daviess County Airport	KY	11	0	11
##	OXR	IV	Oxnard Airport	CA	10	0	10
##	PAH	IV	Barkley Regional Airport	KY	11	0	11
##	PBI	I	West Palm Beach International Airport	FL	141	105	246
##	PDT	IV	Eastern Oregon Regional Airport at Pendleton	OR	14	1	15
##	PDX	I	Portland International Airport	OR	313	205	518
##	PFN	III	Panama City-Bay County International Airport	FL	30	10	40
##	PGA	IV	Page Municipal Airport	AZ	7	0	7
##	PGV	IV	Pitt-Greenville Airport	NC	9	0	9
##	PHF	III	Newport News/Williamsburg International Airport	VA	36	32	68
##	PHL	X	Philadelphia International Airport	PA	624	230	854
##	PHX	I	Phoenix Sky Harbor International Airport	AZ	602	477	1079
##	PIA	III	Greater Peoria Airport	IL	21	14	35
##	PIB	IV	Hattiesburg-Laurel Regional Airport	MS	7	0	7
##	PIE	II	St Petersburg-Clearwater International Airport	FL	55	49	104

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4/2/2003

FSD List
Executive Non-Executive

ST	Airport	Code	CAT	GR	Name	Satellite Airports
CA	LOS ANGELES	LAX	X	SES	DAVID STONE	
CA	SAN FRANCISCO	SFO	X	SES	EDWARD GOMEZ	
CO	DENVER	DEN	X	SES	PATRICK AHLSTROM (ACT)	FNL (IV)
DC	REAGAN NATIONAL	DCA	X	SES	PATRICK HYNES (ACTING)	
FL	MIAMI	MIA	X	SES	EDMUNDO GUEVARA	
FL	ORLANDO	MCO	X	SES	CHARLES LUTZ	
GA	ATLANTA HARTSFIELD	ATL	X	SES	WILLIE WILLIAMS	AHN (IV)
HI	HONOLULU	HNL	X	SES	SIDNEY HAYAKAWA	
IL	CHICAGO O'HARE	ORD	X	SES	ISAAC RICHARDSON	
MA	BOSTON LOGAN	BOS	X	SES	GEORGE NACCARA	ORH (III); BED (IV)
MD	BALTIMORE WASHINGTON	BWI	X	SES	JOSEPH MALANDRINO	
MI	DETROIT METRO WAYNE COUNTY	DTW	X	SES	ROBERT JOHNSON	
MO	ST LOUIS	STL	X	SES	WILLIAM SWITZER	BLV (IV)
NJ	NEWARK	EWR	X	SES	MARCUS ARROYO	
NY	JOHN F. KENNEDY	JFK	X	SES	WILLIAM HALL	
PA	PHILADELPHIA	PHL	X	SES	JAMES GOLDEN	
RQ	SAN JUAN	SJU	X	SES	MARLENE HUNTER	PSE (III); MAZ (II); BQN (III)
TX	DALLAS/FORT WORTH	DFW	X	SES	JAMES WOOLEN	
TX	GEORGE BUSH-HOUSTON	IAH	X	SES	JOHN E. GARTLAND	
VA	WASHINGTON-DULLES	IAD	X	SES	SCOTT MCILUGH	
WA	SEATTLE-TACOMA	SEA	X	SES	ROBERT BLUNK	BLI (III); CLM (IV)
AK	ANCHORAGE	ANC	I	SES	KENNETH JARMAN	ADQ (III); DUT (III); AKN (III); CDY (III)
AZ	PHOENIX SKY HARBOR	PHX	I	SES	MARCIA FLORIAN	FLG (V); PGA (IV); PRC (IV); IGM (IV); HII (IV)
CA	JOHN WAYNE-ORANGE CT	SNA	I	SES	ASHLEY WILLIAMS	
CA	OAKLAND	OAK	I	SES	FRED LAU	SCK (IV)
CA	ONTARIO	ONT	I	SES	RICHARD BAKER	
CA	SACRAMENTO	SMP	I	SES	WILLIAM H. WADE	
CA	SAN DIEGO	SAN	I	SES	MIKE AGUILAR	CRQ (IV)
CA	SAN JOSE	SJC	I	SES	THOMAS JAMES	MOD (IV); MRY (III)
CT	BRADLEY-HARTFORD	BDR	I	SES	DANA COSGROVE	HVN (IV); GOV (IV); CEF (IV)
FL	FT LAUDERDALE-HOLLYWOOD	FLL	I	SES	DALE KARLEN	EYW (IV)
FL	JACKSONVILLE	JAX	I	SES	PAUL HACKENBERRY	GNV (IV)
FL	TAMPA	TPA	I	SES	DARIO COMPAIN	
FL	WEST PALM BEACH	PBI	I	SES	TIMOTHY BROOKS	
IL	CHICAGO MIDWAY	MDW	I	SES	JEANNE CLARK	
IN	INDIANAPOLIS	IND	I	SES	DICK SUKAWA	

4/2/2003

FSD List
Executive Non-Executive

LA	NEW ORLEANS	MSY	I	SES	ROBERT BESAL	
MN	MINNEAPOLIS-ST PAUL	MSP	I	SES	KENNETH KASPRIN	
MO	KANSAS CITY	MCI	I	SES	RICHARD CURASH	FOR(IV); IRK(IV); MHK(IV); COL(IV)
NC	CHARLOTTE/DOUGLAS	CLT	I	SES	MANOLITO GARABATO	
NC	RALEIGH/DURHAM	RDU	I	SES	RONALD TUHL	FAY(III)
NV	MCCARRAN	LAS	I	SES	JAMES BLAIR	IFP(III)
NY	LAGUARDIA	LGA	I	SES	TOM WILKINS (ACTING)	
OH	CLEVELAND-HOPKINS	CLE	I	SES	MICHAEL YOUNG	CAK(III); YNG(III)
OH	PORT COLUMBUS	CMH	I	SES	THOMAS RICE	
OR	PORTLAND INTERNATIONAL	PDX	I	SES	ROBERT JACKSON	RDM(IV)
PA	PITTSBURGH	PTT	I	SES	ROBERT BLOSE	LBE(IV); JST(IV)
TN	NASHVILLE	BNA	I	SES	DAVID BEECROFT	
TX	AUSTIN-BERGSTROM	AUS	I	SES	MICHAEL D. SCOTT	ACT(III); LE(IV); CLL(IV)
TX	SAN ANTONIO	SAT	I	SES	LEOPOLDO VASQUEZ	
TX	WILLIAM P HOBBY-HOUSTON	HOU	I	SES	JERRY WYATT	
UT	SALT LAKE CITY	SLC	I	SES	EARL MORRIS	VEL(IV); CNY(IV); SGU(IV); CDC(IV)
AL	BIRMINGHAM	BHM	I	K	LYNDEL HARDY	HSV(III); MSL(IV)
AR	LITTLE ROCK	LIT	I	K	JERRY HENDERSON	XNA(III); FSM(III); JBR(IV); HRO(IV); HOT(IV); ELD(IV)
AZ	TUCSON	TUS	I	K	JOHN SIDES	FHU(IV)
CA	BURBANK	BUR	I	K	ILAC PONCE (ACTING)	LGB(III)
CO	COLORADO SPRINGS	COS	I	K	DENNIS FORTLAUCE	PUB(III)
FL	SARASOTA-BRADENTON	SRO	I	K	FRANK CAPELLO	PIE(II)
FL	SOUTHWEST FLORIDA-FT MEYERS	RSW	I	K	DOUGLAS PERKINS	APF(IV)
GU	GUAM	GUM	I	K	ADOLF SGAMBELHURI	TNI(III)
HI	KAHULUI	OGG	I	K	LOWERY LEONG	LNY(III); MKK(III)
IA	DES MOINES	DSM	I	K	TIMOTHY McDONALD	ALO(IV); FOD(IV); MCW(IV)
ID	BOISE	BOI	I	K	JULIAN GONZALES	SUN(III); TWf(IV)
KS	WICHITA	ICT	I	K	KEITH OSBORN	GBD(IV); DDC(IV); LBL(IV); GCK(IV); SLN(IV); HYS(IV)
KY	CINCINNATI (HEVRON KY)	CVG	I	K	TERRY BURGESS	
KY	LOUISVILLE	SDF	I	K	ROBERT FOSTER	
MI	GERALD R. FORD-GRAND RAPIDS	GRE	I	K	JOHN MUMMA	AZO(III); MKG(IV)
NC	PIEDMONT/TRIAD	GRG	I	K	EARNEST HOWARD	
NE	PEPPEY AIRFIELD	OMA	I	K	MICHAEL KUDLACZ	OFK(IV); SUX(III)
NM	ALBUQUERQUE	ABQ	I	K	MICHAEL P. DEWEY	SAF(IV)
NV	RENO/TAHOE	RNO	I	K	STEVE PANSKY	EKO(III)
OH	JAMES M. COX DAYTON	DAY	I	K	LINDA WILLIAMSON (ACTING)	
OK	TULSA	TUL	I	K	STEPHEN CORTRIGHT	PNC(IV)

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FSD List
Executive Non-Executive

OK	WILL ROGERS	OKC	1	K	LARRY KETTLER	WDG(IV)	
RI	TE GREEN STATE	PVD	1	K	JOSEPH SALTER	HYA(IV); PVC(IV); MYY(IV); ACK(IV)	
TN	MEMPHIS	MEM	1	K	WILEY D. THOMPSON III	MKL(IV)	
TX	DALLAS LOVE	DAL	1	K	MIKE RESTOVICH		
TX	EL PASO	ELP	1	K	DENNIS CLARK		
VA	NORFOLK	ORF	1	K	DONALD BARTNIK	PHF(III)	
WA	SPOKANE	GEG	1	K	DAVID KUPER	MWH(IV); EAT(IV); PUW(III); LWS(IV)	
WI	MILWAUKEE	MKE	1	K	DAVID KNUDSON		
AL	MOBILE	MOB	1	K	GAIL LINKINS	GPT(III)	
CA	PALM SPRINGS	PSP	1	K	THOMAS R. ANTHONY	IPL(IV); YUM(III)	
FL	DAYTONA BEACH	DAB	1	K	NICHOLAS SCOTT	SFB(III); MLB(I)	
FL	PENSACOLA	PNS	1	K	STEVE F. EARNEST	VPS(III); PFN(III)	
GA	SAVANNAH	SAV	1	K	DEBORAH BROOKS	HHH(IV); BOK(IV)	
HI	KONA	KOA	1	K	JAMES CORREA	ITO(II)	
IL	LIHUE	LHI	1	K	ROBERT SCHOONMAKER		
IL	QUAD-CITY METRO- MOLINE	MLI	1	K	JULIO GARCIA	BRJ(IV); CHD(III); DBQ(IV)	
IN	SOUTH BEND	SNB	1	K	JAMES ROCHE	FWA(II); GYY(III); LAF(IV)	
MS	JACKSON	JAN	1	K	LARRY ROWLETT	GLH(IV); ME(IV); TUP(IV); FIB(IV); GTR(IV)	
NH	MANCHESTER	MHT	1	K	RAYMOND CAROLAN	PSM(III)	
NY	ALBANY	ALB	1	K	PAUL VARVILLE	SWF(III)	
NY	BUFFALO/NIAGARA	BUF	1	K	JAY STROUP	IAG(IV)	
NY	GREATER ROCHESTER	ROC	1	K	DAVID BASSETT	ELM(III); BGM(III); TTH(II)	
NY	LONG ISLAND	ISP	1	K	PAUL CRISP	HPN(III)	
NY	SYRACUSE/HANCOCK	SYR	1	K	GARY MILANO	UCA(IV); SLK(IV); MSS(IV); ART(IV); OGS(IV)	
PA	HARRISBURG	MDT	1	K	CHARLES CHASE	HGR(IV); UNV(IV); AOO(IV); CBE(IV)	
SC	CHARLESTON	CHS	1	K	DEBORAH ENGLE	MYR(II)	
SC	GREENVILLE/SPARTANBURG	GSP	1	K	MICHAEL FARMAN	AVL(III)	
TN	MCGHEE TYSON	TYS	1	K	CHARLES BROCKMAN	CHA(II); TR(III)	
TX	LOBBUCK	LBB	1	K	JAMES HOLDEN	AMA(II); MAF(I)	
VA	RICHMOND	RIC	1	K	THOMAS DAVIS		
WI	DANE COUNTY	MSN	1	K	LOUIS A. TRAVERZO	ATW(III); OSH(IV); CWA(III); EAU(IV); RFD(IV)	
AK	FAIRBANKS	FAL	1	J	MARGARET RHODES	BET(III); DLG(III); SCC(III); OME(III); OTZ(II); BRW(III)	
AK	JUNEAU	JNU	1	J	DAVID MITCHELL	SIT(III); YAK(III); GST(III); WRG(III); KTN(III); PSG(III)	
CA	FRESNO	FAT	1	J	ROBERT BENSON	BEL(III); VIS(IV); YK(IV)	
FL	TALLAHASSEE	TTLH	1	J	QUINTEN JOHNSON	ABY(IV); DHN(IV); VLD(IV)	
KY	BLUE GRASS	LEX	1	J	LANNY MILLER		
LA	BATON ROUGE	BTR	1	J	DANNIE BEATY	LFT(III); LCH(IV)	

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LA	SHREVEPORT	SHV	J	MICHAEL BOREN	TXK(III); TYR(IV); GGG(III)
ME	BANGOR	BGR	J	JOHN H. BOOTH	BHB(IV); RKD(IV); PQI(IV); AUG(IV)
ME	PORTLAND	PWM	J	G. ROBERT DYER	
MI	CHEERY CAPITAL	TVC	J	ALLEN ANDERSON	MBL(IV); PLN(IV); APN(IV); CUU(IV)
MP	SAIPAN	GSM	J	JOHN PEOPLES	
MT	MISSOULA	MBO	J	MARK RANDOL	FCA(III); HLN(III); GTF(III)
OH	TOLEDO	TOL	J	ROBERT TURAY	
SC	COLUMBIA	CAE	J	GERALD CHAPMAN	AGS(III); FLO(IV)
SD	JOE FOSS FIELD	JSD	J	CLARENCE PUTNAM	ABR(IV); HON(IV); BKX(IV); ATY(IV)
TX	CORPUS CHRISTI	CRP	J	ROBERTO FERNANDEZ	VCT(III); LRD(IV)
TX	RIO GRANDE VALLEY	HRL	J	GEORGE HUNGATE	BRO(III); MFE(III)
VQ	CYRIL E. KING LSVI	STI	J	LEE F. DUFFY	STX(III)
WI	AUSTIN STRAUBEL	GHB	J	TIMOTHY DECKER	RHI(IV); IWD(IV); ESC(IV); IMT(IV); CMX(IV); SAW(IV)
MI	CAPITAL CITY	LAN	K	JAMES BULLOCK	MBS(III); FNT(III)
AL	MONTGOMERY	MGM	J	EARNEST SHEARD	CSG(III); MCN(IV)
CA	SANTA BARBARA	SBA	J	RANDY MCINTOSH	SMX(IV); OXR(IV); SBP(IV)
CO	EAGLE COUNTY	EGE	J	RAY KREBS	HDN(III); ASE(III)
CO	WALKER FIELD-GRAND JUNCTION	GJT	J	RENE DHENIN	TEX(IV); MTJ(III); GUC(IV)
ID	IDAHO FALLS	IDA	J	JAMES SPINDEN	PHI(III); JAC(III)
IL	BLOOMINGTON-NORMAL	BMI	J	DAVID CHOYANCEK	CMJ(III)
IL	GREATER PHOENIA	PIA	J	MICHAEL CLEVELAND	UN(IV); SPI(III); DEC(IV)
IN	EVANSVILLE	EVV	J	JASON BRAINARD	MWA(IV); OWB(IV); PAH(IV)
LA	MONROE	MLU	J	ROBERT TUCKER	AEX(IV)
MN	DULUTH	DLH	J	JOHN HURSEY	INL(IV); BJI(IV); BRD(IV); GPZ(IV); HIB(IV); ELO(IV)
MN	ROCHESTER	RST	J	STACY CROSS	STG(IV); LSE(III)
MO	SPRINGFIELD-BRANSON	SFG	J	CLEMENT SPENCER	JLN(IV); TBN(IV); CGI(IV)
MT	BILLINGS/LOGAN	BLI	J	HUGH FORD	BZN(III); BTM(III); WYS(IV)
NC	WILMINGTON	ILM	J	JOE TERRELL	OA(IV); PGV(IV); EWN(IV); ISO(IV)
ND	BISMARCK	BIS	J	JOEL GUTENSOHN	MOT(III); DIK(IV); ISN(IV)
ND	HECTOR	FAR	J	BRUCE TOWERS	JMS(IV); GFK(III); DVL(IV); TVF(IV)
NE	LINCOLN	LNK	J	RENO BAMEORD	GR(IV); EAR(IV); LBF(IV); MCK(IV); CDR(IV); ALA(IV); BFF(IV)
NI	ATLANTIC CITY	ACY	J	VINCENT AMORESANO	ITN(IV); SBY(IV)
OR	EUGENE/MAHOLON	EUG	J	DONALD BARKER	OTH(IV)
OR	ROGUE VALLEY	MFR	J	WILLIAM HICE	LMT(IV)
PA	LEHIGH VALLEY	ABE	J	DEMPSEY JONES	RDG(IV); AVP(III); LNS(IV); IPT(IV)
SD	RAPID CITY	RAP	J	SYL VESTER ALLEN BELCHER	PIR(IV)
VA	CHARLOTTESVILL-ALBERMARLE	CHO	J	HARRY DEMBO	SHD(IV); LYH(III)

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Executive Non-Executive

VA	ROANOKE	ROA	III	J	ROBERT SIENKEL	BLE(IV); LWB(IV); BKW(IV)
VT	BURLINGTON	BTY	III	J	GEORGE HARKNESS	PLB(IV); RUT(IV); LEB(IV)
WA	TRI-CITIES	PSC	III	J	RONALD HAYS	ALW(IV); YKM(IV); PDT(IV)
WV	YEAGER	CRW	III	J	NICHOLAS BRUICH	HTS(III); CKB(IV); MGW(IV); PKB(IV)
CO	DURANGO-LAPATA	DRO	III	I	RICHARD FOUGHT	FMD(IV); CEZ(IV); ALS(IV)
HI	PAGO-PAGO, SAMOA	PRG	III	I	WILLIAM HALEK	
PA	ERIE	ERI	III	I	LEO F. JONES	JHW(IV); BFD(IV); DUJ(IV); FKL(IV)
TX	ABILENE	ABI	III	I	ARROTH RYLAND	SJT(IV); BWD(IV)
TX	SHUTTARD AFB-WITCHITA FALLS	SPS	III	I	EDWARD KARABINAS	LAW(IV)
WY	NATRONA COUNTY	CPR		I	GARY MCCURDY	GCC(IV); CYS(IV); LAR(IV)
WY	YELLOWSTONE	COD		I	WILLIAM MERKEL	WRL(IV); RIW(IV); RKS(IV); SHR(IV)
158 TOTAL AIRPORTS						

Airline Pilots Security Alliance
Report to the House Aviation Subcommittee on the Status of the Federal
Flight Deck Officer Program
October 29, 2003

On October 16, during testimony to the House Aviation Subcommittee, James Loy, Director of the Transportation Security Agency, made opening remarks curiously not in his published statement, characterizing the Federal Flight Deck Officer Program (FFDO) as a "success story," and suggesting the Airline Pilots' Security Alliance (APSA) acknowledges favorable reviews of the FFDO program on its website. Mr. Loy made these remarks after going out of his way to suggest they were *"not taken out of context in order to give you some kind of 'good news' story; rather they reflect the honest evaluations that we receive each and every week as pilots go through the process."*

Mr. Loy said, *"The positive feedback on our training course is an impressive 98%. The most recent website for APSA -- that pilot organization that has been very challenging of the FFDO program in the past -- I would like to submit as a portion of testimony to the record. In there they cite, precisely what [I am describing]..."*

APSA takes strong exception to Mr. Loy's inferences, and, so, would like to submit this clarification of our position as a portion of testimony to the record also.

Contrary to his disclaimer, Mr. Loy's references were very much out of context and manifestly misleading. The comment and feedback on the FFDO program APSA has received from FFDO applicants, pilots at large, law enforcement experts, and the public, has been almost without exception, starkly negative. It is characterized by extreme frustration at the TSA's onerous design, oversight and lackluster implementation of the program, and arrogance toward and mistrust of professional airline pilots; and the view the Administration continues to deliberately delay and sabotage the program Congress envisioned, significantly diminishing airline security.

Mr. Loy is well aware APSA and the Coalition of Airline Pilots (CAPA) (with whom he claims to have worked "in close cooperation") continue to have serious concerns about the program's management and regard it as anything but a "success story."

The single exception, as noted in *one line in one article* on APSA's website, and the basis for the 98% positive student course evaluations to which Mr. Loy refers, is in the quality of local Federal Law Enforcement Training Center (FLETC) curriculum and staff, which are excellent. These positive student course evaluations do not, in any way, endorse the TSA's design, implementation and oversight of the FFDO program. Contrary to Mr. Loy's claims -- by any measure -- TSA's management of the FFDO program has made it an abject failure. Worse, it is a program *deliberately designed* to fail.

When Congress passed legislation mandating the FFDO program, 40,000 professional pilots expressed a strong interest in volunteering, though the program did not yet even

exist. We expected even that number to rise dramatically when the program was actually in operation. Today, almost *ninety percent* of the original volunteers have changed their minds. Fewer than 5% of our pilots have signed up for Mr. Loy's program. And a high percentage of those that are still willing, are routinely disqualified during TSA's screening process. Former police officers, former federal agents, firearms instructors and military pilots with Top Secret clearances, who carried not only firearms but nuclear weapons, have been told by Mr. Loy, they are not fit to carry a pistol in their cockpits.

The TSA's draconian psychological and background screening requirements, in excess even of the requirements new full-time federal agents undergo; its veiled threat to share its personal judgments of a pilot's psychological fitness with the FAA and the pilot's employer; its onerous, unsafe and nonsensical requirement that pilots carry firearms in "lockboxes;" its use of only a single, remote training facility; its refusal to even issue standard federal credentials to Federal Flight Deck Officers; and its direction to its Federal Air Marshals to surreptitiously police FFDO's for infractions; all of these, have driven away professional airline pilots, literally, by the tens of thousands. This, combined with the slow pace of training sadly results in the fact that two years after the terror attacks -- and in an environment where a college student can successfully carry terrorist weapons onto commercial airliners virtually any time he wants -- only about 500 out of 125,000 pilots in this country are armed to defend their passengers. This is not a success story.

The TSA's transparent attempts to discourage and disqualify pilot-volunteers, as well as its unsafe program design, will result in the ultimate demise of this critical program unless Congress acts to place it under the oversight of an experienced and interested law enforcement agency like the Federal Bureau of Investigation, *and* passes legislation that mandates the FFDO program be dramatically expanded and operated in accordance with standard law enforcement protocol, and volunteers encouraged to come forward.

A sampling of the comments APSA has received is attached. The summary of concerns raised is below:

Psychological Screening. TSA continues to require multiple levels of psychiatric and background screening for professional pilot-applicants. While full-time armed federal agents with wide jurisdictions (Federal Air Marshals and US Customs Pilots among them) undergo no, or cursory psychological evaluation -- and are seldom disqualified by it -- airline pilots must complete a three hour written psychiatric test, then a lengthy psychiatric interview, prior to being accepted for FFDO training. *A large percentage of professional pilots are disqualified during the screening process.* APSA has numerous reports of current and former police officers, federal agents, firearms instructors and military pilots, that Mr. Loy's agency has judged unfit to carry a pistol. No other federal law enforcement agency even conceives of disqualifying such highly competent people in such numbers.

This much increased disqualification rate exists, even though airline pilots are "proven quantities," having already demonstrated their psychological prowess for years.

averaging ten years of flight experience before even reaching an airline cockpit -- *then* capably flying commercial airliners every day -- while prospective federal agents are "unknown quantities" and may apply "off the street." To suggest a high percentage of professional airline pilots are incapable of being effectively trained to carry a sidearm is the clearest statement of the Mr. Loy's antipathy for the FFDO program.

The TSA's stated reason for psychological testing is that the "gun is a distraction" or that "we must ensure the pilot is capable of landing the aircraft after using lethal force." APSA believes the presence of a defensive weapon is no more a distraction than that of the fire extinguisher in the cockpit and that the terrorist attempting to break down the door and kill the pilot will be far more distracting. We note, hundreds of thousands of police officers routinely drive on patrol without being "distracted" by carrying a weapon. US Customs and FBI pilots also are armed in flight with no record of incidents caused by being distracted by the presence of their firearms.

As to the TSA's second point, that of landing, Mr. Loy's logic suggests if there is any doubt a pilot can land after using lethal force, it would be somehow better to leave him defenseless -- preferring to risk him landing with his throat slit, since it is only against that threat, he would use lethal force. In any case, we would remind Mr. Loy, there is a second pilot available, if the challenge of landing after preventing a mass-casualty attack and saving thousands of lives, proves too great.

Background Screening. TSA continues expensive, time-consuming and intrusive background investigations of FFDO applicants largely redundant to those already required under federal law for a pilot's employment, and more instituted since the terrorist attacks. These background checks delay training by months, even if the pilot passes them (and some do not). The existing background checks required to operate an aircraft capable of being used as a weapon of mass destruction, which incorporate thorough criminal, immigration and domestic violence screens, should be sufficient to carry a pistol. Pilots who already hold Top Secret clearances are being further background-checked by the TSA, delaying or disqualifying them for FFDO training. This makes no sense.

Lockboxes. The "lockbox" requirement is still of great concern. No other law enforcement agency in the country has such an unwieldy, unsafe and flawed procedure. This requirement means the Federal Flight Deck Officer must box his weapon every time he goes on or off duty, leaves the cockpit during his duty day, commutes to and from his duty station and/or deadheads in the passenger cabin. He must carry an extra bag at all times, making him easily identifiable as an FFDO and increasing the odds of theft of the weapon. In many cases, the officer must carry the boxed weapon outside to and from the aircraft cargo compartment for transport. This is extraordinarily onerous for the officer. We estimate an average pilot must move the weapon back and forth from the lockbox 160 times each month, in contrast to carrying the weapon on his person, when he would not have to move it at all.

Firearms and law enforcement experts feel almost universally, lockboxes are also unsafe. That is why no other agency mandates their use. Each of those 160 times the pilot must handle his weapon, the prospect of an accident involving a pilot, crewmember, ramp agent or passenger increases. Additionally, unattended transport in the cargo compartment dramatically increases the chance of loss or theft. The TSA acknowledges all of the above, yet persists in requiring lockboxes, with little explanation.

While twenty-odd federal agencies' employees may carry concealed firearms on their persons in airliner cabins (among them, the Peace Corps and the US Fish and Wildlife Service), it makes little sense that FFDO's trained specifically to operate safely in the airline environment, must remove their weapons to the cargo compartment.

Recently, an FBI agent in an airport lost his luggage containing a firearm, resulting in the complete evacuation of the airport concourse. The TSA acknowledges FFDO bags containing weapons will be lost by baggage personnel as more FFDO's are fielded, since they are not permitted to carry weapons on their persons, resulting in airport evacuations and perceptions the program doesn't work. It is only a matter of time. As we have stated, the TSA has designed the program to fail.

Credentialing. Federal Flight Deck Officers are not issued standard federal credentials. The TSA's stated reason for this is that they are concerned pilots will use badges to "get out of traffic tickets." APSA finds the TSA's attitude reprehensible. The lack of proper credentials makes it difficult for a fellow law enforcement officer to verify the identity of an armed FFDO, and will be dangerous in an emergency. It is one more example of the TSA hamstringing the FFDO program.

Training Scheduling. There is only one remotely located facility available to train FFDO's. At its present training pace, it will take more than twenty years to train even one-third of our nation's airline pilots. One full year into the TSA's mandate, there are fewer than 500 FFDO's on line to protect *11 million flights per year!* Even if TSA doubles the training pace -- one year from today less than 1% of commercial flights will be protected.

Airlines are not required to provide time off (even unpaid) to the pilot to attend FFDO training. Consequently, some airlines have refused. In other cases, TSA notified applicants of training only a few days in advance, then claimed empty class seats and a lack of pilot interest, when pilots couldn't rearrange their schedules to attend on such short notice.

Reduction in Volunteers. The myriad problems with the program's design, the TSA's transparent attempts to discourage and disqualify volunteers; as well as the threat of employment consequences for pilots judged psychologically unfit by an agency perceived as hostile toward their participation, has reduced FFDO volunteers from 40,000 pilots originally expressing an interest, to only a few thousand, effectively rendering the program impotent. The TSA has shared with pilots that its own judgments regarding a

pilot's psychological fitness may be shared with the FAA and the pilot's employer. It is against this backdrop of manifest hostility that pilots decide whether to apply or not.

In last week's printed remarks, Mr. Loy states, *"...at the current pilot application rate, we expect to have trained the vast majority of pilots who have volunteered for the program and met the initial background requirements."* Congress should note first, the pilot application rate has been eviscerated by the onerous design of the program and few are applying -- training those who have, in the TSA's judgment, 'met the initial background requirements' should not prove difficult since the TSA disqualifies so many of the remaining pilots in the screening process.

Mr. Loy also refers to FFDO's having flown to date "ten thousand flights." Ten thousand flights is less than one third of airline flights *on a single day* in this country. Even if Mr. Loy is correct, when he says this number will *"rise quickly into the hundreds of thousands of flights,"* that would represent only the smallest percentage of the 11 million flights that take place annually.

Last year, Congress deliberately voted against an FFDO "test program" that would have armed only 2% of our nation's pilots, rightly concluding such a small number would not be an effective terrorist deterrent or defense. Even if Mr. Loy doubles the pace of FFDO training, only about 2% of our pilots will be armed next year at this time. Congress mandated the arming of large numbers of pilots quickly. TSA is doing exactly the opposite.

Congress was understandably irritated when TSA planned to reduce the force of Federal Air Marshals last summer due to its budget overruns. But Congress must realize the contingent of air marshals is so small, they protect only the smallest fraction of flights in the first place. A 20% reduction in air marshals would not have materially affected airline security. The TSA's attempts to discourage and disqualify the 40,000 pilots waiting to sign up for a reasonable FFDO program -- already have.

TSA's refusal to address major problems within the FFDO program continue, even as last month, a man successfully got aboard a cargo airliner by hiding in a shipping crate; and, two weeks ago, it was revealed, a young college student was able to repeatedly plant illegal weapons on *six different airliners*, over a span of months, easily thwarting security screening each time. *Can there be any clearer demonstration that blind reliance on the primary strategy of trying to keep contraband off airliners is deeply flawed?* How many security breaches must we see? How many evacuated airports? How many, "near misses" -- before we act?

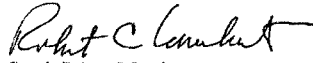
Two years after September 11, the vast vast majority of our airliners remain defenseless against terrorist attack; weapons are easily smuggled aboard them *by children*; and the agency charged with managing airline security arrogantly resists giving our nation's pilots the means to protect their passengers and our country from the terrorists and weapons we know will easily get on board. For the life of us, we cannot understand.

Thankfully, there is a solution. The Airline Pilots Security Alliance has prepared legislation that corrects the myriad problems with the TSA's implementation of the FFDO program while preserving safety, responsibility and oversight, encourages pilots to volunteer, mandates efficient training using proven practices employed by other federal law enforcement agencies, and results in a large number of the traveling public being defended against terrorists in a short time span. It gives us the program Congress and the vast majority of the American people wanted.

As the preeminent security group representing our country's airline pilots, and having no other agenda than protecting our country from future attacks, we would welcome the opportunity to participate in future hearings on the state of airline security and the Federal Flight Deck Officer Program. We also look forward to the chance to work with Congress at its earliest opportunity, to pass simple and vital legislation that will result in a much safer, more secure, air transportation system, at a much lower cost than we entertain today.

As the FBI recently reiterated, the terrorist clock is ticking.

Respectfully Submitted,



Captain Robert C. Lambert
President, Airline Pilots' Security Alliance

Sample FFDO "Disqualified Pilots" Comments

The following comments were forwarded to APSA from TSA-disqualified FFDO applicants. **All commenters have been disqualified from the program.** APSA has received no 'positive' comments, so none are included.

(Names and contact info have been redacted except where the information was already public; emphasis is APSA's).

Most, if not all applicants, received the following email from TSA, when first disqualified:

"Thank you for your interest in the Federal Flight Deck Officer (FFDO) program. We regret to inform you that you will not receive further consideration for the program in this application period."

The selection process in which you have participated is the process by which TSA determines if candidates meet the established standards and criteria for participation in the FFDO program. Under the Arming Pilots Against Terrorism Act (APATA), the Administrator of the Transportation Security Administration (TSA) has the authority to establish the standards and criteria pilots must meet to qualify as an FFDO. APATA also gives the Administrator the discretion to select candidates for the FFDO program.

Based on TSA's evaluation during the selection process, you currently do not meet the criteria for participation in the FFDO program. While you may not appeal this decision, you may re-apply for the FFDO program in the first application period that occurs one year from the date of this notification."

"...I was turned down for the initial class. [My Background:] [UNION] Security Committee member and former chairman. Civilian Law Enforcement Experience: Chicago Police Department, 1986-1991, 1993-1997. Uniformed patrol duties (beat car), plainclothes patrol duties (gang/tactical teams) aerial observer. Military Experience: 27 years. Military Law Enforcement Experience: 3 years Military Policeman (1976-1979), Military Police Platoon Leader (1980-1981), Executive Officer, [xxx]th MP Battalion (1998-1999), Security Clearance: TS (Interim), undergoing update...."

APSA Note: *A former DEA/US Customs Agent was also disqualified by TSA, one hour before FFDO graduation. TSA refused to give him a reason*

"...TSA couldn't have had time to do any background checks let alone didn't contact any of my personal references, one of which is a retired Sergeant from the Santa Clara Sheriff's Office..."

"...I have asked numerous Federal Air Marshals if they ever interviewed with a psychologist during their interview process. Every one of them, without exception, attest that they did not ever speak with a psychologist, even those coming straight out of college with no law enforcement experience. Yet the TSA insists that responsible airline pilots with years of experience in providing safety to their passengers be subjected to a contract psychologist's evaluation..."

"...I am a retired Naval Aviator, Patrol Plane Commander and Mission Commander with twenty plus years of service to my country. I have held a top-secret security clearance and have spent many years in various nuclear weapons positions. During the past ten years I have served as a volunteer on both the Search and Rescue Team and the Sheriff's Advisory Board with the Santa Clara County California Sheriff's Office. During the past three years I have actively participated with the combat range operations of the annual "Best in the West" SWAT team competition sponsored by the Sheriff. I was trained by the U.S. Navy as an armed Nuclear Weapons Courier...."

"...The USAF trusted me for over 28 years to be responsible for several types of multi-million dollar jet fighters. They trusted me to use good judgment with 20mm canons, two thousand pound laser guided bombs, and deadly air to air missiles (in addition to my pistol which I carried in the aircraft). The USAF

considered me psychologically sound enough to be directly responsible for nuclear weapons. They trusted me to lead and accomplish missions of up to 54 combat aircraft carrying a full array of very powerful weapons. Because I excelled in trustworthiness, dedication and accountability, senior military commanders selected me to the very responsible leadership positions of fighter squadron commander, fighter group commander, and eventually, fighter wing commander during my 28 year military career. As a full colonel and fighter wing commander I was responsible and accountable for leading and training 1,400 warriors, maintaining 22 F-16 fighters, and thousands of tons of sophisticated weapons. I find it ironic that I was responsible for the maintaining the same jet fighters and training the same pilots that where scrambled into the air on September 11, 2001, and yet a TSA psychologist has determined I am unreliable to carry a weapon in my own airliner..."

"...I am an ex Air Force Officer and an Associates degree in Law Enforcement, I have been taking a martial arts course fro the last three years which specializes in self defense and personnel protection.

"...Does the TSA have higher requirements than the USAF has for their wing commanders? How does being a successful wing commander responsible for tons of extreme weaponry, multimillion dollar jet fighters, and 1400 warriors, compare to the TSA's requirements to carry a small weapon in a commercial airliner? The fighters that I led were responsible to the protection of New York City and Washington D.C., yet I don't measure up to the TSA requirements to protect my single airliner..."

"...I have been an airline pilot (25 years). My record is impeccable. I retired from the USAF as a full colonel after 28 1/2 years. I maintained a top secret clearance during my entire service. I was scrutinized under the USAF Human Reliability Program as I was responsible for a wide range of tactical and strategic [nuclear] weaponry as well as leading combat aircraft on complex missions. I always qualified as an "expert" USAF small arms training - pistol. I taught small arms training. I supervised those that taught small arms training. I was a fighter squadron commander, fighter group commander, and for the last four years of my career, I was the Commander of the 147th Fighter Wing at Ellington Field, Houston, Texas..."

"...there wasn't an approved Doctor on the list in my state. Of course I only had ten days to try to make the appointment so at this point I decided to let it die."

"...In a time of trying to save money and have armed guards on airplanes it is unbelievable that the TSA is trying to prevent pilots from having guns. I spent 7 years in the Navy with a top secret clearance and have been with the airline for twenty-six years without so much as a speeding ticket and yet some of the air marshals I see getting on my airplane I wouldn't give a ride to the corner store in my car."

"... We need to be deputized just like a federal officer and allowed to carry our firearm just like all the federal people that get on my airplane when I am flying."

"...I was initially turned down for the FFDO program following the MMPI testing and just after the psychological interview. Without given any explanation I was told that there were other better qualified candidates. After about 2-3 weeks I got an e-mail from the TSA stating that I was back in the consideration for the program."

"...In the test I was asked "would you like to be a fighter pilot?" It just so happens that I was a fighter pilot in the US Navy for over 15 years caring a large variety of weapons excluding nuclear weapons. Evidently, if this and other "risk taking" questions did scare the TSA away from my application."

"...the "road" to qualification [HAS] been very long..."

"...after 3 1/2 months I still have not gotten approval. It is still in the "background check" phase. Never mind that I had a TS/SCI clearance "top, top secret" in the Air Force. I even had to fax them pay stubs of previous employers. Is not that THEIR job to confirm what I say is true? What a bunch of bumbling idiots..."

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"...I went to sign up for the psych 3 hour test and there were ZERO slots available in SFO to take the test..."

"...Filled out online questionnaire (late May). Then told I had to do computer testing within 10 days (Early June). Then told had to meet with psychiatrist within 10 days (Early June). Then told "no longer being considered for the FFDO program due to the availability of more qualified volunteers" (Mid June). Then a week later I get an email that says to ignore the last one and I would be notified by July 4, 2003 (Late June). After waiting and a few phone calls later I was sent the [rejection] email on August 4, 2003! (Over a month after they promised)..."

"...I feel like what a waste of time for all I've gone through to get to this point only now to be turned down and have to wait a year to start all over and next year go through this again to probably be turned down again..."

"...As a former LEO and a 'commuter', I'm not going to fill out the application until the 'carry' rules are modified to allow pilots deadheading/jumpseating to carry the weapon on their person. No other federal law enforcement officer is required to comply with such cumbersome and unsafe rules. Furthermore, all federal law enforcement officers and most state/local law enforcement officers (with appropriate permission) are allowed to fly armed on commercial aircraft, regardless of their recency of marksmanship training or experience. There is no defensible reason to deny FFDO's the opportunity to transport their weapons on their persons."

"...I was turned down after the psychological written test. Then about six weeks later I was informed that I could then interview with the shrink. A week after the shrink interview I was rejected again..."

"...It seems that I am a victim of the TSA's ongoing efforts to thwart and stonewall the intent of Congress and desires of the American citizens..."

"...After a brief interview with a psychologist contracted by the TSA to determine the psychological suitability of potential FFDOs, it was his determination that I was not psychologically adequate to protect my passengers and aircraft..."

"...Contrary to the TSA psychologist's opinion, senior commanders of the U.S. Air Force and Texas Air National Guard, inspectors from the FAA, and chief pilots of Continental Airlines have had a very positive opinion of my reliability and responsibility without exception!..."

"...the same administration that is dragging their feet in executing the will of Congress to arm airline pilots is hysterical about the possible dangers of armed pilots, yet find it common sense to direct a jet fighter to shoot down an airliner in a situation that an armed pilot could have prevented in the first place..."

"...The TSA has proven that they are more anxious about what a responsible airline captain "might" do with a weapon than what terrorist have "proven" to do when they hijack an airliner....four times..."

"...Parallel to my military career I have accumulated over 25 accident free years as a commercial airline pilot with Continental Airlines. I have clearly proven to be worthy of a captain's responsibilities for carrying thousands of souls every year safely to their destinations. My record with the company and the FAA is flawless..."

"...The fighters that I led were responsible to the protection of New York City and Washington D.C., yet I don't measure up to the TSA requirements to protect my single airliner..."

"...If I am not psychologically suitable to defend my passengers and aircraft then I am not suitable to be an airline captain nor do I deserve the trust of those to whom I am accountable. My passengers deserve no less than the most secure and safe journey possible..."

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"...There are 75 federal agencies that allow their agents to carry weapons on airliners without restriction, along with state, county, and local law enforcement officers. The TSA has even allowed an armed dogcatcher to attempt to board on a Continental aircraft. The TSA trust these officers yet airline pilots are considered irresponsible and must be psychologically evaluated and then must transport their weapons in a lock box. Airline pilots deputized as federal law enforcement officers don't even deserve a badge. Even the dogcatcher had a badge..."

"...some quick background on myself: Ex-USAF-10years UAL- 1989-present: Federal Firearms Licensee Colorado: Notary Public Colorado: CCW (concealed carry weapons permit) District Captain Douglas Co. Republican Party..."

"...I have been turned down at least twice by the TSA boys. But have been "reinstated" now twice as well. My last dealing with them was around the beginning of July when I saw the "shrink". Then in less then 3 days they told me to reapply next year. Two weeks later they said ignore the last email. What a great system!..."

"...Apparently, the only psychologist contracted to test all applicants knows my son. This presents a conflict of ethics. Therefore, I'll have to travel out of State to receive the next step in evaluation process. Concurrently, I receive an E-mail from TSA with a four day suspense. This is an indication of willingness to work with me?..."

"...I've been a staunch conservative Republican. Now, I'm just a staunch conservative who pragmatically believes the best we can do is grid-lock in the Fed. I'm pretty well done voting for Republican legislators. We need a balance of ideology to make the 500# gorilla sit down & eat bananas..."

"...i was rejected after the psyche interview. no reason given (of course) but told i could reapply in a year. yeah, that'll happen..."

"...the program as it is is total bullshit and i'll not be reapplying unless i'm guaranteed to be accepted..."

"...In light of their press release about not being able to fill up classes, I am wondering why this background investigation should take so long. In my case, which is pretty typical, I held a Top Secret clearance for many years and my background is well documented..."

"...is any progress on the concealed carry issue? I once lost luggage that I personally loaded into the cargo bay!..."

"...I was turned down for training following the psych eval. in the USAF I held a Top Secret-SCI clearance and was in the PRP program for over five years without a blemish. Apparently, the military believed that I could be trusted with the country's most valuable information and our most lethal weapons..."

"...I do have an aerospace engineering degree from MIT, so I think I can handle the mental rigours of the FFDO training program..."

"...I was stunned that they didn't have ONE approved psychologist available in all of Florida for these interviews and only ONE in the whole state of Texas? I don't think I'll be going through that hassle again. My background is military, former Navy with typical weapons training and experience. I'm married to the same gal for over 20 years now, with two teenage daughters. I figured I was an average airline pilot volunteering for a viable cause, but I found the cause was a hoax. I don't want any part of it as long as TSA is running the program. It's not what Congress wanted, it's not what the public supported, and it's certainly not what the pilots wanted..."

"...As you can see the USAF thought that I was highly qualified to defend America and lead those who do. The USAF thought I was qualified enough to be responsible for nuclear weapons. The USAF thought I was

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psychologically sound enough to lead a 1,400 member fighter wing with 25 F-16 fighting falcons with a wide range of sophisticated weapons for over four years before I retired with high honors. YET, the TSA thinks there are so many more qualified applicants that I can't apply for at least a year. I seriously doubt it..."


"Who's on first? TSA sends me an Email three hours after my shrink interview you are no longer being considered ... apply again after one year. Today I get an Email stating that I have successfully completed all phases to date and that a background investigation is in process. I logged on to the TSA website and discovered that I am suddenly psychologically fit as of July 7. Are they really that screwed-up ? (Sorry, I guess that was a redundant question.)..."

"...Only hours after I got home from seeing "Dr. Phil" Trompeter the TSA Shrink in Modesto, Ca., I got the "standard" rejection E-mail. My background is clean as a whistle. I have never been arrested, only had one traffic ticket ever in my life. I guess my true and I thought logical answers to the standard 17 questions didn't meet the TSA's warped sense of how I was supposed to respond..."

11/11



FFDO Training Gouge

Captains Club

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Who is APSA?
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Carry-On Weapons
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Law Enforcement
Current Armed Pilots Law

APSA FFDO TRAINING GOUGE

Since training has moved to Artesia, several changes to the program have taken place and this is the latest information:

- First of all, you will receive a package when a class date is assigned with most of the info you need to know.
- You should plan on arriving in Artesia in time to check in at FLETC between 1200 and 2200 on Sunday. You will not be permitted to arrive at FLETC earlier than 1200, (at least, that is how the instructions will read, but would only apply to those who drive). Detailed information on where to go is included in your packet.
- You will not need a rental car. There is a transportation office that will coordinate pick-up and drop off at ABQ and ELP (approx. 4 hour ride) and ROW (Roswell) less than a 1-hour ride. You will complete your check-in paperwork on the ride to Artesia in their "modern air conditioned buses". FLETC transportation will meet any flight at Roswell and will provide buses departing Albuquerque and El Paso at 1400 on Sunday.
- Everyone will stay in dormitory style facilities at the center. Lodging will be provided at the Center at a cost of approximately \$15/day. Breakfast, lunch, and dinner will be available at the FLETC cafeteria--you will be billed \$15/day for all meals or you may pay cash for each meal.
- Everything is close to the dorms: a laundry room, cafeteria, a convenience store, post office, and workout facility. There is a recreation area, TV, pool table, Internet cafe type place and study room, although there is no time to use any of it. The laundry facility next to the dorm is free; you only pay for detergent, but normally there is always an oversupply left in a bin for anyone's use.
- Clothing requirements are minimal. They issue 6 pairs of BDU's along with T-shirts; etc.- you don't have to purchase anything. TSA no longer asks your clothing size before you arrive. During registration, you will get a requisition form with your sizes listed. You turn that in, and they will have it ready for you Monday morning when you pick up uniforms. You can try on gear and switch it immediately if needed, or anytime during training. All you need in terms of clothing is lots of underwear and socks, and something to wear on the way to and from home. Non-marking tennis shoes are needed for the mat room. Boots are NOT required for the shooting ranges. A light jacket or vest comes in handy on cold desert mornings. Definitely bring sunscreen and rain gear. Those are

Government Contacts
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listed in the package they send you after being accepted.

- Days run from 0720 to approximately 1830-50. On occasion you will get in just before the cafeteria closes at 1900. All food should be available and they will patiently wait for you to finish eating. There is no longer any free time on Wednesday morning.

- The training and the instructors are excellent. All of the instructors are very supportive of the program and want you to have the best instruction they can give you. Pay attention and be professional. Depending on the size of the class, you will be split into groups and move around with that group all week. Training is done in the classroom, the "mat room" and on the range. The training in the mat room can be very physical and if you are in really poor shape you may want to reconsider. You will end up bruised and probably have a minor scratch or two but the training is invaluable and in some cases actually enjoyable. There is a health questioner to fill out on the first day. No healthcare folks will check on you during the week. You are expected to report injuries immediately.

- If you have never fired a gun before don't run out to the local range and dump 200 rounds into a target. The instruction assumes you have no knowledge of weapons, so unless you're taking lessons from a qualified instructor don't start any bad habits. The qualifying course is not overly difficult but everything is timed and if you are experienced or take lessons the practice should include timed firing, tactical and emergency reloads and weapon clearing procedures. Eye protection was brand new high quality and yours to keep. Same on the camelback water supply, (lots of water was needed shooting outdoors in the afternoon). Corrective lense wearers were given side shields and wore their own glasses. Some people have brought electronic muffs and wore those to good effect. Double ear protection required and provided.

- Finally, there is a multiple choice written test on the last day, it's not brain surgery but you will need to have paid attention during the week.

- You will need to contact a Chief Pilot near the end of training, so be prepared with a name and phone number or check to see if your airline has a specific point of contact for this training.

- Expenses for the week at FLETC should be around \$200.00.

- Graduation will typically finish at about 1500 plus or minus 30 minutes. Drivers should be able to get on the road by 1530. Buses leave for ELP and ABQ early Sunday morning (0500), so you should not schedule return flights until after 1000 on Sunday morning from these airports. Have a backup plan for getting home; you will be competing for jump seats with approx. 40 to 50 other pilots. The buses have video screens and TSA instructors may bring "in-flight" movies for the trip. Many folks drive from Texas, Colorado, and New Mexico and are willing to take extra riders for the trip home. It is all right to fly personal aircraft to Artesia. Just contact them on arrival and you will be transported to the facility by FLETC security folks.

An annual climate chart of Artesia is included below to give you some idea of the temperature ranges and what to pack. Artesia is on Mountain Time.

You should not leave there with any questions unanswered. There will be 2 class officers from TSA and possibly a "mentor" from a previous class. If these people do not know the answer, they will go out of their way to get one for you.

I hope this "gouge" is helpful to those considering the program and I highly encourage every airline pilot to participate. Remember, selection is not limited to former military and law enforcement.

ARTESIA, NEW MEXICO

Period of Record Monthly Climate Summary

Period of Record : 1/ 1/1914 to 3/31/2003

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	56.8	62.2	69.0	78.2	86.4	94.1	94.8	93.2	86.9	77.9	65.8	57.9	76.9
Average Min. Temperature (F)	23.3	27.7	33.9	42.6	52.3	61.2	65.1	63.5	55.9	43.9	31.7	24.0	43.8
Average Total Precipitation (in.)	0.40	0.41	0.44	0.57	1.25	1.49	1.60	1.77	1.78	1.19	0.47	0.48	11.86
Average Total SnowFall (in.)	1.8	1.1	0.5	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.8	1.7	6.3
Average Snow Depth (in.)	0	0	0	0	0	0	0	0	0	0	0	0	0

Percent of possible observations for period of record.

Max. Temp. 64.4% Min. Temp.: 64.4% Precipitation: 98.5% Snowfall: 60%
Snow Depth: 58.5%

This site is best viewed with screen resolution of 1024x768

Contact Info

<http://www.secure-skies.org/FFDOTTrainingGouge.asp>

11/17/2003

Airline Pilot's Security Alliance

8190 Beechmont Avenue, # 340
Cincinnati, OH 45255-6117



(Business and  only, please.)

Electronic mail: apsa@secure-skies.org

Any comments regarding this web site contact the Webmaster, Airline Pilots' Security Alliance at webmaster@secure-skies.org

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Captain Dave Mackett (615-479-4140)...Vice President
First Officer Rob Sproc (954-294-9817).....Vice President, Government Affairs
Mr. Brian Darling (202-339-8913).....APSA Spokesman

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P. 002



Consumer Electronics Association

2500 Wilson Blvd. Arlington, VA 22201-3834 USA (703) 907-7600 main (703) 907-7601 fax www.CEA.org

February 11, 2004

The Honorable John Mica
Chairman, House Subcommittee on Aviation
2445 Rayburn House Office Building
Washington, DC 20515

Subject: Subcommittee Hearing on Progress of Passenger and Baggage Screening
Efforts

Dear Chairman Mica:

I am writing to express concern about current security screening procedures for air passengers traveling to U.S. events and destinations. My concern stems from the feedback of attendees returning from the 2004 International CES. The International CES is the largest technology tradeshow in the world, which is managed and produced by the Consumer Electronics Association (CEA). While passenger and baggage screening should be thorough to ensure passenger safety, CEA believes that overall security screening processes should not delay passenger travel to the point that they become a disincentive for Americans to travel throughout the country.

With some 130,000 attendees traveling to and returning from Las Vegas, NV from January 8-11, we received hundreds of complaints from attendees with regard to the delays caused by security screening procedures at McCarran International Airport. Most attendees experienced three to five hour delays in getting through security on January 11th with many missing their scheduled flights. As a result, a number of attendees have written CEA stating that they would not attend CES again due to the security delays at McCarran Airport.

Such comments are of grave concern as our trade show, like many others, helps fuel our industry, fills hotel rooms, attracts international visitors and boosts the economy. While the high volume of attendees and exhibitors traveling to and from Las Vegas present many logistical and transportation challenges, such challenges should not act as a deterrent for people looking to attend CES in the future.

We thank the Subcommittee for the opportunity to provide input on our experiences at the 2004 International CES and urge the subcommittee to resolve the problems of security check-in delays so that airline passengers are able to travel in a safe and timely fashion.

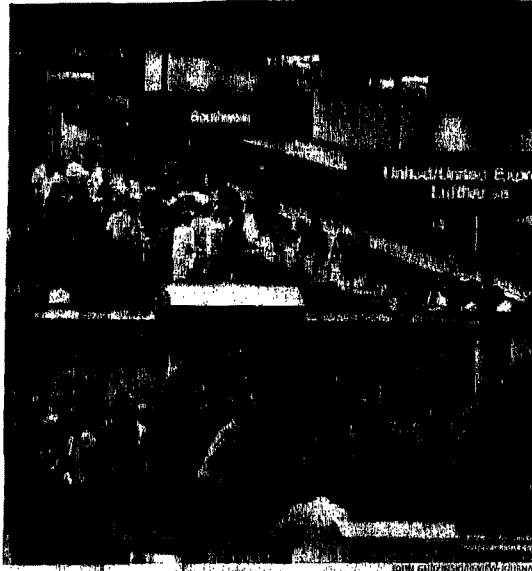
Sincerely

Gary Shapiro
President and CEO



LAS VEGAS REVIEW-JOURNAL

JANUARY 12, 2004



Travelers endure airport gridlock

*Lines at McCarran
longest since just after
Sept. 11, 2001, attack*

By FRANK CURRERI

REVIEW-JOURNAL

McCarran International Airport's security gates will be expanded by next fall, but that was no consolation to Patrick Legault on Sunday.

The 40-year-old Canadian businessman, like thousands of other McCarran passengers, spent most of the afternoon trapped in a traveler's nightmare.

He and a colleague spent almost two hours checking in for their return flight to Montreal.

After that, the delays only got worse. Flares passing through McCarran's C and D security gates met with three-hour waits.

"It's insane," Legault said in disbelief as he surveyed the massive line, which some estimated was at least a half-mile long.

Ridiculous. Absurd. Unbelievable. Those were among the other words exasperated Las Vegas tourists uttered while suffering through some of the largest passenger gridlock the airport has had.

The lines were the longest
► SEE FLIERS PAGE 2A

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P. 005

LAS VEGAS REVIEW-JOURNAL

JANUARY 19, 2004

► **FLIERS** You can't shove an egg through the neck of a wine bottle,' official says

CONTINUED FROM PAGE 1A

seen at McCarran since the week after the Sept. 11, 2001, terrorist attacks, when the airport first imposed tighter security measures, airport spokeswoman Hilario Grey said. No security issues or threats caused Sunday's congestion, Grey said.

Airport officials said another culprit: the International Consumer Electronics Show.

The show ran Thursday through Sunday and brought an estimated 115,000 people to Las Vegas.

"Maybe it was just one of those cosmic coincidences that everybody from CES decided to leave today," Grey said. "There's nothing unusual in the security or in the new procedures that would be causing the long lines. This is just a crazy high-volume crowd and definitely the biggest we've seen in a long time."

How bad was it? Well, an airport worker stood holding a sign that read, "The line starts here." That worker was standing outside in the parking lot.

Richard Blatt, 61, was none too pleased to meet up with the sign holder. He and Legault went to the airport at 10:15 a.m., figuring that would leave them plenty of time for their flight, which was scheduled to depart at 12:25 p.m. But the crowd congestion ruined that plan, and Blatt was rebooked for a 2:40 departing flight. At 2 p.m., he stood behind thousands of others.

"We missed our flight; we'll probably miss our next one, too," Blatt said. "I've been to Denver, where there were big snowstorms and people sleeping in the airport who couldn't get out, and they handled it better than these guys. It's chaos. ... I consider myself a world traveler. I've never seen this."

It was easy to find passengers who felt Blatt's pain. Many wondered why airport officials and convention organizers hadn't warned them of the potential problems.

Ellie Aguilar, a 29-year-old Texan who was in town for a wedding, said it would have

been nice to have gotten a heads-up on the headaches.

"Maybe this is the best we can do," Aguilar said.

"Will I make it home tonight? Will I be at work tomorrow?"

Nick Melendez, a spokesman for the Transportation Security Administration, said his department had all of the security areas fully staffed. All on-call security workers were summoned to duty.

"You can't shove an egg through the neck of a wine bottle," Melendez said. "You can't give up security to just shove people through the checkpoint. It just doesn't happen."

Figures on the number of passengers at McCarran International Airport on Sunday were unavailable, but a high volume day could mean 110,000 fliers or more, Grey said.

Though airport officials and the TSA try to predict passenger counts, many airlines overbook flights, Melendez said.

As passengers commiserated, many tried to maintain a sense of humor.

As he looked at the masses, Dr. Eric Gould, a New-York based pediatrician, said "I don't think there's a cure. I think this is terminal."

"What I expect to happen next is they'll roll out some slot machines and let 'em gamble. ... And, man, if this was political, the Republicans

would blame Clinton and the Democrats would blame Bush," he said.

Grey said such long lines will be alleviated by this fall when the airport plans to add seven additional security gate lanes.

That meant little to Montreal-bound passenger

Irwin Belitsky, who just wanted a cup of coffee. But

Belitsky said he would come to Las Vegas and try to make the inconvenience was just an anomaly.

"They'll never let it happen again," Belitsky said. "They were just caught off-guard."

Oct 22 03 12:40p

Josh Rosenblatt

817-741-5372

p.2



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Chairman John Mica
 United States House of Representatives
 Committee on Transportation and Infrastructure
 2251 Rayburn HOB
 Washington, DC 20515

Dear Congressman Mica,

My name is Todd MacLeod. I am a pilot for American Airlines, and Vice-President of Strategic Cockpit Defense, L.L.C. based in Fort Worth, Texas. We operate a firearms training facility dedicated to the specific task of training pilots involved in the Federal Flight Deck Officer program. Our company was founded by current airline pilots and military Counter-Terrorism specialists with the intent of providing airline-specific training to flight crews. We have spent the last 12 months pursuing government contract opportunities for this training as well as other disciplines involving aviation security and anti-terrorism.

The current contract was awarded to Lockheed Martin Systems Management earlier this summer and will cover numerous tasks from training TSA baggage screeners to defensive tactics and firearms training for TSA and the Department of Homeland Security. Our company and facility have recently been evaluated by Lockheed Martin and the TSA to provide training services in conjunction with this contract. We received a very positive review and will be recommended as a regional recurrent training center for the FFDO program and other training disciplines that become available in the future.

We have a concern that the TSA may elect to use local Law Enforcement facilities in lieu of civilian training centers that have been selected by Lockheed Martin. This will obviously affect our business, and in my opinion, will affect the training that aircrews will receive. We built our business to give a pilot-centered approach to training, something that the Law Enforcement community can't provide.

We are currently involved in a lobbying effort in Washington D.C. to keep this training in the hands of civilian centers like ours. We have worked very hard to position ourselves to conduct this training, and are concerned that despite our efforts the training will be given away to facilities that have gone on record saying that they don't have the time or staff to support it. I know that you have been very instrumental in supporting the FFDO program as well as civilian Small-Business training centers like ours. Any assistance your office could provide with this matter would be greatly appreciated. I will be in Washington this week with our company's President, Josh Rosenblatt, meeting with our elected officials and members of Lockheed Martin's Implementation Team concerning the current state of this contract. If you have any time available this week we would be happy to meet and discuss our concerns as well as our hopes for this important program.

Best regards,

Todd M. MacLeod
 VP Strategic Cockpit Defense, L.L.C.
 (817) 845-4199

iawrmgs.txt
Capitol Correspond

Constituent ID: 7875

Valdrow, Leo
1616 Parkway Drive
Anchorage, AK 99504
Email: Greyhawk@gci.net

Activity Created: 2/6/2004
Activity ID: 8476
Interest Code(s):

Comments:

Subject Desc: HOMELAND_SEC

Date Received: 2/5/2004 5:35:11 PM

HOMELAND_SEC - Arming Pilots

What do you plan to do to eliminate the "roadblocks" put up by TSA to delay the training and arming of pilots that fly our commercial airlines.

Something has to be done to eliminate TSA's resistance to arming the pilots. The best way I can think of is to have Congress pass a bill that will force TSA to get the pilots trained and allow them to carry their weapons on their person rather than in a locked box that can only be opened in the cockpit.

When I read about the number of ex military and police officers that now pilot commercial airliners being turned down by TSA as not qualified I wonder what in the hell is going on in our own government.

Please keep me informed of what you are going to do to eliminate this problem.

Thank you,

Leo Valdrow



John Mica, Subcommittee Chairman

House lawmakers grill TSA over aviation security

House lawmakers have hit the Transportation Security Administration with an extensive list of questions about aviation security, asking the agency to explain how it is improving the training of airport screeners, accounting for expenditures, overseeing contracts, making management decisions, and working to install more explosive-detection equipment at the nation's airports.

The subcommittee is also seeking information concerning TSA's hiring practices for managers. The subcommittee asked if TSA's deputy director of screener training and performance is the same person who managed the Civil Aviation Security Field Office at Boston's Logan International Airport when two aircraft were hijacked there on Sept. 11, 2001.

"Are you concerned that we will not get better screener performance when the same person is in charge?" one question asked.

Dear Mr. Mica,

Per the article dated 10/29/03 in the Gov Exec, it states that you are part of a subcommittee seeking answers to the egregious way TSA has hired and promoted managers. Did you know that Marcus Arroyo, the Federal Security Director (FSD) for Newark (EWR) airport is the same person who was the Division Manager for the Federal Aviation Administration (FAA) in Eastern Region? This man was at the helm when United Airlines flight was hijacked out of Newark airport on that faithful day of 9/11. My question is, Marcus Arroyo failed when he was Division Manager in charge of Civil Aviation Security at the FAA. So how does a person like this warrant a job promotion (and pay increase!!) as the FSD of EWR airport for the TSA? This man is in charge of the **same airport** where the hijacking occurred under his authority at the FAA!! If you fail to succeed in your mission as a manager for aviation security while at the FAA, then

OCT 29 2003 12:29 FR FAA SECURITY AEA-70018 553 2632 TO 912022260821 P.03


why are the same people being placed as managers under a smokescreen called the TSA!!
If the public knew how much money was being spent to support this hypocrisy, there
would be outrage!

Did you also know that Nora A. Zaba, who pre and post 9/11, managed the Civil
Aviation Security Field Offices at J.F.K. Int'l airport which includes oversight for LGA
and EWR (under the helm of Marcus Arroyo) has recently been promoted (along with a
hefty pay raise) as the Division Manager for Security & Hazardous Materials Division at
the FAA???

This is another example of incompetence being rewarded!!! There has been so much talk
of the New England Region's (Boston Logan) foul play with management hiring
practices. You also need to ask the questions regarding the Eastern Region's practices.
Here are two managers who failed terribly prior to 9/11, who now have been promoted
and rewarded through obvious back door negotiations with Washington.

Yours Truly,

An insider


 Oct-24-03 17:34 TD SNELLING

770 518 8808

P.01

October 24, 2003

Thomas D Snelling
 177 Ocean Lane Dr. # 302
 Key Biscayne, FL 33149

Dear Congressman Mica:

After 2 years of foot dragging, I am very happy to see that the TSA is *finally* following the law and the will of the people and starting to institute the FFDO program. (Federal Flight Deck Officer or better known as armed pilots)

As a veteran airline pilot, I can tell you that nothing will make our skies more secure than the full implementation of this program. It is good to see that 48 pilots are being trained in New Mexico every week. From all reports that I've heard the training is excellent and the people in Artesia are doing a super job. There are however, some major flaws with the program that need immediate attention. And sadly, those problems are out here, in the real world.

First is the issue of transporting the weapon when flying off duty as a passenger, such as deadheading and commuting. The current SOP is to transport the gun (in its lock box) in a nondescript bag down to the belly of the airplane and have someone put it in the cargo hold. I feel that this procedure is ludicrous and as a firearms instructor, I can say that it violates many rules of safe gun handling.

Even though it is in a nondescript bag, everyone on the ramp knows what it is. What the procedure calls for is leaving a loaded gun in a secured area of an airport with someone that you don't know. There have already been many problems with this procedure as bags with guns have been delivered to baggage claim, as well as brought up by ramp personnel and left unattended on the jetbridge, creating a serious security hazard. It's amazing that a gun hasn't already been stolen, but it's only a matter of time.

The best answer is to allow the FFDO's to carry concealed in the cabin, just like any other law enforcement officer. Not only would the weapon now be attended to at all times, the FFDO could act as a force multiplier to the Air Marshal program. At the very least, the FFDO should be able to transport in the cabin with his gun in the lockbox, or be able to leave the lockbox in the cockpit. The current method of transport is unquestionably a serious security risk.

Second, no FFDO is allowed to carry internationally. One can make the argument that this is where it's needed most. Not only is security not as reliable in some countries, but these airplanes carry more fuel and are probably at more risk due to the world that we live in. Additionally, Federal Air Marshals are rarely on these flights. As one that frequently flies to South America, I can categorically state that I have **NEVER** had air marshals on any of my flights down there. Virtually everyone that I fly with will tell you the same thing. It is absolute insanity that on the flights that are most at risk, carry the most fuel and that rarely or never have air marshals, that a trained FFDO cannot carry

Oct-24-03 17:34 TD SNELLING

770 518 8808

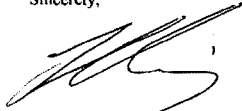
P.02

his/her weapon and do his/her job correctly. This must be fixed, as it too, is a serious hole in our security.

And last is the problem of what agency is handling the program. As you know, the Federal Air Marshals (FAM's) recently left the TSA. They are now part of BICE or Bureau of Immigration and Customs Enforcement. The FFDO's should follow the FAM's and be with the same agency. FFDO's work directly with FAM's and I feel that this program is way too serious to be left with, and mismanaged by, the TSA. Therefore I am asking for your support in getting the FFDO program out of the TSA and merged into the FAM's, where common sense dictates it belongs.

Thank you for your consideration on these most important issues. We all share the same goal for safer skies, and as a 27-year aviation veteran, I know that these changes will make us all safer and our skies more secure.

Sincerely,

A handwritten signature in black ink, appearing to read 'TD Snelling', with a stylized flourish at the end.

Thomas D Snelling
Captain, American Airlines

Nov. 5, 2003

U.S. Rep. John Mica
Chairman of the House Aviation Subcommittee
2445 Rayburn HOB
Washington, D.C. 20515

Re: "Box-Cutter Boy"
Nathaniel Heatwole

Dear John,

I read the article about Nathaniel Heatwole in the November 11, 2003 issue of The National Enquirer, and as you requested, would like to express my "opinion" only.

I don't believe Nathaniel should be treated as a "hero", nor do I feel he should be treated as a "criminal". I will say, although he set out to prove a "point" (a "lax" in the TSA), and although he was successful in doing so, he should still be reprimanded for "taking matters into his own hands". Ask yourself this question, after he was caught, did the system run a background check on Nathaniel, his Family, or acquaintances? Who is he? He looks like a very nice, typical young man with an idea in his head to prove a point. In the article, it said he was doing a "public service"; that could possibly be true, but if you think about it, the next time someone does a "public service" we could be in big trouble, the fact being, the next person(s) just might be Terrorists.

I feel that Nathaniel's "intentions" were on the right path, but that he went about his "mission" the wrong way, and doing it solo. But the issue here is not whether what he did was "right" or "wrong", I think the TSA got caught with their "pants" down and it was a slap in the face.

A sentence to have Nathaniel work at the TSA for 20 hours a week could be sufficient, but while doing his "sentence" there, you realize that it might allow him to "learn" about the Security System, and "do you think that is a good idea?" If the TSA can't tighten their Security, what makes you think this young man (or anyone else) will stop at nothing? I think Nathaniel should do "community" service at the Children's Hospital, Cancer Research Programs, or somewhere he could put his busy mind and hands to good use.

Best Regards,


BL Awana

Does 20-year-old whistle-blower deserve 10 years in prison?

'BOX-CUTTER BOY' IS A HERO — NOT A CRIMINAL!

NATHANIEL Heatwole — the "Box-Cutter Boy" — who was arrested after exposing a huge hole in America's new \$40 billion security system — would be hailed as a hero, face 10 years in jail.

That's the resounding opinion of furious lawmakers and aviation experts who are lining up behind the soft-spoken 20-year-old college student.

In any other country he'd be lauded as a patriot — instead the government is out to crucify him.

Andrew Thomas, author of recently published "Aviation Security," told ENQUIRER: "It's simply not fair."

U.S. Rep. John Mica (R-Fla.), chairman of the House Aviation Subcommittee,

The ENQUIRER: "A 20-year-old college student shows that the emperor has no clothes — and that there are great gaps in the current multibillion-dollar airport screening system."

Heatwole, a student at Ford College, in Greensboro, N.C., smuggled boxes like the ones used by September 11 terrorists onto six Southwest Airlines planes. Under the noses of Transportation Security Administration (TSA) inspectors at

airports in Baltimore and Raleigh-Durham, N.C., he casually carried them aboard — along with bleach, matches and modeling clay resembling explosives — and stashed them in the airliner lavatories.

How he did it has been carefully guarded by investigators — but The ENQUIRER learned that the deception can easily be pulled off with the help of commonly available items costing just a few dollars. We are withholding the specifics in the interest of public safety.

Clear evidence that Heatwole intended to save lives came after he planted the box cutters and other items on September 12 and 14.

On September 15, he e-mailed the Transportation Security Administration (TSA) giving his name and phone number — and telling officials exactly where he'd hidden the items on four different planes.

Incredibly, it wasn't until October 17 — a month later — that the TSA got around to forwarding his e-mail to the FBI . . . and then only because a mechanic on one of the flights had finally found and reported the lavatory hiding place.

The TSA didn't exactly rush to thank Heatwole for his devastating exposure of their lax security.

"Renegade acts to probe airport security for whatever reason will not be tolerated," raged Deputy Administrator Stephen McHale.

"Amateur testing of



NATHANIEL HEATWOLE leaves court with his attorney, Thomas (left). The student is 10 years behind bars.

our systems do not show us in any way our flaws."

Heatwole was busted and charged with carrying dangerous weapons on an aircraft. He faces a 10-year prison sentence.

"It wasn't so sickening, it

would be funny," said author Thomas, a professor of international business at the University of Akron.

"This kid is a hero. We're going to be safer if they learn from what he did. Instead they're intent on blaming the messenger. It's scary."

Members of Congress from both parties, all manning the barricades for Heatwole.

Rep. Mica emphasizes that jail is definitely NOT appropriate for the college student. "It's more appropriate that the TSA bureaucrats who completely fumbled his clear announcement of what he was doing should be fired!"

U.S. Senator Kay Bailey Hutchison (R-Texas) also blasted the safety official.

"This case represents the most serious security breach in TSA's short history."

U.S. Rep. Ed Markey (D-Mass.) came up with unique "punishment" for Box-Cutter Boy. "He found a huge flaw in the security for the 100 million or so Americans that fly on passenger planes each year," he said.

"The young man is doing a public service — and his sentence should be (working) 20 hours a week at the TSA."

— DAVID WRIGHT

Let Uncle Sam know how you feel

DO YOU think "Box-Cutter Boy" Nathaniel Heatwole is a criminal who deserves to rot in jail for 10 years?
DO YOU think he's an American hero — a patriot and a life-saver who should get a ticker-tape parade or an invite to the White House?
YOUR voice be heard! Write to: U.S. Rep. John Mica, Chairman of the House Aviation Subcommittee, 2110 Rayburn H.B., Washington, D.C. 20515. Mica will use your opinion in his work on the subcommittee.



BOX CUTTERS like this one were easily smuggled aboard jetliners.



Transportation Security Administration

"The FLETC facility is top notch, and provides an excellent training venue for FFDO instruction. . . . FLETC Artesia, NM, earns a well-deserved excellent rating."

Allied Pilots Association
<http://www.alliedpilots.org>



"ALPA supports the TSA's position that candidates for the FFDO program must undergo an extensive psychological exam and personality profile."

*Steve Luckey, Chairman, ALPA National Security Committee,
ALPA Magazine: July, 2003*

Airline Pilots' Security Alliance
<http://www.secure-skies.org>

"The training and the instructors are excellent. All of the instructors are very supportive of the program and want you to have the best instruction they can give you."

"Instructors – outstanding, facilities – excellent – well organized."

"Great program!! Instructors, training curriculum and environment were wonderful.

I am amazed that such a professional program was put together so quickly."

"This is an awesome, well run course. It was both challenging and fun. I am impressed."

"Instruction was at the highest and most professional level. I have been a student and an instructor at several well known programs and schools. No team of instructors has impressed me more, nor been more effective."



Individual Student Course Evaluations

NOVEMBER 26, 2003

HONORABLE JOHN MICA
U.S. REPRESENTATIVE
CHAIRMAN OF THE HOUSE AVIATION SUBCOMMITTEE
2445 RAYBORN HDB
WASHINGTON, DC 20515

RE: NATHANIEL HEATWOLE (BOX-CUTTER BOY)

DEAR MR. MICA:

I AM SURE THAT YOU HAVE HEARD FROM THOUSANDS OF AMERICANS IN SUPPORT OF THE BOX-CUTTER BOY. WHILE YES, I AM AN AMERICAN, AND I AM IN SUPPORT OF THE BOX-CUTTER BOY, I AM ALSO A FLORIDA PRISONER WHO FIRMLY DISAGREES WITH THE GOVERNMENT'S POSITION THAT NAT HEATWOLE SHOULD BE SENT TO PRISON. WHAT NAT DID WAS NOT CRIMINAL! WHILE THE LAWS ARE WRITTEN IN BLACK AND WHITE, VIOLATIONS OF THE LAW ARE NOT SO SIMPLE. NAT HAD NO CRIMINAL INTENT WHEN HE VIOLATED A LAW THAT WAS NOT CREATED TO STOP HIM! IT WAS CREATED TO STOP THOSE WITH CRIMINAL INTENT. NAT IS A HERO! NOT A CRIMINAL!

I AM SURE THERE ARE LOTS AND LOTS OF PEOPLE WHO ARE EXTREMELY UPSET WITH NAT. TOO BAD THESE PEOPLE ARE THE AIRPORT SECURITY OFFICERS, WHO HAVE TO BE LIVID BECAUSE THEY WERE FOUND TO BE TOTALLY

HON. JOHN MICA
Nov. 26, 2003

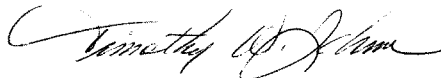
PAGE TWO

USELESS IN THEIR CAPACITY TO PROTECT AMERICANS.
AND, OF COURSE, THEIR BOSSES UP THE LATTER ALL
THE WAY TO WASHINGTON HAVE STARTED LOOKING OVER
THE WANT-ADS, JUST IN CASE.

HEY, NAT IS A COLLEGE STUDENT, ON HIS WAY TO
A GREAT LIFE, WORKING TOWARDS THE AMERICAN DREAM.
IF THE GOVERNMENT WANTS TO TAKE THAT AWAY FROM
HIM, NOT A PROBLEM. NEW TRADES OF CRIMINAL INTENT
AWAIT NAT IN PRISON. THEN HE WILL BE WHAT THIS
GOVERNMENT WANTS TO MAKE HIM - A REAL CRIMINAL,
A GRAD OF THE COLLEGE OF CORRUPTION! (PRISON)

I TRUST YOU WILL DO EVERYTHING IN YOUR POWER
TO PREVENT NAT FROM BEING CHANGED FOREVER.
KEEP NAT OUT OF PRISON!

RESPECTFULLY,



TIMOTHY W. JOHNSON
NERCI - WEST 092649
7819 NW 228 STREET
RAIFORD, FL 32026

Schaffer, David

From: MsMarianne@aol.com
Sent: Tuesday, October 14, 2003 9:34 PM
To: Schaffer, David
Subject: Re: Old Wine New Bottle

Thanks for getting back to me. Not sure if you received the below listed.

Subj: L-3 Communications EDS
Date: 10/10/2003 2:03:04 PM Eastern Daylight Time
From: MsMarianne
To: David.Schaffer@mail.house.gov
CC: bernickc@gao.gov

Mr. Schaffer,

I would appreciate it if you would forward the following information to Rep.Mica for consideration at next week's House Aviation Subcommittee hearing.

Last Saturday I was made aware of a comparison done by TSA employees in Boston between the L-3 EDS and InVision's. That comparison was favorable to InVision, who allegedly leaked the information to the Thais, who were considering EDS for the Bangkok International Airport. L-3 Communications caught wind of all this and the resultant flap caused some reverberations within the TSA, as one might expect.

Supposedly, the TSA has developed a letter about all this, which I imagine would be subject to FOIA, but which I'm also sure could be requested by the House Aviation Subcommittee and/or the Independent Commission.

As I'm sure you are well aware, there were a lot of concerns about the L-3s reliability early on. I'm lead to believe that the L-3 didn't have to go through the same field testing as InVision, thanks in part to some rather heavy lobbying efforts by Linda Daschle. After the Aviation Transportation Security Act, Congress decided that a one for one purchase of InVision and L-3 equipment would be required.

As I sent out my feelers last week, to confirm the above mentioned flap emanating from Boston's Logan, I was able to confirm the Thai angle with some other sources. In addition, it was brought to my attention that both machines are now being used in monochrome - switching the color off to stop the automated detection because of the very high rates of false positives. Apparently, the TSA underestimated passenger packing habits with regard to peanut butter and other such substances, which generate false positives. There was even some indication that one (L-3 or InVision) might demonstrate of false negative from time to time. The significance in all this is that false positives cause delays. False negatives can cause death.

Now all this may just be a tempest in a teapot resulting from an unauthorized non technical comparison, which leaked to InVision, who allegedly tried to gain some competitive advantage. On the other hand, both the InVision and L-3 EDS are known to be imperfect and, if one is less reliable than the other, that would certainly call into question the wisdom of Congress directing a one for one buy. As one of my sources indicated, "One system slightly worse than another poor system is not the best purchasing approach, that's for sure."

I have forwarded my concerns to the GAO, but I think this subject would be of some concern to Mr. Mica and the Committee and would appreciate your relaying it to them for their consideration. The failed FAA security apparatus was renowned for being compromised due to political pressure and corporate influence and I don't want to see the same thing happen to the TSA. There simply is too much at stake.

Thank you for your time and consideration.

Sincerely,

Brian F. Sullivan
FAA Special Agent/Risk Management Specialist (Retired)
New England Region

10/15/03

Snapshot Report: Incoming Constituent Message

Imported through WebresponD Daemon
Report Date: 2/2/2004

Assign Staff: cosiom
Address To: webform
Name: Mr. Chris Kurko
Address: 540 N Great Oaks Ave
 Kuna ID 83634 USA
Email Addr: matrixprints@aol.com **URL:**
Home Phone: **Cell Phone:**
Work Phone: **Fax:**
Salutation: Dear Chris: **In Type:** **Reply Ltr:**
Interest Code: HOMELAND **Org Name:** **Assign Ltr:**
Classification: **P. Code:** **Category 1:**
Ref. Number: 040201582598 **Grp Id:** **Category 2:**
Title: **Category 3:**

Message Body:
 Subject Desc: Homeland Security

Date Received: 2/1/2004 3:05:14 PM

Chris Kurko
 540 N Great Oaks Ave
 Kuna, IDAHO 83634

January 25, 2004

The Honorable John Mica
 U.S. House of Representatives
 2445 Rayburn House Office Building
 Washington, D.C. 20515-0907

Dear Representative Mica:

Good afternoon,

I am writing regarding an article I observed that stated that the TSA should spend less on staff, and more on technologies. Although I do agree to some extent, I find it difficult to accept that as a politician you have not seen what Congress has taken from us and made it difficult to purchase these items we need. I know in my workcenter, we have our systems up and ready with the very latest in technology, however some airports are not structurally sound without spending millions in money that the TSA cannot give to each one. We lucked out as our Airport was already building a new terminal. My crew are extremeley Security Minded and we rate number 3 in the nation's airports. Perhaps, a visit by some more figures in politics may see how we actually work, and how in some cases it is very difficult to address the new technologies. We have been stripped of funding on so many occasions that I have had to buy my own materials for my crew, and I did it because I know that my crew needed it, and our nations needed it to protect our skies. I am not a politician, but on behalf of my fellow crew, we stand behind our mission to protect

Snapshot Report: Incoming Constituent Message

Imported through Webrespond Daemon

Report Date: 2/2/2004

our skies and our passengers. But we take so much bad publicity from the press, our chain of command and the politicians that leave our hands tied all the time. But we get the bullet for it and thats not fair. I would hope that the next time you see a Transportation Security Screener, you may think to yourself that your glad that person is on watch, protecting us all like the soldiers do overseas. Please visit us in the field and see all of the hard work we do. Check out what we do to get the job done. I know some places are not as fortunate as we are, and I will support them in anyway that I can, because we have a job to do and we are going to do it no matter if your a Democrat, Republican, Independent, we still have to do our job and do it well.

Thank you for your time.

Sincerely,

Chris Kurko



Feb_09 04 12:06a

DH WILKINS

702 364-5231

p. 1

Dennis H. Wilkins
Federal Flight Deck Officer
American Airlines

February 8, 2004

sent via Fax
(2 pages)

Congressman John L. Mica
House of Representatives
Washington, D.C.
202/226-0821 (fax)

Dear Congressman Mica:

I have been advised that you are in the process of drafting legislation to improve the Federal Flight Deck Officer Program. For that, I am very grateful. I am currently serving as a FFDO and was one of the first pilots approved and trained last year. I hope there is still time to provide input before the language is finalized. Our program can certainly be improved in many ways, especially in the area of the TSA created onerous Standard Operating Procedures. I believe we all want to enhance the standing and authority of the FFDO force in the law enforcement community. It is my sincere hope that we will do nothing that will lessen that standing or the qualifications and training of our FFDOs.

I must emphasize that the APSA (Airline Pilots Security Alliance) does not represent the majority views of the pilot community or the current FFDOs. A better representation would come from the Allied Pilot's Association at American Airlines and their Committee for the Armed Defense of the Cockpit (CADC) which is made up of deputized FFDOs.

While there are many restrictions in the SOP that should be corrected, I believe there are also areas that should not be changed, thereby diluting the quality of the FFDO selectees or our training. Contrary to what some will tell you, all pilots do not go through psychological evaluations when they are hired or on an ongoing basis. Everyone I know agrees there are pilots who should not be trusted to carry weapons. Just because they fly an airplane does not mean they are competent to make lethal force decisions. That is why we can not support pilots being "automatically approved" for the program. To be honest with you, the mental and physical standards to become or remain a pilot are not high. The annual physicals have minimal requirements and ongoing psychological evaluations are non-existent.

2

Based on the outline of what I understand is proposed in this corrective legislation, I would strongly support enhancements in Privacy, Authority, Weapon Control/Carriage, and International Carriage. I can not, however, support an "open the flood gates, train when and where you want" philosophy. I have talked with many former military and law enforcement types that, to a man, have praised the 6-day FFDO training program, staff and facilities. We all believe we are better trained and better prepared for our role as a Federal Flight Deck Officer than when we entered the program. I believe it would be difficult to duplicate the accurate and necessary training environment that has been established in Artesia. The facilities are excellent and very appropriate to our training.

We should have the same responsibility and authority every other Federal Law Enforcement Officer has. We should be able to control/carry our weapons 24/7 as is expected and authorized for all LEOs. I don't believe, however, that we need 40,000 armed pilots to be an effective deterrent. At the current rate of training, the FFDO force will soon outnumber the Federal Air Marshall force. I strongly believe in quality, not quantity. There are too many innocent civilian lives at stake here. I think it makes more sense to error on the conservative side rather than to shift to a y'all come process rapidly increasing the numbers, but to what standards?

I do appreciate your taking the time to consider my input. I have been a strong supporter of this program since 9/11. I am honored and proud to be able to serve my country and my fellow citizens by providing them, my crew and myself with additional safety and security. I would like very much to see improvements in many aspects of this program. It should not be a burden on those who volunteer to serve. Perhaps not everyone who should be approved will be approved on their first attempt but in the meantime we have people and training and standardization we can be proud of and more importantly, can count on. If you or your staff have any questions or would like additional input, please contact me.

Thank you,



Dennis H. Wilkins
FFDO - Credential # P100125
2940 Carmelo Drive
Henderson, NV 89052
702/263-5230 (home)
702/205-6020 (cell)
702/364-5231 (fax)
dlwilkins@cox.net

Snapshot Report: Incoming Constituent Message

Imported through Webrespond Daemon

Report Date: 2/9/2004

Assign Staff: cosiom**Address To:** webform**Name:** Mr. Rod Herrig**Address:** 6630 Fawnwood Dr.
Spring TX 77389 USA**Email Addr:** herrig@charter.net **URL:****Home Phone:** **Cell Phone:****Work Phone:** **Fax:****Salutation:** Dear Rod:**In Type:****Reply Ltr:****Interest Code:** HOMELAND**Org Name:****Assign Ltr:****Classification:****P. Code:****Category 1:****Ref. Number:** 040206599121**Grp Id:****Category 2:****Title:****Category 3:****Message Body:****Subject Desc:** Homeland Security**Date Received:** 2/6/2004 9:05:48 PM

I am a Airline captain (21 years experience) for a major airline. I have been very disappointed with the current requirements, and limitations of the FFDO program. I do not know of a single airline pilot who has signed up for the FFDO program, yet almost all of my peers have expressed the need, and the interest in becoming a FFDO, if the program was designed like congress had intended. Under the current requirements to have pilots disarmed anytime he is in uniform, on duty, but riding as a passenger is just one example of complete nonsense. Another example under the current program, is when a trained FFDO leaves the cockpit for physiological needs, he has to lock the firearm in a lockbox. I want you to know that most airline pilots are very aware of the current ridiculous procedures under the current FFDO program. It has become a topic of humor with most of my peers, and we are all asking the same question. "When will congress step in and mandate the TSA to do what congress has instructed them to do" which is to arm the pilots!

I understand that you will be co-sponsoring a bill to correct the deficiencies with the current FFDO program, and I applaud you for stepping up to the plate and doing what needs to be done to further protect America from another possible hijacking. This is a national security issue with many lives at stake. I find it ironic that the US Air Force has admitted to scrambling dozens of fighter jets to intercept commercial airliners, and are training currently for the possibility of actually shooting down a passenger airliner, with possibly hundreds of lives lost. At the same time, airline pilots have had road blocks at every step of the way to become armed, and to protect their aircraft. I would like to add that the experience and judgment of most airline captains is far greater than that of a 25 year old fighter pilot with only 250 flight hours.

I would encourage you to investigate the previous arming of all airline pilots who carried US Mail on passenger flights. This requirement was a regulation of the US postal service throughout the 1950's and 1960's. The pilots were issued a semi automatic 380 caliber handgun, which had to be carried in the pilots flight bag. There was an attempted hijacking in Cleveland in the early 1960's where the hijacker was shot dead by the captain before the plane left the gate area. As far as I know there was not a single case of a armed airline pilot misusing his firearm or behaving in anyway that was found to be against the law.

Thank you for all your efforts to improve the FFDO program. We need to get the pilots armed as quickly as possible, and I applaud all that you are doing with the proposed new bill.

Snapshot Report: Incoming Constituent Message

Imported through Webrespond Daemon
Report Date: 2/9/2004

Sincerely,

Captain Rod Herrig

6630 Fawnwood Dr
Spring, TX 77389
281-376-0219