STATEMENT OF

CAPTAIN DUANE WOERTH, PRESIDENT

AIR LINE PILOTS ASSOCIATION, INTERNATIONAL

BEFORE

THE SUBCOMMITTEE ON ECONOMIC SECURITY,

INFRASTRUCTURE PROTECTION AND CYBERSECURITY

OF THE HOMELAND SECURITY COMMITTEE

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, DC

MAY 13, 2005

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ON

THE TRANSPORTATION SECURITY ADMINISTRATION'S SCREENING OF

AIRLINE PILOTS: SOUND SECURITY PRACTICE

OR WASTE OF SCARCE RESOURCES?

MAY 13, 2005

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

We applaud the Committee for holding this hearing and we especially appreciate Chairman Cox's interest in the subject of flight crew screening. I dare say that there is no other issue on which pilots are more unified than that of the need to replace physical screening with electronic identity verification and controlled access to airport secured areas for pilots, whose background and criminal history records have been checked. So, it will come as no surprise that our answer to the question of this hearing is an emphatic "yes – the screening of airline pilots, as practiced by the TSA, and FAA before it, is a waste of scarce resources!" But it's worse than that – the current security screening system virtually ignores the trustworthiness of airline pilots and instead focuses almost exclusively on a search for inanimate objects. Unless and until the system becomes human-centered, rather than weapon-centered, we will be more vulnerable to potential hijackings and other aircraft attacks than we have to be. Trained terrorists do not need weapons to perpetrate crimes aboard aircraft.

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

Pre-September 11, 2001

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

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

Post-September 11, 2001

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

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

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

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

Political Correctness and Unintended Consequences

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

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

- It is driving away the airlines' best customers, first- and business-class passengers, who are choosing to avoid airline travel by increasingly flying on corporate and charter aircraft. Airline travel makes no economic sense for highly compensated individuals unless it actually saves them time; the current paradigm makes it increasingly difficult for companies to obtain such a benefit.
- An environment has been created in which all passengers are subjected to physical indignities and privacy intrusions. Reducing the population of persons requiring such treatment is clearly more needful from a security perspective, and would actually realize the stated goals of privacy advocates.
- Long screening queues create large groups of individuals outside of the "sterile" concourse, which fosters a target-rich environment for those who would attack an airport.
- The screening system is less capable of keeping terrorists off of airplanes than it could be if passenger trustworthiness were determined.

- Passenger confidence in the government screening system is undermined when stories abound of demonstrably harmless individuals who are given a great deal of unwarranted physical scrutiny. Our members inform us regularly of privacy invading screening experiences that are not in keeping with the trust that they have earned.
- It places a huge tax burden on an industry that is struggling to survive. TSA spent $3.7 billion on aviation security in FY 2004, which was more than necessary because no accommodation is made at the screening checkpoint for those who can be trusted. Those funds are extracted from airlines via security taxes on each passenger ticket. Federal taxes and fees constitute as much as 40 percent of a domestic roundtrip ticket, more than consumers pay in federal consumption taxes on alcohol, tobacco or gasoline. Our members have invested billions in concessions so that their managements can restore a healthy bottom line to our industry. But these efforts are imperiled by ever increasing calls for additional security-related tax hikes on an industry that is teetering on the brink of insolvency.
- There are approximately 100,000 airline pilots in the U.S. Assuming that each one flies 20 days per month, on average, and they are screened only once per day, there will be 24 million pilot screenings annually. In 2004, one passenger screening cost approximately $4.70, which means that the total cost of screening pilots was about $112 million. These are merely rough-order-of-magnitude numbers because there is no way to determine the exact number of pilot screenings in a given year. But they illustrate the fact that money is being wasted on screening of pilots that could be used on genuinely needed security enhancements, such as improvements to the Federal Flight Deck Officer program, implementation of the Transportation Worker Identification Card system, secondary barriers, better cargo security measures, and fortified flight deck doors for cargo airplanes.
- It reduces available safety margins by disallowing pilots to carry certain tools of the trade with them through security checkpoints. These tools are needed in the event of an inflight emergency, but have been restricted since shortly after September 11.

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

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

An Effective Security Screening System

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

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

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

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

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

A critical component to the success of a human-centered screening system is identifying trustworthy individuals and then removing, or lessening, the amount of scrutiny that they receive, so that unknown or suspicious individuals can receive much greater scrutiny. There are several initiatives in various stages of completion that could greatly assist the government in accomplishing this task.

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

- Transportation Workers Identification Card (TWIC) – The TWIC program is intended to positively identify trusted workers in all transportation modes. The program has been in development for nearly four years and is currently undergoing operational tests. Ironically, and in opposition to our expressed recommendations, there are no plans to test the program in a meaningful way in the commercial aviation environment. TSA has emphasized repeatedly that TWIC will be a voluntary program for the airlines and airports, so whether the program will actually be implemented remains a question, unless policy is created that will require its usage. If used for nothing else, TWIC card readers placed at screening checkpoints would remove trusted pilots and other aviation employees from screening queues and help passengers be processed more quickly.

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

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

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

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

- Secure Flight – The CAPPS II system was attacked by privacy advocates, who expressed fears that the next generation of computerized pre-screening would be too invasive and held the potential for theft or misuse of personal information. TSA has revised its pre-screening model in an effort to address those concerns and created Secure Flight, which is to be introduced later this year. Secure Flight will be an improvement over CAPPS I,

but it will not have the same positive effect on security that CAPPS II would have had by accessing information on a number of public and restricted databases. CAPPS II would have served as a form of pre-screening intended to separate known, trusted individuals from those not meeting that threshold. The unknowns would then have been subjected to closer scrutiny than those cleared by the system.

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

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

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

Recommendations

1. Law enforcement officers, airline pilots and others within the aviation industry whose trustworthiness has been firmly established by criminal history records checks, background investigations and other measures should be screened electronically at security checkpoints.
2. The government should move quickly, with industry, to prototype, fine-tune, and deploy a human-centered security screening system that establishes a basis of trust as its principal component. Passengers meeting an established trust threshold should be expeditiously screened and allowed to proceed quickly to their gate.
3. In order to help facilitate items one (1) and two (2), the government should expeditiously develop and deploy the TWIC, RT, LEOVCS, and Secure Flight programs.
4. Airport law enforcement agencies should be encouraged to adopt a program for identifying suspicious passenger behaviors, as Massports' police have done via the SPOT program.

5. All government and industry employees who work in aviation should be trained on how to act as the “eyes and ears” of security.
6. Public education programs should be expanded to create an awareness that the general populace has a role in protecting aviation.

Thank you for the opportunity to testify today.

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