TESTIMONY

Actions Needed to Improve Aviation Security

Statement of

The Honorable Kenneth M. Mead
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Chairmen Lieberman and Durbin, Ranking Members Thompson and Voinovich, and other Members of the Committee:

We want to first express our sorrow to the many families who have lost or are missing loved ones as a result of the terrorist attacks on September 11th. We also want to acknowledge the national response the President, Secretary Mineta and Administrator Garvey, other Department heads, the Congress, law enforcement, and the many rescue and relief workers have taken regarding these attacks.

We have been reporting on aviation security for at least a decade and have made numerous recommendations for strengthening the system covering a broad range of issues within the security system—advanced security technologies, passenger and baggage screening, airport access control, and cargo security. In the last several years alone, we have issued reports showing vulnerabilities with screening of passengers; checked and carry-on baggage and cargo; access to secure areas of the airport; and issuing and controlling airport identification badges.

We also have conducted numerous criminal investigations resulting in prosecutions involving the falsification of airport identification, security screener training records, and background checks. Most recently, a private security company was placed on 36 months probation and ordered to pay over $1 million in fines and restitution for failing to conduct background checks and falsifying training records on employees staffing security checkpoints at a major U.S. airport. Also, three days following the terrorist attacks, we arrested 12 non-U.S. citizens who illegally obtained security badges necessary to gain admittance to secure areas at another major U.S. airport. We would like the Committee to know that we temporarily detailed some of our law enforcement staff to the Federal Air Marshal Program, and we are assisting the FBI in various aspects of its investigation.

The horror and tragedy of the September 11, 2001 terrorist attacks, with the loss of thousands of lives and the resultant economic damage, illustrates the vulnerability of the current security system. It also shows that our transportation systems, in this case aviation, can be used as a weapon against us. The aviation security system, as a vital national security interest, is a critical line of defense, but it is not foolproof, particularly against terrorists who are willing to die in their criminal schemes. This is why the effort to stop terrorist attacks along with the strengthening of transportation security is so important.

Also, public confidence in the security of the Nation's transportation systems,

especially aviation, has been seriously damaged and needs to be restored. The President, Departments of Justice and Transportation and others already have a broad range of security measures underway to address this issue. One such measure is increasing the workforce in the Federal Air Marshal Program. Other additional measures currently in place at all the Nation's commercial airports include increased security such as: eliminating curbside baggage check-in, intensified passenger and carry-on baggage screening at security checkpoints, and limiting access beyond the screening checkpoints to passengers with tickets or ticket confirmations.

Today, I would like to highlight some issues concerning governance and organizational structure of how to approach aviation security and then proceed to some specific areas that need to be strengthened. We will be sharing these points in detail with the Secretary's Rapid Response Teams.

Governance, Organization and Delivery of Aviation Securit

The current U.S. system has a variety of organizations responsible for various elements of aviation security. Other nations use models different from ours. In Belgium, France, and the United Kingdom, the airports are responsible for screening. In the Netherlands, the government is currently responsible for passenger screening, but employs a security company to conduct the screening operations.

Given the scope and complexity of the security challenge as we now know it, coupled with a longstanding history of problems with the aviation security program, we believe the time has come to consider the option of vesting governance of the program and responsibility for the provision of security in one Federal organization or not-for-profit Federal corporation. This entity would have security as its primary and central focus, profession, and mission. Under the current system, those charged with aviation security oversight and regulation (FAA) and those charged with providing the security (the airlines and airports) are themselves facing other priorities, missions, and, in some cases, competing economic pressures.

A centralized, consolidated approach by an organization with a security mission would require passenger and baggage screeners to have uniform, more rigorous training, and performance standards applicable nationwide. The employees of this entity would not necessarily need to be Federal employees, but would be required to meet established performance standards, and would be subject to termination if they do not perform. This should result in more consistent security at our Nation's airports.

A Federal organization or Federal corporation would be responsible for screening passengers, employees (anyone with access to the aircraft or secure areas of the airport), carry-on baggage, checked baggage, and cargo. It would also issue, control and account for identification media at airports nationwide; search aircraft and airport facilities with canine units; and manage airport access control systems. The organization could also include the current Federal Air Marshals; and could take over responsibility for developing, purchasing and deploying advanced security technologies, such as explosives detection equipment. The organization, not the airlines, FAA, or airports, would determine when the security equipment should be used to screen baggage and be responsible for the maintenance and upgrading of this equipment.

This entity would also be able to maintain close ties to the intelligence community, revise requirements or procedures without going through a

lengthy rulemaking process, require employees to be U.S. citizens and have background and credit checks, and provide screening personnel better salaries and a career path.

Any change in the governance and organization of this system will require careful analysis, cannot be done overnight, and will require a transition period. In the interim, we must sustain the current system and improve security measures now in place

Changes Needed to Supplement and Enhance Security Actions Already Underway

The aviation security system in place today is a layered system of systems in place at the Nation's airports. This system involves prescreening passengers at check-in; screening passengers' checked and carry-on baggage, and cargo at security control points in the airports; controlling access to secure areas of the airport; and restricting access to secure areas of the airport to unauthorized individuals.

Aviation security in the U.S. is also based on a system of shared responsibilities among FAA, air carriers, and airport operators. FAA is responsible for establishing and enforcing regulations, policies, and procedures; identifying potential threats and appropriate countermeasures; deploying Federal Air Marshals on selected U.S. air carrier flights; and providing overall guidance and oversight to ensure the security of passengers, crews, baggage, cargo, and aircraft.

Air carriers are primarily responsible for applying security measures to passengers, crews, baggage, and cargo. This includes screening all passengers, and passengers' carry-on and checked baggage, which is usually performed by contractors. Airports, run by State or local government authorities, are responsible for the security of the airport environment and for providing law enforcement support for implementation of air carrier and airport security measures.

The Department of Transportation's Office of Inspector General (OIG) and the General Accounting Office (GAO) have issued numerous reports identifying weaknesses in the aviation security system and recommending corrective actions. Many of these weaknesses are still present and need to be addressed without delay. To address those weaknesses, FAA needs to take the following immediate actions to improve aviation security:

- Increase use of bulk explosives detection machines for screening of passengers' checked baggage.

- Issue the final rule on certification of screening companies to improve the screening of passengers, carry-on items, and cargo, and improve screener performance.

- Establish standards for measuring security screeners performance based on computer-assisted testing methods and unannounced testing of screeners by FAA.

- Strengthen controls to prevent access to secure areas of the airport by unauthorized individuals.

- Conduct criminal checks for all employees working at the airport with

unrestricted access to secure areas of the airport.

FAA also needs to take actions to improve weaknesses in its Cargo Security program, and continue with ongoing efforts to increase the Federal Air Marshal program workforce. We will be providing this information to the Secretary's Rapid Response Teams.

Security of Checked Baggage

Explosives detection equipment such as the CTX machine was developed to assist screeners in identifying threat items in passenger baggage. In our 1998 report on Deployment of Explosives Detection Equipment, we recommended that FAA develop a strategy to more effectively utilize the CTX machines and enhance screener performance. Recently, Congress passed the Aviation Security Improvement Act of 2000, which requires FAA to maximize the use of explosives detection equipment. Today, however CTX machines are still underused, and screeners' performance needs improvement.

FAA has taken action to increase utilization of bulk explosives detection machines. However, we do not accept the utilization goals that FAA has chosen. It is too low. Nor do we accept that FAA's goals are responsive to the requirements mandated in the Airport Security Improvement Act of 2000. The majority of the machines are still underutilized. A bulk explosives detection machine in use has an immediate, powerful, and visible deterrent effect on potential terrorist attack. One sitting idle does not.

Screening Checkpoint Security

In our 1996 report on efforts to improve airport security we found screeners frequently failed to detect threat items at security checkpoints. More recently, GAO completed a review titled Long-Standing Problems Impair Airport Screeners' Performance.[1] In this 2000 report, GAO found that long-standing problems combine to reduce screeners' effectiveness in detecting dangerous objects, most notably (1) the rapid turnover of screener personnel, and (2) human factors conditions that for years affected screeners' hiring, training, and working environment. GAO found that despite several laws enacted by Congress, concerns remain over screeners' ability to detect dangerous objects. Furthermore, FAA has acknowledged that screeners' detection of dangerous objects during testing is unsatisfactory and needs improvement. This is a long-standing problem – one that was reported on over a decade ago by the Department of Transportation and GAO.

The Federal Aviation Reauthorization Act of 1996 directed FAA to certify screening companies and improve screener performance. FAA was prepared to issue its final rule on the Certification of Screening Companies the week of September 10, 2001. However, following the September 11 tragedy, the Department of Transportation elected to delay the final rule publication so that the Rapid Response Teams could re-evaluate the certification requirements.

Threat image projection (TIP) is an important component of FAA's final rule on Certification of Screening Companies. TIP is software program installed on x-ray machines being deployed at screening checkpoints at airports nationwide. TIP exposes screeners to projected simulated threats on a regular basis to train them to become more adept at detecting threats and to enhance their vigilance. In its final rule, FAA will require that TIP be used to measure the performance of individual screeners and screening companies. However, FAA still needs to establish standards for measuring screener performance based on a combination of TIP testing and actual field testing by FAA.

Airport Access Controls

Controlling access to secure areas of the airport is critical in protecting the airport's infrastructure and aircraft from unauthorized individuals. During late 1998 and early 1999, we successfully accessed secure areas[2] in 68 percent of our tests at eight major U.S. airports. Once we entered secure areas, we boarded aircraft 117 times. The majority of our aircraft boardings would not have occurred if employees had taken the prescribed steps, such as making sure doors closed behind them. In addition to recommending that FAA work with airport operators and air carriers to implement and strengthen existing controls to eliminate access control weaknesses, we also recommended that comprehensive training programs be developed that teach employees their role in airport security, and make employees accountable for compliance. These recommendations along with others were incorporated into the Airport Security Improvement Act of 2000.

FAA recently issued regulations making individuals directly accountable to FAA for noncompliance with access control requirements. But testing and assessing fines for security violations is not the only answer. FAA must assist airport operators and air carriers in developing and implementing comprehensive training programs. All security training programs, not just for access control, must teach employees their role in aviation security, the importance of their participation, how their performance will be evaluated, and what action will be taken if they fail to perform.

Issuing Airport Identification

Additional actions are needed to improve the process used to ensure that employees with access to secure areas of an airport are trustworthy. Our 2000 report on Controls Over Airport Identification Media looked at industry's compliance with FAA's background investigation requirements at six U.S. airports and found that the requirements were ineffective, and airport operators, air carriers and airport users[3] frequently did not comply with these requirements.

We made recommendations to FAA to: strengthen background investigation requirements to include initial and randomly recurring FBI criminal checks for all employees; expand the list of crimes that disqualify an individual from unescorted access to secure airport areas; and incorporate in background investigation requirements the use of credit checks and drug tests to help assess whether individuals can be trusted with the public's safety and be permitted to work in secure airport areas.

The Airport Security Improvement Act of 2000 incorporated some of our recommendations and required FBI criminal checks at Category X airports as of December 2000. However, other airports will not enter this program until December 2003, even though FAA has stated the capacity to process additional checks exists. We recommended that all airports be required, immediately, to conduct criminal checks for all employees that have access to secure airport areas, and for all screeners, including cargo screeners. Also, criminal checks must not be restricted to first-time applicants, as the current law provides, but should include all employees regardless of their employment date. Further, criminal checks must be recurring.

We also must consider additional methods of determining the trustworthiness of individuals, especially for individuals who have not been in the U.S. long enough for a criminal records check to be effective. FAA has stated that conducting foreign criminal checks presents numerous problems and, therefore, would not be feasible. FAA also declined to implement the use of

credit checks and drug tests because Airport Security Improvement Act of 2000 did not include these requirements. But, we believe that alternate investigation methods, such as those used by Canada, must be explored, including: credit checks, requirements that applicants be U.S. citizens, and an automated profiling system that takes into consideration factors including an individual's place of birth.

Cargo Security

We just completed a follow-up audit of FAA's Cargo Security Program. We continue to find weaknesses in FAA's policy for allowing cargo on passenger aircraft. We will not discuss the details of those weaknesses here today, but will be briefing the Secretary of Transportation, the Federal Aviation Administrator, and the Secretary's recently created Rapid Response Teams.

Federal Air Marshal Program

In the 1970's, hundreds of security officers were hired through an agreement between the FAA and U.S. Customs Service. In 1973, after the Customs Sky Marshal program phased out, the FAA continued a limited Air Marshal Program using volunteer special agents from its Civil Aviation Security.

Following the Cuban refugee problems in Florida and the hijacking of Trans World Flight 847 in 1985, the Secretary of Transportation released a report, in 1987, which concluded there was a need for an expanded Federal Air Marshal (FAM) Program to supplement ground security measures. Initially, all FAA security specialists hired between 1985 and 1992 were required to also serve as FAMs. Currently, FAA has a dedicated staff of FAMs, but the actual number of FAMs is classified. We think it is a wise decision to substantially increase use of this Program in the interest of restoring public confidence and as a deterrent to criminal on aircraft.

This concludes my statement. I would be pleased to answer any questions.

Attachment

(4 Pages)

AVIATION SECURITY TESTIMONY AND REPORTS

AS OF SEPTEMBER 14, 2001

TESTIMONY

Date	Title	Report Number
04/06/2000	Aviation Security Statement of Alexis Stefani, Assistant Inspector General for Auditing Before the Subcommittee on Aviation, Committee on Commerce, Science, and Transportation, U.S. Senate	AV-2000-076
03/16/2000	Aviation Security Statement of Alexis Stefani, Assistant Inspector General for Auditing Before the Subcommittee on Aviation, Committee on Transportation and Infrastructure, U.S. House of Representatives	AV-2000-070

03/01/2000	Improving Aviation Safety, Efficiency, and Security: FAA's Fiscal Year 2001 Request For Research, Engineering, and Development Statement of Alexis Stefani, Assistant Inspector General for Auditing Before the Subcommittee on Technology, Committee on Science, U.S. House of Representatives	AV-2000-054
03/10/1999	Aviation Security Statement of Alexis Stefani, Deputy Assistant Inspector General for Aviation Before the Subcommittee on Transportation and Related Agencies, Committee on Appropriations, U.S. House of Representatives	AV-1999-068
05/14/1998	Aviation Security Statement of Alexis Stefani, Deputy Assistant Inspector General for Aviation Before the Subcommittee on Aviation, Committee on Transportation and Infrastructure, U.S. House of Representatives	AV-1998-134

AVIATION SECURITY TESTIMONY AND REPORTS

AS OF SEPTEMBER 14, 2001

AUDIT REPORTS

Date	Title	Report Number
12/07/2000	Controls Over Airport Identification Media	AV-2001-010
11/18/1999	Airport Access Control	AV-2000-017
10/21/1999	Deployment of Explosives Detection Equipment	AV-2000-002
07/16/1999	Security of Checked Baggage on Flights Within the United States	AV-1999-113
10/05/1998	Deployment of Explosives Detection Systems	AV-1999-001
07/17/1998	Dangerous Goods/Cargo Security Program	AV-1998-178
06/01/1998	Management Advisory on Review of Security Controls Over Air Courier Shipments	AV-1998-149
04/17/1997	Federal Air Marshall Program	R9-FA-7-006

07/03/1996	Efforts to Improve Airport Security	R9-FA-6-014
09/20/1993	Audit of Airport Security	R9-FA-3-105

AVIATION SECURITY - INVESTIGATIONS

February 3, 1999, through September 14, 2001

Subject Area	***Date***	***Summary***
Screeners & Baggage Handlers	September 14, 2001	Employees who are non-U.S. citizens without proper INS status were authorized to enter secured areas of Dulles, ongoing investigation.
Security Badges	September 14, 2001	Arrest warrants were issued against non-U.S. citizens who obtained security badges at Miami International Airport.
Security Badges	September 13, 2001	Employee at Miami International Airport pleads guilty to using job in ID section to make false security badges for coworkers.
Cockpit Access	June 7, 2001	Civilian used false FAA ID card to obtain unauthorized cockpit access on three separate flights.
Access Control	June 5, 2001	Non-employee of Miami International Airport illegally used an Airport Secured ID Display Area access badge to gain entry to a secured area.

Access Control	February 1, 2001	Miami International Airport employee gained access to secured areas by providing false data on Airport ID Badge application.
Screeners	October 25, 2000	Private firm (Argenbright) failed to conduct background checks on checkpoint screeners at Philadelphia Airport. Company fined $1 million, $350,000 restitution and $200,00 in investigative costs.
Access Control	May 1, 2000	Employees at Dallas-Ft. Worth Airport allowed unauthorized personnel to use their security badges to gain access to secured areas.

AVIATION SECURITY - INVESTIGATIONS

February 3, 1999, through September 14, 2001

(continued)

Subject Area	*Date*	*Summary*
Screeners	March 27, 2000	Private firm (Aviation Safeguards) falsely certified on at least 70 occasions that criminal background checks had been accomplished on employees seeking access to secure areas at Miami International Airport.
Access Control	February 3, 1999	A former Miami-Dade County Police Officer working for a private security firm falsely certified that criminal background checks had been accomplished on 22 employees seeking access to secure areas at Miami International Airport. Upon hiring, applicants had clearance to enter secured areas of the airport.

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[1] Aviation Security: Long-Standing Problems Impair Airport Screeners' Performance, Report Number GAO/RCED-00-75, dated June 2000.

[2] OIG uses the term **secure area** to define the area of an airport where each person is required to display airport-approved identification. Each airport defines this area, which may be the

entire Air Operations Area or may be limited to a smaller, more restrictive area.

[3] Airport users include foreign air carriers, non-air-carrier airport tenants, and companies that do not have offices at the airport, but require access to the secure airport areas.

Committee Members | Subcommittees | Hearings | Key Legislation | Jurisdiction
Press Statements | Current Issues | Video of Select Hearings | Sites of Interest