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AVIATION SECURITY

Report To Congress On Further Steps Needed To Strengthen The Security Of Commercial Airport Perimeters And Access Controls, GAO-04-728 (June 2004)

The Aviation Security Report prepared by the General Accounting Office (GAO)¹ found that the mandate of the Transportation Security Administration (TSA) under the Aviation and Transportation Security Act (ATSA)² to address issues of security of airport perimeters, restriction of access to secured areas and security measures relating to airport workers has not been met. While few would argue with the TSA's emphasis on improving the screening of airline passengers and their baggage, the lack of progress in addressing other security concerns is undeniable. In terms of both time and money, however, the means to comply with the goals of ATSA remains inadequate.

The ATSA created the TSA, an agency responsible for the security of all types of transportation, including aviation. The TSA is most visible at the nation's airports, where the ubiquitous TSA screeners open your baggage, pass a wand over your body, x-ray your carry-ons, confiscate any of your personal effects which may be on a long list of prohibited items and often make you remove and then screen your shoes.

While day-to-day operational responsibility for airport security remains with the airport operator, ATSA directs the TSA to ensure the adequacy of security measures at airport perimeters, to assess the adequacy of controls restricting access to secure areas at the airports and to implement security measures pertaining to airport employees.

A brief examination of the TSA's activities to date led the GAO to conclude that there are unmet needs in all three areas.

While the TSA started to evaluate airport perimeter security issues, these efforts were suspended early this year in order to deal with a higher priority item, the vulnerability of airports to shoulder-fired missiles. There are plans for the TSA to conduct joint airport perimeter vulnerability assessments with the Federal Bureau of Investigation (FBI), but the plans are just that – plans. No concrete steps have been taken to implement them.

On the restricted access to secured areas issue, ATSA requires³ the TSA to establish a pilot program to test new technologies for improving perimeters and access control at selected airports. The TSA plans to examine technologies related to biometric identification systems (iris scans), computerized identification badges, intrusion detection systems and controls to prevent “piggybacking” (where an unauthorized person

closely follows an authorized person into a secured area). This project is not yet underway. The TSA also has not yet provided guidance to airport operators on which security technology will be endorsed. Given the high cost of security technology, airport operators are hesitant to purchase, test and install technological security systems that may not be endorsed by the TSA.

Airport operators have expressed justifiable concerns about both the financial and operational barriers to implementation of a new computerized identification badge system, since hundreds, or more likely hundreds of thousands, of card readers would have to be replaced if the new badges are inconsistent with current badges. Airport operators are also understandably reluctant to spend significant sums of money on technical upgrades to security systems unless and until the TSA has finished its work and given the airport operators guidance on what steps will be required to bring the airport perimeter access procedures into compliance with ATSA.

More progress has been made in the area of security concerns about airport workers. The TSA estimates that there are about 1,000,000 airport and vendor employees who work at the nation's commercial airports, with 900,000 of these employees working in either secured areas or security identification display areas (SIDA), wearing identification badges issued to them by the airport operator.

The TSA estimates that the other 100,000 employees work in sterile areas such as airport concession shops. The TSA requires sterile area workers to be screened at security checkpoints, which may be either passenger screening areas or a dedicated screening area for sterile area employees. Of concern to the TSA is that not all of these other SIDA employees pass through screening every day, as would a person arriving at the airport and seeking access to the gate areas. The cost of additional screeners to screen these workers, and the delay of passengers which would necessarily occur because of the screening of airport employees and vendors, if separate screening is not available, have made

airport operators hesitant to undertake such a screening program.

One response to this concern is that there is no need for airport workers to undergo screening because the TSA requires most airport workers who perform duties in secured and sterile areas to undergo a fingerprint-based criminal history check. Airport operators must check a prospective worker's name against those in the TSA's aviation security watch list. However, these checks have limitations and an examination of some of these limitations reveals that the system in place is hardly fool-proof in detecting potential troublemakers among airport employees.

First, fingerprint-based checks will only identify those individuals already with a criminal record on file with the FBI's national fingerprint database. A recent joint investigation by several federal agencies, dubbed "Operation Tarmac", found that more than 4,200 airport workers had falsified immigration or Social Security data and obtained identification badges allowing unrestricted access to secured and sterile airport areas. As surprising as it might be, the federal government has not yet developed a system that would allow interagency database searches to provide access to social security and immigration information. Nor do federal watch lists have the capability to automatically share information on biographical or financial data of persons on such watch lists.

Second, the fingerprint check test does not check if there is a local criminal record because it does not include a review of county and municipal criminal record files. TSA officials do not consider the lack of a local criminal records check to be a limiting factor because local criminal records are not likely to include criminal convictions of the 28 offenses (such as murder, treason, arson, kidnapping and espionage) that would disqualify an individual from obtaining unescorted access to secured airport areas. The TSA nonetheless has recognized the limitations of the current fingerprint check requirements and has taken steps to improve the situation by expanding background checks to include a criminal history check comparing the

individual's name against a base of 19 nationwide criminal history lists.

One of the drawbacks to expanded background and fingerprint checks for all airport workers in secured or sterile areas is the cost of such an expanded program: it is estimated that the cost of performing fingerprint-based criminal history checks for all secured and sterile area workers nationwide would be about \$80 million, or \$80 for each of the one million secured and sterile area workers. One possible source of revenue to fund these checks is a requirement that each airport worker pay from their own pockets some or all of the cost of the background check.

One other requirement of ATSA (so far unaddressed by the TSA) is that vendors who have direct access to airfields and aircraft develop a security program. The number of vendors at airports varies and the GAO estimates that at a major airport as many as 500 vendors have access to the airfield and aircraft. To require each of those vendors to prepare their own security program would be superfluous, confusing, costly and time consuming, and would likely serve little purpose other than to create a cottage industry for security consultants. The TSA has admitted that, given its present staffing levels, it is not in a position to either review such vendor security plans, or to bring enforcement action if a plan is deficient.

The TSA has made great strides in the past two years in the areas of screening passengers and baggage, yet there remains much unfinished work for the TSA to carry out its mandate under ATSA. The TSA, while agreeing that more needs to be done to improve security and access at airport perimeters and to reduce security risks posed by airport workers, emphasizes its accomplishments since it took over passenger screening at the nation's airports in November of 2002.

The Acting Administrator of the TSA has characterized its accomplishments as establishing a system of "reinforcing rings of security" to secure aviation "from curbside to cockpit."⁴

While the Administrator may be accurate in his assessment that the civil aviation sector is more secure today than it has ever been, the GAO Report concludes that the TSA must determine how it will address the "resource, regulatory, and operational challenges" the TSA faces in

- (1) identifying security weaknesses of the commercial airport system as a whole,
- (2) prioritizing funding to address the most critical needs, or
- (3) taking additional steps to reduce the risks posed by airport workers.

Congress and the traveling public await the TSA's plan.

Endnotes

¹ The report is available online at www.gao.gov/cgi-bin/getrpt.GAO.04.728.

² Pub.L. No. 107-71, 49 U.S.C. 40101 note. ATSA was signed into law by President Bush in November of 2001, two months after the September 11th terrorist acts.

³ Section 106(a).

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