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

HEARING

before the

SUBCOMMITTEE ON ECONOMIC
SECURITY, INFRASTRUCTURE
PROTECTION, AND CYBERSECURITY

of the

COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES

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

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

I am a member of 9/11 Families For a Secure America, but as I say in my written statement, I feel my most important qualification is being Chic Burlingame's sister. I learned a lot about aviation from him. I was a flight attendant myself for 7 years, but it was through Chic's eyes that I saw 9/11, and it is through Chic's eyes that I see the safety of our country going forward in what we are doing and evaluate it. Sometimes I feel him--I hear him whispering in my ear, and I am going to share a little bit of that with you this morning.

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

While the attack on this country 3 years and 8 months ago was a horror for all of us, for all Americans, the commercial aviation industry endured a particularly brutal experience. While most people watched the planes hit the buildings and the towers fall, with shock and disbelief, for flight crews witnessing the summary executions of their fellow crew members and those helpless passengers was a deeply personal experience. These are people who love airplanes, who spent their entire lives associated with aviation, many starting from the time

they were children, like my brother, dreaming of the joy of flight. To them, seeing an aircraft used as an instrument of mass destruction is a perversion which contradicts everything they know and all they have trained to do.

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

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

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

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

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

That conversation that he had with my brother Brad was in 1999, 2 years before Chic's Boeing 757 was commandeered and used as a weapon of mass destruction in exactly the manner he imagined. And it clearly illustrates what flight crews understood then and continue to believe now: that it is counterintuitive and counterproductive to subject, as you say, the most highly referenced, heavily backgrounded, and operationally visible employee group in the private sector to

airport security screenings. They are fingerprinted, they are photographed, they are routinely monitored, as you said, Chairman Cox. And some even continue to serve as military Reserve pilots, as my brother did. They have long, long records.

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

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

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

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

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

Over the last 3 years, ICE agents and Operation Tarmac have discovered nearly 6,000 unauthorized workers at airports and maintenance facilities around the country, and they have arrested over 1,000 illegal aliens, including 5--a fugitive alien, I believe it was at Boston Logan, with an outstanding deportation order. They have issued 775 criminal indictments.

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

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

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

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

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

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

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

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

I appreciate the difficult challenges that the Transportation Security Administration faces as we forge ahead. But you know, after the trauma of 9/11, 3 years and 8 months ago, this country's heart was broken. It was. It wasn't just the families; the country's heart was broken. And it is absolutely unacceptable for the TSA and Members of Congress to put the economics and the politics of illegal immigration above the safety and security of its citizens.

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

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

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

[The statement of Ms. Burlingame follows:]

Prepared Statement of Debra Burlingame

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

I am honored to appear before you today to discuss the Transportation Security Administration's proposed screening of

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

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

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

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

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

Prior to 9/11 it was routine for flight crews to by-pass security

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

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

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

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

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

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

And they are widely available. Nevertheless the TSA continues to allow passengers to use them to board airplanes.

No one appreciates the difficult challenges which the Transportation Security Administration faces as we forge ahead. But if I could leave this committee with one message, and one message only, it

would be this: remember the words of Chic Burlingame. Listen to the flight crews. They want commercial aviation to thrive economically and they want it to be safe & secure. Their own lives and livelihoods depends on it.

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

You have 5 minutes, Captain.