

STATEMENT OF MATTHEW V. SCOCOZZA  
ASSISTANT SECRETARY FOR POLICY AND INTERNATIONAL AFFAIRS  
BEFORE THE HOUSE COMMITTEE ON FOREIGN AFFAIRS  
SUBCOMMITTEES ON ARMS CONTROL, INTERNATIONAL SECURITY AND SCIENCE  
AND INTERNATIONAL OPERATIONS

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Mr. Chairman and members of the Committee, thank you for inviting me to discuss our progress in implementing Title V of the International Security and Development Cooperation Act of 1985, which was signed into law last August. I will lead off with a summary of the Act and a brief description of our plan used to assess foreign airports, as required by the law. I will also address our efforts to encourage the International Civil Aviation Organization known as ICAO, to upgrade its security standards. With me is Mr. Anthony Broderick, Associate Administrator for Aviation Standards, in the Federal Aviation Administration.

Under the 1985 Act, the Secretary of Transportation must assess the effectiveness of security maintained at foreign airports being served by U.S. air carriers, foreign airports from which foreign air carriers serve the United States, those foreign airports which pose a high risk of introducing danger to international air travel, and such other foreign airports as the Secretary may deem appropriate. In making an assessment of any airport the Secretary must use, at a minimum, internationally accepted standards. These assessments must be made in consultation with the foreign governments involved and with the U.S. airlines serving the international airports.

If deficiencies are found, and not remedied within 90 days, public notification must occur. Also, the Secretary is empowered, where

conditions exist that threaten the safety or security of passengers, aircraft and crew, to impose operating restrictions or suspend service between the U.S. and any inadequately secured airport. We must also provide Congress with a semiannual summary of our assessments and notify you on any occasion when we invoke the public notice or emergency suspension provisions.

Even prior to enactment of the 1985 law, the FAA was very active in assessing security at foreign airports. However, those inspections often were done as an adjunct to the FAA's general responsibilities to insure the safety and security of airline operations between the United States and foreign countries. The new law has had several beneficial effects. First, it gave explicit Congressional support to FAA activities, demonstrating to the international community the strong U.S. commitment to airport security. As a result, we have had more cooperation from the international community. The interest that you and the Subcommittee are showing on this issue continues to demonstrate that commitment.

Second, the new law prompted us to take a fresh look at our procedures for reviewing the data produced by FAA airport inspection activities and expand high-level involvement within the Office of the Secretary in airport security matters. Finally, the Secretary was given new authority for specific action to deal promptly with unsafe conditions.

We are proud of the direct procedure we have set up to implement the Act. The FAA, because of its vast experience in dealing with matters of aviation security, continues to have primary responsibility for actually conducting the airport inspections and

reporting the results to the Office of the Secretary. Thus far we have visited and made assessments of 50 foreign airports. We are visiting both those airports currently served by U.S. air carriers and also those which are the last point of departure for foreign air carriers prior to arrival in the United States.

The frequency of assessment of any individual airport varies as to our current threat estimates. Those airports in areas currently considered most dangerous to U.S. interests are scheduled for six assessments per year. Those considered to be least threatened are scheduled for three assessments. The number of airports in each category fluctuates as the threat estimate changes. Thus far we have not found it necessary to determine that any foreign airport does not comply with ICAO standards. We have developed a mechanism for keeping top policy officials in FAA and the Office of the Secretary informed of ongoing assessment efforts. Any reports of inadequate security will go directly to the key decision makers because we believe it is critical that our top policy officials know about and be prepared to act on any potential problems as soon as they arise.

We believe that as a result of our implementation of the new law and our added emphasis on international inspections, we are making progress in increasing security for our travellers. Our FAA inspectors have worked closely with those responsible for security at international airports, pointing out to them potential security risks and assisting in training their security personnel. We have seen security at a number of airports improve as airport authorities learn more about techniques for avoiding terrorist attacks.

I would like to turn now to our efforts to encourage the international aviation community to take strong action to insure the safety and security of international aviation. As you may recall, in June Secretary Dole addressed the International Civil

Aviation Organization. She urged ICAO to focus its attention with greater urgency toward combatting terrorism against international air transportation. Among the actions she asked ICAO to pursue were the following:

1. To review security measures as they are currently implemented by member nations with a view toward improving security at international airports;
2. To review, and where necessary, strengthen existing international airport security standards;
3. To provide a means for evaluating the level of adherence to ICAO security standards at international airports; and
4. To expand its security training program.

I am pleased to report that ICAO has been very responsive to our initiatives. ICAO adopted an initial plan of action that included each of our requests, and later adopted a more specific and formalized work program. It acted promptly upon each of the four requests, and has completed the first two.

In late August, a group of security experts appointed by the President of ICAO met in Montreal to review existing international practices and to recommend enhancements to ICAO's security standards. In December, ICAO revised and strengthened its security standards, known as Annex 17 to the Chicago Convention. Among the changes are requirements that member nations: expand preflight checks to include measures to discover weapons and other dangerous devices; ensure that baggage that does not belong to any boarded passenger is either not loaded or is thoroughly inspected; and enhance other safeguards at international airports

and ground facilities. In addition, it recommended that countries include a clause on civil aviation security in their aviation agreements with other nations.

The majority of the revisions to Annex 17 will become effective on March 19, 1986. The requirement that baggage of passengers who do not report for boarding be removed from an airplane will not become effective until December of 1987.

Secretary Dole is committed to seeing that these and other security enhancements are implemented by the international aviation community. During ICAO's deliberations, she personally contacted the Transport Ministers of our 32 fellow ICAO council nations and urged them to support the proposed Annex 17 revisions. Many countries, including the United States, have already made the changes required by the Annex 17 revisions. The Secretary also contacted Dr. Assad Kotaite, the President of the ICAO Council, to reaffirm the continuing interest of the United States in her earlier proposal that ICAO provide a means to evaluate how well states are adhering to ICAO security standards.

In mid-January I met with Dr. Kotaite at the Secretary's direction. In addition to discussing the Secretary's suggestion that ICAO monitor compliance with its security standards, we explored ICAO's plan to enhance the ability of its regional offices to monitor the adequacy of security at international airports. At our meeting, Dr. Kotaite accepted my offer of U.S. support and assistance to ICAO's regional security coordinators and assured me that ICAO is continuing to pursue activities addressing a means for evaluating countries' compliance, and expanding its security training program.

ICAO is to be commended for the speed with which it adopted these enhanced security measures, and for its continuing efforts to improve security at international airports. The following items

are on ICAO's current work program and relate to the Secretary's objectives:

- a. Possible changes ICAO could make in its organizational approach to aviation security.
- b. The formulation of standard procedures for countries to use to evaluate their own security programs.
- c. Enhancement of ICAO's ability to provide technical assistance to member nations.
- d. Consideration of a proposal for investigating acts of unlawful interference.

We will continue to monitor ICAO efforts and will be prepared to report to you on their progress from time to time.

Recent news items have focused on a need to screen airline and airport employees and contractors more thoroughly. I would like to discuss the initiatives we have taken to address this need. On November 27, 1985, the Department announced that it is taking steps to tighten preemployment screening procedures for airport personnel. Airport and air carrier security programs were amended to require five-year verification of employment references for persons hired after November 1, 1985, who would have unescorted access to areas restricted for security reasons.

This requirement initially caused some confusion for some airport officials, especially in terms of its application to transient contract personnel. FAA has met with industry to develop guidelines to resolve technical problems and to ensure efficient implementation of the new requirements.

We also concluded that additional protection could be provided the traveling public by requiring employee criminal checks. The Department will submit legislation that would direct airlines to conduct criminal background checks prior to employing persons who would have access to airport areas restricted for security reasons.

Our proposal would also make unauthorized access to airport secure areas a misdemeanor. However, entry with intent to commit a felony would in and of itself constitute a felony. This provision is intended to deter the unlawful circumvention of airport screening systems as well as the unauthorized penetration of secure areas on airports. We believe that such activity should be forcefully proscribed by federal law to combat any threat of terrorist activity against civil aviation in this country.

That concludes my prepared statement. Mr. Broderick is prepared to discuss specific details on how the assessments are conducted and what they have revealed up to this point. As you can appreciate, some of this information is of a sensitive nature, and would be more appropriate for an executive session of the Committee. We would be pleased to respond to any questions you may have at this time.