

STATEMENT OF THE HONORABLE SAMUEL K. SKINNER, SECRETARY OF
TRANSPORTATION, BEFORE THE SENATE COMMITTEE
ON COMMERCE, SCIENCE AND TRANSPORTATION
SUBCOMMITTEE ON AVIATION
CONCERNING AVIATION SECURITY
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Mr. Chairman and Members of the Subcommittee: I appreciate the opportunity to appear before the Subcommittee today to describe the Department's efforts to combat terrorist threats against civil aviation.

As the recent destruction of Pan Am Flight 103 tragically reminds all of us, despite worldwide efforts to strengthen security, civil aviation continues to be a target for criminal and terrorist acts. My Department and the Federal Aviation Administration, the State Department, foreign civil aviation authorities, the airlines and airports, law enforcement and intelligence agencies, and the dedicated men and women who are on the front lines screening passengers, checking baggage, and handling cargo have together taken tremendous strides to make the system safe and secure.

Yet, we can and must do more to thwart the cowardly and despicable acts of terrorists.

The challenge we face is a formidable one, for we live in a dynamic world where, as technology and political agendas change, so also do the threats against civil aviation. Where hijacking was once the preferred form of terrorist activity, today's terrorist has all too frequently turned to sabotage -- wantonly aimed at the total destruction of aircraft and their precious human cargo. Through the 1970s and into the 1980s, concerted action by the world aviation community stemmed the hijacking menace: there were only two attempted hijackings of U.S.-registered aircraft last year; and the number of attempted hijackings of foreign airlines was half of what it was earlier in the decade.

In the past several years, though, the world has been witness to four horrific acts of sabotage: Air India Flight 182, TWA Flight 840, Korean Air Flight 858, and most recently Pan Am Flight 103.

The primary lesson to be learned from these far flung and diverse acts of terrorism is that we must continue to build on the solid foundation of security measures built over the last decade and a half. We must continue to evolve strong yet flexible approaches that will bring our best technology, and our best people to bear on this problem. Finally, the process of

reviewing, refining, and redirecting aviation security must be continuous. We must never rest on the existing foundations of our aviation security system. We must be ready to improve them.

As a culmination of a number of initiatives over the last two decades, effective and responsible approaches are being pursued.

They include:

- effective passenger and baggage screening techniques;
- imposition of extraordinary security measures in special circumstances;
- worldwide use of x-ray and metal detecting equipment;
- in-depth assessments of U.S. and foreign airport security;
- the Federal Air Marshal Program;
- tightened control of access to aircraft and security sensitive areas;
- research and development of new security techniques and detection technologies;
- analysis of intelligence on terrorist activities; and
- technical assistance and training.

Whenever necessary, we have sought additional resources to strengthen our security-related activities. This fiscal year,

we are increasing the FAA's civil aviation security workforce by an additional 56 personnel, and have requested 120 more security positions in our FY 1990 budget, which will bring the total security force to almost 700. These additional employees will help significantly in responding to international threats and to continue to improve security here in the United States.

In addition to investing in human resources, we believe that continued investment in new technologies will reap great returns for aviation security. We have been accelerating the delivery schedule of the thermal neutron analysis (TNA) units we have developed for explosives detection. This remarkable system is the result of three years of FAA-directed research on an explosive detection system designed to detect all commercial and military explosives that might be concealed in checked baggage and air cargo, including otherwise hard to detect plastic explosives.

Prototype TNA systems have already been tested at the Los Angeles and San Francisco Airports during June 1987-March 1988. Six TNA units will be delivered and placed in operation during the June 1989 to January 1990 time frame, six months ahead of schedule. We believe this unit shows great promise for effectively screening passenger luggage. Our experience in

examining over 30,000 bags using thermal neutron analysis demonstrated that it could screen baggage with a high success rate (95 percent) and a low false alarm rate (4 percent), even with minimal quantities of explosives. The first TNA system will be installed at JFK Airport in June. Research is also underway on a vapor detection system for checking people for explosives. A prototype has been tested with promising results, and we hope to have an improved prototype available for testing late next year.

We also are continuing work to develop improved weapons detection capabilities, including efforts for the detection of plastic weapons, and are conducting an evaluation of state-of-the-art detection equipment now available commercially. Further, we continue to solicit new ideas from the scientific and academic communities with a view toward identifying and developing additional tools to enhance security.

While we continue to pursue these domestic initiatives, we are also working in the international arena to develop uniform approaches to combat terrorism in the skies. As you are aware, the International Civil Aviation Organization (ICAO) already has in place a set of security standards and recommended practices, incorporated into Annex 17 to the Chicago Convention. One

hundred fifty-nine countries have acceded to that convention. We believe the measures set out in Annex 17 are fundamentally sound, but, like our own security measures, they must periodically be reviewed and updated.

About two months ago, and as one of my first official acts as Secretary of Transportation, I attended a Council Session of the International Civil Aviation Organization called specifically to address the sabotage of Pan Am Flight 103. Reflecting the seriousness with which such criminal acts are viewed, I was joined at that session by nine other ministers responsible for civil aviation as well as 23 additional countries' permanent ICAO representatives. I had the opportunity to speak with each of those ministers in the course of the two-day ICAO meeting and with many of the other senior government officials present, and can assure you that they are willing to join us to do all that is necessary to make international civil aviation secure from terrorist acts.

As a result of that meeting, the 33-member ICAO Council unanimously adopted a resolution setting out a plan of action that, I am confident, will lead to strengthened security procedures throughout the world. Specifically, as a matter of highest priority, ICAO will review existing international

standards applicable to all operations to determine what changes are necessary in light of recent events. It will also consider developing a set of extraordinary measures to put in place when increased threat levels exist. Further, we agreed to expedite research and development on detection of explosives and to explore the possibility of establishing an international regime for the marking of explosives. Thus far, ICAO is moving quickly and over the coming weeks and months, we will be devoting a great deal of attention to ICAO and its security-related work. At the same time, and to make certain we know what all carriers serving the United States are doing to secure their operations against criminal and terrorist acts, last month we amended Federal Aviation Regulation Part 129.25 to require foreign airlines to submit their security plans to the FAA for acceptance. We will use the standards and recommended practices contained in ICAO Annex 17 now, and as it is being improved, as the yardstick against which those plans will be measured. In taking this action, we will be better able to insure that the security precautions followed by foreign airlines serving the United States are adequate to meet the threats ascribed to those operations.

As you know, on April 3 I announced new aviation security initiatives after an intensive internal review of our aviation

security system and after meeting with the families of the Pan Am 103 victims up here on Capitol Hill and later in the White House with the President. I consider this the second set of initiatives stemming from the Pan Am 103 tragedy -- the first being the set of extraordinary measures imposed on our carriers by the FAA on December 29 of last year, with which you are all familiar.

The initiatives announced in April include:

- o Requiring deployment of explosives detection systems such as the Thermal Neutron Analysis (TNA) device at the busiest airports in the U.S. and overseas where U.S. airlines operate. On April 24, I will be going personally to Europe to begin immediately to consult with my foreign counterparts to ensure speedy installation of these systems where they are needed most at foreign airports, and there will be extensive technical discussions before and after that trip.

- o Assigning additional FAA security specialists to provide greater surveillance and assistance to U.S. carriers operating at the busiest airports in the U.S. and overseas. I will also be discussing the placement of additional FAA personnel with my counterparts next week.

- o Improving the FAA security bulletin process through which important security information is disseminated to the aviation community, in a variety of ways, including:
 - making compliance by U.S. air carriers with such directives mandatory;
 - requiring acknowledgement of receipt by the carrier within 24 hours;
 - requiring carriers to submit to FAA within 72 hours specific information on how they plan to carry out preventive measures; and
 - ensuring that specific information in security bulletins is distributed to pilots-in-command of airline flights.

- o Elevating standards for x-ray and metal detection equipment to assure that U.S. air carriers are using state-of-the-art equipment.

- o Forming a National Aviation Security Advisory Committee, chaired by the Director of FAA's Aviation Security Program, to

provide a forum for the exchange and coordination of security programs and research and development designed to further enhance aviation security.

- o Conducting a top to bottom review and evaluation by FAA of how well U.S. carriers are complying with security requirements. This effort will look at each airline's resources and general philosophy toward security.

- o Discussing with foreign governments new procedures for more effective coordination of security information and countermeasures. This coordination effort, along with the deployment overseas of TNA units and additional FAA security specialists, will be the third main topic of discussion during my upcoming trip to Europe, along of course with the need to ensure a successful outcome to ICAO's current efforts.

On a related subject, Mr. Chairman, there has been substantial criticism over the \$75,000 limit placed on liability recoveries under the Warsaw Convention of 1929. There is no question that the current \$75,000 international limit of liability for passenger deaths or injuries applicable in the United States is far too low. The Senate has before it the Montreal Protocols which propose revisions to the Warsaw Convention (which

prescribes such liability limitations) so that, under a supplemental compensation plan, passengers would be entitled to unlimited recoveries for economic damages in international airline accidents. Mr. Chairman, I enlist your support in the effort to secure ratification of the Protocols.

Mr. Chairman, these are not the last initiatives we will be taking on aviation security. As I have mentioned on several occasions, our security system must be reviewed again and again, and I am committed to that process.

Mr. Chairman, our minds are always open to new ideas on ways to improve aviation security. We will continue to consult with this Committee and other appropriate Congressional Committees, with our foreign allies both bilaterally and through ICAO, with all of the major U.S.-flag international carriers, and of course. I personally will continue to listen to the families of the Pan Am victims. We will subject our aviation security system to a continuous and critical review. We have even formed a special team in the Department to develop and evaluate a full range of concepts on how we and the rest of the international aviation community can make the skies safer and more secure. If we find that existing programs need to be changed or augmented, or that reprogramming is needed, we will not hesitate.

Before I close, I would like to address one important public policy question that has been raised in the recent weeks, particularly -- and understandably in my view -- by the families of the Pan Am 103 victims. And that question is the government's policy on public release of threat information.

The proposal has been made that the government should let the public have more information about the threats made against civil aviation so that prospective travelers can make their own judgments of the risks confronting them and decisions about when, where, and with whom to fly. This is a question we have devoted considerable thought to over the years.

My answer is this: any time we believe that general or specific threats to civil aviation cannot be effectively countered by the security measures available to us, our airlines, and our aviation partners, we take action. We are prepared to cancel endangered flights or discontinue service altogether to and from airports and countries where our citizens and airlines cannot be assured that risks will be kept to a minimum. We work with the State Department to assure that travel advisories are issued when and where justified. And, of course, we work with the intelligence agencies to obtain, evaluate, and act on

information about threats against civil aviation. This is a process that operates continuously, regardless of whether overt or specific threats have been received. Our approach to threats is, in the final analysis, a simple one: We put the information in the hands of the aviation security professionals who can direct appropriate measures to counter the threat.

On the other hand, to flood air travelers with information on threats against civil aviation would seriously confuse everyone, and would not improve air safety, either system-wide or for individual travelers. In the United States alone there are, on average, between two and three threats made against aircraft or airports every day. The vast majority of these are anonymous threats that have no credibility; they are also threats that our security system -- especially with the improvements I have just announced -- is adequate to handle. If we add to this the numerous threats that are made against civil aviation around the world, publishing such information would wreak unnecessary havoc with the international civil aviation system. It would also increase the incentives for terrorists and other persons to make real or bogus threats, and, ultimately, would come to be largely ignored when travelers realize that virtually all anonymous threats and volunteered information are groundless.

Again, let me emphasize that when we believe an element of the civil aviation system cannot be adequately protected against a credible threat from someone or some organization with the clear intent and capability to carry out a criminal act, the U.S. Government will: 1) recommend that airlines cancel threatened services; and 2) if necessary, either cancel the threatened flights or issue a public travel advisory to alert air travelers.

Mr. Chairman, we have made significant strides in designing and developing systems to protect the traveling public, but we must remain vigilant to counter new tactics and new equipment employed by terrorists. In this effort, we look forward to the Committee's continued support.

That completes my prepared statement, Mr. Chairman. I would be pleased to respond to any questions you may have at this time.