



**U.S. House of Representatives**  
**Committee on Transportation and Infrastructure**

**Washington, DC 20515**

**James L. Oberstar**  
**Chairman**

**John L. Mica**  
**Ranking Republican Member**

November 19, 2010

David Heymsfeld, Chief of Staff  
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The Honorable John Pistole  
Administrator/Assistant Secretary  
Transportation Security Administration  
701 South 12<sup>th</sup> Street, West Tower  
Arlington, VA 22202

Dear Administrator Pistole:

We are writing to express our concerns relating to the Transportation Security Administration's (TSA) new standard pat down procedures and use of advanced imaging technology (AIT).

While the purpose behind the recent change in procedures is understandable, we have concerns that TSA is not achieving the proper balance between aviation security and the privacy rights of United States citizens.

The new pat down procedures are overly intrusive especially if a legitimate reason for the more probing search has not been established. The use of these procedures should be limited to secondary screening for alarm or anomaly resolution, or for those who have been identified by a Behavior Detection Officer (BDO). This very invasive process should not be used for primary or random screening of passengers and should not be used on children. The TSA's use of the BDOs also needs to be revamped to more closely resemble the Israeli model; the observation should be conducted up close by those inspecting travel documents and interacting with passengers.

Unfortunately, this is another example of TSA's reactive, as opposed to proactive, approach to aviation security. TSA is always addressing the last terrorist plot, whether shoe bombs, liquid explosives, computer or toner cartridge bombs, or underwear bombs. These pat down procedures have been adopted eleven months after the last terrorist incident while alternative plots are being schemed, such as detonating explosives in the hulls of air cargo planes over populated areas. The entire focus of TSA's efforts to improve aviation security needs to be revisited.

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We have received calls from constituents, U.S. citizens, pilots, and airport directors all expressing great concern and opposition to the TSA's new pat down procedures. The level of public angst is a clear indication that TSA has missed the mark on properly balancing the rights of citizens with the need to screen travelers. Therefore, we urge you to reconsider the current application of the new screening procedures to ensure proper focus, attention and resources, including technology, are directed to the relatively small number of individuals who pose a threat to aviation security.

While physical screening may be necessary in some cases it is not the only measure to detect threats to aviation security. We need better intelligence; thorough threat analysis; reform of behavior detection processes, beginning with properly trained document checkers; and after numerous Congressional directives, biometric identification must be developed to reduce the number of people requiring physical screening and a more focused physical screening protocol needs to be instituted. Treating every passenger as a suspect or criminal is an inefficient use of scarce resources.

We stand ready to work with the Administration and appropriate Congressional Committees to ensure that TSA refocuses and improves its performance. It is vitally important that aviation be kept secure and safe and civil rights and liberties are protected.

Thank you for your immediate attention to this important matter.

Sincerely,



John L. Mica  
Ranking Republican Member  
Committee on Transportation and  
Infrastructure



Thomas E. Petri  
Ranking Republican Member  
Subcommittee on Aviation