

ALASKA STATE LEGISLATURE
SENATE TRANSPORTATION COMMITTEE
September 24, 2001
9:05 a.m.

MEMBERS PRESENT

Senator John Cowdery, Chair
Senator Jerry Ward, Vice Chair
Senator Robin Taylor
Senator Gary Wilken
Senator Kim Elton

MEMBERS ABSENT

All Members Present

OTHER MEMBERS PRESENT

Senator Loren Leman
Representative Hugh Fate
Representative Scott Ogan

COMMITTEE CALENDAR

Airport Security Issues

WITNESS REGISTER

Mr. Mark Madden
Professor of Aviation
University of Alaska Anchorage
3211 Providence Dr.
Anchorage, AK 99510

POSITION STATEMENT: Discussed the need for security measures to protect airport and airline employees.

Ms. Karen Casanova, Executive Director
Alaska Air Carriers Association
929 E. 81st Ave.
Anchorage, AK 99518

POSITION STATEMENT: Asked for legislative support of the Medallion Foundation program and discussed needs of the airline industry.

Mr. Bob Hajdukovich
Alaska Air Carriers Association
Frontier Airlines

929 E. 81st Ave.
Anchorage, AK 99518

POSITION STATEMENT: Discussed affect of FAA emergency regulations on Alaska's airline carriers.

Mr. Bill Bear
Bear Air
PO Box 875493
Wasilla AK 99687

POSITION STATEMENT: Suggested ideas for security measures.

Mr. Allan Heese, Manager
Juneau Airport
City and Borough of Juneau
155 So. Seward St.
Juneau AK 99801

POSITION STATEMENT: Answered questions about security measures taken at the Juneau International Airport and permitting procedures.

Mr. Mike Barton, Chair
Juneau Airport Board
City and Borough of Juneau
155 So. Seward
Juneau, AK 99801

POSITION STATEMENT: Answered questions about security measures taken at the Juneau International Airport and discussed ways the state can help locally owned airports.

Mr. Gary Nelson
Access Alaska
Anchorage AK 99503

POSITION STATEMENT: Expressed concern about providing security measures that include protection of disabled passengers.

Mr. Jim O'Meara
Greatland Laser
4001 W. International Airport Rd.
Anchorage, AK 99502

POSITION STATEMENT: Discussed benefits of carrying laser guns on aircraft.

Mr. Mort Plumb
Ted Stevens International Airport
Department of Transportation & Public Facilities
PO Box 196960
Anchorage, AK 99519

POSITION STATEMENT: Updated the committee on the status of operations at the Ted Stevens International Airport.

Mr. Mike Nolan
Action Security
243 E 5th Ave.
Anchorage, AK

POSITION STATEMENT: Described the three zones of security plans.

Ms. Jennifer Rudinger
Alaska Civil Liberties Union
PO Box 201844
Anchorage, AK 99520

POSITION STATEMENT: Discussed security measures supported by the AkCLU and constitutional issues.

Mr. Frank Dillon
Alaska Truckers Association
Anchorage, AK 99501

POSITION STATEMENT: Discussed the affects on and measures taken by the Alaska Truckers Association in dealing with airline security.

Mr. Horace Black
No address provided
Fairbanks, AK

POSITION STATEMENT: Made suggestions but stated denying cockpit access is most critical to airline security.

Dr. Petra Illit
Aviation Medical Examiner
Anchorage, AK

POSITION STATEMENT: Made suggestions and advised that new airport security measures will require a paradigm shift.

Ms. Cindy Kroon, Manager
Always Travel
Anchorage, AK

POSITION STATEMENT: Discussed transport of prisoners on commercial airline flights.

Mr. Dean Riverson
No address provided
Anchorage, AK

POSITION STATEMENT: As a security advisor, made several suggestions to improve security aboard aircraft.

Mr. John Suter
No address provided
Anchorage, AK

POSITION STATEMENT: Discussed his employment experience at the Anchorage airport.

Mr. Dan Zantac
No address provided
Anchorage, AK

POSITION STATEMENT: Suggested prohibiting carry-on baggage.

Mr. John Linell
No address provided
Anchorage, AK

POSITION STATEMENT: As a former international airline employee expressed concern that airline security in the United States is too loose and made suggestions.

Mr. Paul Landis
ERA Aviation
Anchorage, AK

POSITION STATEMENT: Supports recommendations made to the Bush Administration by the major airlines and cautioned about long term affects of new security measures on general aviation.

Chief Wilbur Hooks
Ted Stevens International Airport Police
Anchorage, AK

POSITION STATEMENT: Answered questions about law enforcement officials.

Mr. Anthony Lloyd
Greatland Foods
Anchorage, AK

POSITION STATEMENT: Discussed personal experience with security measure shortfalls.

Mr. Richard Weaver
No address provided
Anchorage, AK

POSITION STATEMENT: Discussed the need for Sky Caps at airports.

Mr. Richard Harding
Vice President of Penn Air
No address provided
Anchorage, AK

POSITION STATEMENT: Recounted personal experience flying in Soviet Union and asked that decisions not be made in haste so that civil liberties remain protected.

Mr. Steve Haggar
Airline Pilots Association
No address provided
Anchorage, AK

POSITION STATEMENT: Supports many suggestions made and asked for

help in discussing with the FAA use of extra seat in cockpit.

ACTION NARRATIVE

TAPE 01-21, SIDE A

Number 001

CHAIRMAN JOHN COWDERY called the Senate Transportation Committee meeting to order at 9:05 a.m. Present were Senators Ward, Elton, Wilken, and Cowdery. Also present were Representatives Fate and Ogan. Chairman Cowdery announced the purpose of today's meeting is to help build public confidence in airline travel and to hear public ideas on how to improve safety measures, and to discuss who should be responsible for federally mandated security and the cost of that security. He noted that airline industry officials were present to listen to the comments.

CHAIRMAN COWDERY said that committee has had a tremendous response from Alaskans statewide. Some of those ideas and suggestions are as follows:

- sky marshals and canine attack dogs on board aircraft
- unbreakable cockpit doors
- airport security should be a federal responsibility
- more visual armed police in the airports with canine assistance
- more screening for ramp personnel
- build a data base on travelers - those in the data base could experience faster check-in time - data would prove who travelers are at the airport
- depressurize cabin if there are problems
- no carry on baggage
- use voice stress analysis continuously during passenger check in

CHAIRMAN COWDERY said he received one e-mail from Ms. Kathleen Stevenson that was particularly typical. It read:

Dear John Cowdery: Thank you for caring. I do think more discussions need to be about ground service employees. Screening of these people has to be stronger. There is no doubt in my mind that the knives used were placed in the seat pockets before they boarded the planes. Maybe we should not assign seats until check in?

I also feel that English should be the only language spoken by screeners while on the job. I have more than once thought it was not right that the screener would chatter in their foreign language. If the conversation was personal, there is no excuse as they are not giving full attention to their jobs. It is also rude to the passenger.

I am very sick of hearing how people are not traveling. This has been a week we have all sat back waiting to see what's next. Will there be a military attack and when? This is a time we want to be close to family and stare at the TV. The lay offs and media talk about how business is slow. 'No one is going to Disneyland or Vegas or New York.'

Would it make the skeptics feel better if we were laughing away on a ride or gambling away with a drink in hand?

This week we have needed to stand back, not because of fear, but out of respect. We should be hugging our children and waiving our flags.

Please find ways to encourage Delta, United and others not to drop Alaska. Before this happened tickets to Seattle were at \$400. It will not be long before we will be at the 1980 ticket prices (\$550). We need to keep the competition here, if not to keep the prices down, but also to justify the great new airport we are building for Alaska Airlines and the others. This may be a good time to halt the great railroad service to the airport.

Stay safe,
Kathleen Stevenson

CHAIRMAN COWDERY said that statement shows that the public is very concerned.

SENATOR WARD said he was asked over the weekend about the federal legislation that authorized \$5 billion in grants and loans. He wanted to know if someone from the airlines or the Department of Transportation and Public Facilities (DOTPF) could tell him whether any of that money will come to the State of Alaska to be distributed.

CHAIRMAN COWDERY replied that in these times, the airline industry people are justified in keeping their comments limited

to the general area of what they're doing rather than what's going on in Washington, D.C.

SENATOR WARD asked if the State of Alaska is under some form of obligation in any way with that legislation.

CHAIRMAN COWDERY replied that we are bound to abide by any regulations the Federal Aviation Administration (FAA) makes.

Number 600

MR. MARK MADDEN, Professor of Aviation at the University of Alaska Anchorage, said he is involved in commercial aviation safety. He said a lot of news and ideas on this subject have been generated and all agree that, from a security standpoint, certain areas of aviation safety have needed attention for a long time. However, the atmosphere has not warranted the need until now. One area pertains to employee security measures to help employees. He stated:

Airport security in a rural area, from an employee's standpoint, is where the employees are allowed to enter and exit a secured area, an area that can be compromised rather easily. It's not that difficult for someone to force an airline employee to let him on to a secured area.

Let me give you an example of a company that does an excellent job of employee security screening on a daily basis and that's the Fed Ex operation out here at Anchorage International. All the employees enter through one location onto the airport operations area and into the building facilities by Fed Ex that are owned by Fed Ex. They have to go through the metal detectors, anything they bring in with them also has to go through x-ray machines and they also have security people that are actually there - not one or two, but several. In addition, there's also closed circuit TV. This is an excellent way to help our employees do the job they are supposed to do. It also helps them to avoid any kind of security compromise.

Now, for this particular operation they have just reason to do that same security screening when the employees leave every day, because of the nature of their business. That's something that's appropriate for them; it may not necessarily be appropriate for the passenger industry

CHAIRMAN COWDERY said surely changes would be forthcoming at the Anchorage airport.

REPRESENTATIVE OGAN said that when he worked as a construction worker at airports, airport security was wide open and workers had full access. He believes there is no way to make the airline industry completely safe from people who want to do harm but that some aspects could be improved.

MS. KAREN CASSANOVA, Executive Director, Alaska Air Carriers Association, said she represents approximately 87 air carriers across the state. She read the following into the record.

...Our Alaskan operators have shouldered an economic impact in an industry that was already in recession. This will surely send it into a full-fledged depression. We must have relief to rebuild, to recover. First, relief from the state and federal government for the severe cash crash air carriers will face in the absence of new ticketed passengers needs to be immediate and for the long-term.

Aviation represents 10 percent of our gross domestic product. That's \$700 billion of a \$7 trillion economy. Alaska comprises 20 percent of the land mass of the U.S., making commercial and air taxi operators in Alaska a vital component of the transportation system. Without direct government financial intervention, we see many air carriers unable to operate at a level essential for the traveling public. Costs for increased security measures, insurance, and staff training will leave owners no choice but to downsize their operations, decrease flight frequency and lay off employees.

Second, rebuild. Public confidence is the next step needed to turn around the outlook for the airlines. Who can forget those frightening images we have viewed since Tuesday? We must address safety by instilling security and peace of mind for all consumers. [Indisc.] equipment insulation, accurate weather reporting and the Alaska Air Carriers Association Medallion Foundation will aid in the safety of each flight.

The Medallion Foundation is a five-star program, which recognizes air carriers who have met a higher standard of operation and maintained that level for one year. This organization will provide education in safety

reporting, simulator training, flight coordination, risk assessment, maintenance and ground service control. It is time to implement a program designed by the users of the system. The Medallion Foundation is dedicated to assist operators in their effort to reduce air carrier accidents and incidents in Alaska, provide a safer environment for travelers. The Alaska Air Carrier Association has a [indisc.] of education and training. Please join us in restoring public confidence and rebuilding our operation by providing funding for Medallion. Expenses for marketing air travel and travel related industries will rise if these are not addressed with [indisc.].

MS. CASSANOVA said that regarding recovery, analysts estimate the airline industry has suffered about \$6.5 billion in losses. With all airline stocks either flat or declining at a steady level, poor risk and whole liability insurance cancelled, some airlines have been placed on credit watch while others are under surveillance. With 384 commercial Alaskan operators, Alaska has 13 percent of the total number of commercial air carriers in the United States. However, unlike in the Lower 48 states, these carriers provide the essential cargo, mail and food delivery to rural communities. These carriers have 76 times as many commuter flights per capita as the remaining portion of the U.S. She stated:

Air travel for these people is not needed, it's demanded. The dependence on transportation for medical emergencies, government travel, business contracts, school trips and health care needs to be first priority. Without the assistance of our state and federal governments, there is no way our industry can survive at the current reduced level. The Alaskan Air Carriers urges you to aid in restoring our economic health and strength. Please recognize our extraordinary vulnerability, accept this challenge, and do what you can to provide relief so we can rebuild and recover.

SENATOR ELTON asked what the state can do.

MS. CASSANOVA replied that the state could provide assistance to help the air carriers implement the Medallion Foundation program, which would improve safety training in ground service control and other programs. She stated, "We want to give the tools for air carriers to be able to address these issues and kind of a template for them to be able to go out then and train their employees further."

SENATOR ELTON asked whether the FAA mandates have been designed for the rest of the United States and do not take into account some of the unique circumstances in Alaska. He asked Ms. Casanova if she has found that to be true and, if so, in what areas.

MS. CASSANOVA responded that Alaska was able to resume air service within a few days versus some of the other areas of the United States that struggled for a week before air service was resumed. She said the air carriers see Alaska as different because they provide so much air transportation for many different parts of the state. The air carriers believe the Medallion program will provide training for measures they see as necessary and it is above and beyond what the FAA requires. The carrier would have to achieve in five different parts from pilot simulator training to additional ground surface training.

SENATOR ELTON asked her to provide a copy of the Medallion program to the committee.

SENATOR WARD asked Ms. Casanova to provide the committee with a website address for the Medallion program and asked how long it has been in effect. He asked whether it was created recently and whether it was something the air carriers were planning to do before the September 11 tragedy.

MS. CASSANOVA answered it is a program that has been proven by other carriers using similar programs in Alaska. The Medallion program was developed within the Alaska Aircraft Carriers Association by its members. They feel it is the cornerstone to providing safer air transportation for the traveling public. It can also be used as a marketing tool now with declining revenues.

SENATOR WARD asked if it has a track record the committee could review.

MS. CASSANOVA replied it does.

CHAIRMAN COWDERY acknowledged the presence of Senator Taylor.

SENATOR LEMAN asked if the Aircraft Carriers Association has submitted a budget request to the legislature for the Medallion program and, if so, what vehicle was used.

MS. CASSANOVA replied that they haven't requested funding in the past because they wanted to build a good track record first. They hope to seek funding through the legislative process and she assumes it will be requested through DOTPF. She asked if he had any suggestions.

SENATOR LEMAN commented that he hadn't seen it come through as a

budget request in the Senate Finance Committee.

MR. BILL BEAR, an air taxi operator from Wasilla, said he has been operating his business for 10 years after retiring from the Air Force. While in the military, he was involved in problem solving. He said that while brainstorming is an important part of the problem solving process, it is only one of about seven components. He asked what problem the state is trying to solve. Is it anti-hijacking in Alaska? Is it airline safety? Is it airline security? Each one of those involves some of the others or excludes some of the others. He asked what assumptions and facts will be included in this gathering of knowledge, what criteria will be used to test the criteria and whether there are fiscal or operational constraints.

MR. BEAR pointed out that it's important to not eliminate any suggestions during the brainstorming session. That comes later when solutions are tested against established criteria. He asked what the criteria would be for an acceptable solution to the problem. He said some recommendations that come to mind, if the committee is focusing on reducing the threat of terrorism, are:

- share the cost of air marshals,
- include holders of concealed carry weapons as a resource to provide security on aircraft,
- additional pre-departure inspections of passenger cabins to search overhead bins and seat pockets.

MR. BEAR said he heard that an aircraft captain in the Midwest announced to the passengers recently:

We have new guidance on what to do now. Just remember, first of all, there's no bomb on the airplane. I can assure you of that. If we have anybody that tries to take over this airplane, there will be two or three or four or five, but remember, you outnumber them by eight or 10 to one. Number one, distract them. Throw things at them. Number two, somebody throw a blanket over them and the rest of you sit on them. And then we will take the airplane to the nearest airport and have them arrested.

He thought air carriers needed to come up with new procedures and include anti-terrorism tactics in passenger briefings. He noted, "We're not going to scare people any more. They are already scared. It's time to talk reality."

CHAIRMAN COWDERY commented that he has an e-mail that covers some of the suggestions made by Mr. Bear for anyone interested in a copy.

SENATOR ELTON asked if the Wasilla airport is a state airport.

MR. BEAR said he believes it is state funded but managed by the city of Wasilla.

SENATOR ELTON asked Mr. Bear about his reactions as an operator at a small airport to changes that happened over the last couple of weeks.

MR. BEAR responded that he primarily operates on floats in the summer and that most of his business occurs in late summer off of Lake Lucille. He has one airplane. He offered to gather information from other operators and the airport manager for Senator Elton. Since the attack on the 11th, everything stopped for awhile. Now there is reduced activity.

CHAIRMAN COWDERY informed participants that any information made available to him would be distributed to all committee members and that he intends to create a summary of the comments of this meeting and provide it to Alaska's congressional delegation.

MR. BOB HAJDUKOVICH, President of the Alaska Air Carriers Association, informed committee members that a lot of the initial reactions imposed by the FAA have to do with Part 108 airports. Only state-owned airports can handle 60 or more seat aircraft and those will be affected by the new regulations, which are very strict. He doesn't believe smaller community airports will not undergo major changes or restrictions.

MR. MIKE BARTON, Chairman of the Juneau International Airport Board, said regarding revenues, in general airports go the way the airlines go because airport revenues include such things as landing fees. He suspects cost will rise because of new security requirements. The ability of locally-owned airports to handle this financial difficulty differs but many will need state help. He suggested the state can do three things to help local airports meet upcoming challenges:

- Continue to provide the local match for federally funded projects;
- Provide funds for projects that are not eligible for federal funds. Large capital investments will be required to meet security mandates, for example changes to parking areas; and
- Streamline the state permitting process and encourage the federal government to do the same. Permitting requirements are often time consuming and costly.

He pointed out that the financial challenges and needs of locally-owned airports are somewhat different from state-owned

airports.

SENATOR ELTON said he is interested in the permitting process because changes to the physical structures of state airports will have to occur. He asked how long it typically takes to get a permit from the time of application and to go from plan to construction.

MR. BARTON said the permitting cost of an ongoing project in Juneau is \$3 million on a \$12 million project. Generally, permitting costs equal about 20 percent of the cost of the project.

MR. ALLAN HEESE, Juneau International Airport Manager, said they have been working on an EIS for a Juneau airport project for at least four years and it would probably be complete in a year. The problem with Juneau, as with many airports, is that wetlands butt up against the airport. Wetlands are a problem when you want to make changes around the perimeter of the airport. He estimated that the permit process for any security-related projects could take up to a year.

CHAIRMAN COWDERY asked what percentage of the permitting delays would be federal and what would be state or local.

MR. HEESE replied that they are almost one and the same.

MR. MIKE BARTON, Chairman of the Juneau Airport Board, responded that certain activities require state permits while others require federal permits so the state is also a key player.

CHAIRMAN COWDERY asked if any city permits are necessary.

MR. BARTON said yes, but they are relatively minor.

CHAIRMAN COWDERY commented that municipal permitting problems regarding the Anchorage airport project were not easy to solve.

REPRESENTATIVE OGAN asked what an airport's role is regarding security and whether security responsibility is shared with the airlines.

MR. HEESE replied that in Juneau, the airport and the airline work closely together. The airport is responsible for the security of the physical plant. The airline is concerned about those who enter and disembark from aircraft. The airport board deals with parking issues, terminal security in areas where people bring bags or might leave a bag unattended, and products and materials sold at the airport.

REPRESENTATIVE OGAN expressed concern about who oversees vendors

and deliveries to vendors in secure areas.

MR. HEESE said that different airports handle security somewhat differently. At Juneau, since the only major air carrier is Alaska Airlines, the airline is solely responsible for entry into the screening and boarding area. Other airports with multiple carriers use coalitions of contractors but the airport would be responsible for vehicles outside of secure areas.

SENATOR ELTON expressed concern that he has heard the passenger security facility in Juneau is run by airline employees in entry level positions who generally want to move up the ladder and get paid higher wages.

MR. HEESE said his understanding is that they are not highly paid and consider those positions to be a stepping stone.

CHAIRMAN COWDERY asked about the hourly wage for airport security.

MR. HEESE said in Juneau, security workers are paid about \$12 to \$15 per hour.

CHAIRMAN COWDERY asked if Juneau has union contracts.

MR. HEESE explained, "In Juneau we have the Juneau Police Department, which provides the law enforcement officers for more serious types of situations. Security at the airport itself is provided by contract security."

CHAIRMAN COWDERY asked who would be in charge of the parking lot area.

MR. HEESE answered that would come under the purview of contract security. He pointed out they are well trained and that some have prior law enforcement backgrounds.

SENATOR ELTON asked if the Juneau airport is now required to have a uniformed city police officer or state trooper at the airport when planes arrive and depart.

MR. HEESE said that is an area he would prefer not to provide details about. He guessed that small airports without contract security must have a police officer on the premises.

TAPE 01-21, SIDE B

Number 2480

MR. BARTON commented that no one disputes the need for improved security but he believes it is important to provide individuals who are well trained in certain tasks but that it is not

necessarily important to require a full trained police officer be present.

CHAIRMAN COWDERY said he is inclined to believe that the security should be a federal obligation and that there should be federal screening of "whoever does it, or the feds should do it themselves." He noted that he has been overseas, and that although Israel Airlines is right in the middle of things in the Middle East, he thinks they have never had a hijacking; they have a high degree of security, and it is equivalent to federal security.

SENATOR WARD, after mentioning that parking has been moved back at the Kenai Airport and that luggage in general and carry-on-baggage in particular is being subjected to a great deal more inspection, noted that the public is not only more than willing to participate in these procedures, but is also willing to look at other types of procedures and has been volunteering to give up their rights to guarantee that they are safe and that other people are safe when they get on the plane. He said he would like to know how and when the flying public is going to be allowed to offer input, either in the form of surveys, interviews, or other means. He asked whether anybody is intending to provide such a format.

MR. BARTON said he is sure that the flying public will let its opinion be known, but he is not sure whether it will take the form of a survey. He surmised that the Juneau International Airport would not be doing it; "Our contribution to that is fairly minor in the grand scheme of things." He added that he expected that in other places "those sorts of things" would be done.

SENATOR WARD asked whether the Juneau International Airport could facilitate the airlines "doing it?"

MR. BARTON said that they would be pleased to help in any way they can, if the airlines wanted to do it, [the Juneau International Airport] would be glad to provide assistance.

SENATOR WARD relayed that at the Kenai Airport, literally half the people waiting in line were talking about ways of making flights safer. It's clearly on everybody's mind, he added, and opined that "we" have a vast untapped resource of [ideas] from those who actually make use of the airline industry.

CHAIRMAN COWDERY added that in his opinion, they should not burden the airline industry with any further expense. The two days that the airports were closed cost the airline industry about \$3 billion. Even though they will be given \$5 million, it is still not very much in the overall scheme of things; therefore

any addition financial burden should be borne by the "feds."

SENATOR WARD pointed out that the public does want to become engaged and offer solutions, and that he did not mean to imply that this process would cost the airline industry any more money.

Number 2214

SENATOR ELTON opined that a lot of the focus has appropriately been on the airlines - the amount of money that they have lost and the amount of money that they anticipate losing in the future - but he suggested that the most telling part of this testimony is that for many airports, when the airlines lose money and passengers, then the airports are losing money as well because of fuel flow, costs that would normally be recouped, parking area costs, passenger facility fees, and a whole range of things that boil down to lower revenues for vendors because they have lower revenues. Therefore, what happens to the airlines is happening to the airports at the same time: their costs are going to increase.

SENATOR TAYLOR thanked Mr. Barton and Mr. Heese for their testimony, but he noted that communities such as Petersburg and Wrangell, for example, are being required to have armed police officers on location an hour before and an hour after flights, as well as during the whole time that the plane is on the ground. In fact, the FAA wanted airports to have two officers available at airports, which has caused tremendous difficulties for these communities because they only have so many officers to go around. In a small town, he opined, "you" can't afford to take half of the police force and designate it only to one task. These communities are literally going to have to go out and hire police officers.

SENATOR TAYLOR said that "we" have been assured by Joe Perkins, Commissioner of DOT&PF, that DOT&PF would provide funding, and Mr. Perkins is assuming, of course, that funding for security will come from the federal government to assist Alaska in its budgeting processes as "we" goes through it this next year. However, between now and the time that the legislature gets back, "we've" got some problems and that's how they're being addressed. Senator Taylor also relayed that there seems to be an awful lot of reactionary regulations from the FAA; for example, in the history of air traffic in the United States, "we" haven't had anybody blown up from the parking lot, yet FAA immediately knee-jerks and says, "Oh, can't use half of your parking lots now; they're too close to the building."

SENATOR TAYLOR posited that when such a regulation was imposed on Wrangell and Petersburg, it would have prevented anyone from driving to the airport. The 300-foot barrier extended out from

the terminal, and cut off the entire state highway - 300 feet away from the buildings so no one could drive down the state highway. They modified that, and now people can drive up by the building but have to park clear over on the other side of the road. He said one wonders when somebody is going to start looking at the practical side of this, the enforceable side of this, and start using a little bit of common sense. Right now all "we're" seeing is a lot of reaction, and most of the reactions, to those of us that travel any amount, don't make any sense. He then requested comments from Mr. Barton and Mr. Heese.

MR. BARTON said there is no question that there were some pretty severe measures put in place by the FAA, but until the situation becomes clear, "I suspect they will continue to be modified as FAA learns more information." He said he also suspects that the FAA is operating on the safe side, which is what everyone wanted. He said he did not know the specifics of the FAA's plans.

SENATOR TAYLOR said that what he is asking is whether anybody is relating any of this to the FAA. He also asked how much parking the Juneau airport lost.

MR. BARTON replied that the Juneau International Airport lost a third of the parking area as well as the entire lot reserved for rental cars. He noted that this resulted in quite a loss of revenues, which the FAA is aware of.

SENATOR TAYLOR said that his concern is that Mr. Heese talked in terms of a "sterile area," in Juneau, because of the size of aircraft being loaded and FAA requirements; "you" then talk about another area.

I happen to know that when I walk out of the Juneau terminal to get on an LAB flight to go to, say, Skagway or Haines, I'm walking on exactly the same tarmac, and right along side of, in essence, the guy who's walking out to get on flight 64 or flight 65, neither of which are connected up to a tube, so both of us, as passengers, walk out of the terminal carrying our little bags, side by side. ... One part of the terminal is supposed to be "sterile" and the other part is supposed to be - I guess - "un-sterile," but both of us are walking on the same tarmac. It wouldn't take anything for a guy with a ticket to go to LAB - been through no check at all - grabs his little handbag and runs across and he and his four buddies run up the ramp and take over an Alaska Airlines' plane.

MR. BARTON's response was inaudible.

SENATOR TAYLOR clarified that his question is: "Is it truly a

problem that needs to be addressed, or are we fabricating problems in our minds?" Apparently, he added, a person can't park next to the terminal, but that same person could still walk right on the tarmac. If that's the case, he remarked, then somebody needs to suggest, to whoever it may be that's in authority, that we need to have some practical answers; he said he agreed with Senator Ward, the people standing in line are willing to provide some great resources, information, and unique ideas to people at the FAA level who may need them. "We need that help before we all start going through a whole bunch of things that have literally absolutely no effect on the ability of someone to take over an aircraft," he stated.

MR. BARTON said he is sure that anyone involved in the aviation industry would be pleased to have any suggestions from anybody at any time. However, these requirements are federally mandated requirements.

SENATOR TAYLOR asked if the people from Juneau have made any new suggestions to the FAA and, if so, what they are.

MR. HEESE responded that they are having conversations with the FAA in order to figure out how best to address these issues. He said he would not argue that there aren't some things that have been mandated that are not clearly logical. For example, the fence around an airport or any other facility is for the most part designed to keep the honest people out. The situation in Juneau, where there are "the 135 carriers" on the same tarmac as "the 121 carriers," is one issue that they are going to address, along with other issues regarding measures that will come into play should someone try to do something that is not in the interest of aviation safety and security. He opined that everyone recognizes that not every possible terrorist attack or security risk can be prevented; they are, however, trying to deal with as many as possible in the best way possible. They are all learning as they go.

REPRESENTATIVE OGAN remarked that "we" might not be able to do everything. People need to accept the fact that there are certain risks in life. He said that he is willing to take some risks in exchange for liberties. He posited that if enough Alaskans were on every flight in America, should someone attempt to take the planes over, the Alaskan passengers would engage the attackers. He stated that there is no way, short of living in a totalitarian state, to make it safe for everybody; "let's do what we can, but let's not overreact."

Number 1820

MR. GARY NELSON, Community Advocate Coordinator, Southcentral Region, said during the bomb attacks at the World Trade Center, a

lot of people in wheelchairs were left aside. He said he would like to see airlines offer more assistance to people with special needs, even if it takes longer. He noted that in the past, when he has traveled throughout the state and the country, he has been searched but his wheelchair was not. He also noted that often, people in wheelchairs are simply left on the side and not dealt with in a timely manner.

Number 1725

MR. JOHN SUTER, former airport employee, explained that he worked at the Anchorage airport for five years. He said one and a half years ago, he was in a sand truck and almost had a direct head on collision out on the runway, and the manager came to him and told him he had to take full responsibility for that. He said that he developed a seven-point safety plan, which he submitted to the FAA to prevent that from happening again. The airport management failed to move on his plan.

CHAIRMAN COWDERY asked Mr. Suter to limit his testimony to security issues.

MR. SUTER detailed parts of his plan: runway lights should be turned on before the runway is accessed; don't use parallel runways; the foreman in charge on the night of his near accident failed to get the lights on or engage the ground radar; if the visibility is poor, personnel should get off the runway; it should be in writing that a person won't get fired simply for following safety precautions when they conflict with a supervisor's demands. He noted that he was reprimanded by his employer for reporting security violations; employees need protection against this sort of backlash. He stated that the FAA only protects their own, not airport employees. The Occupational Safety and Health Administration (OSHA) only protects contractors, not airport employees. He suggested that there should be an agency in the state that will guarantee protection for employees who speak out against lax security situations at airports.

MR. JIM O'MEARA, President, Greatland Laser, explained that his company is involved in providing airport runways with laser lighting. An associate company of his has been involved for several years in developing non-lethal deterrents - "laser flashlights". He noted that the Air Force Surgeon General and the military police are using them in the Air Force. He suggested that these implements could be used to deter drunks, troublesome persons, and hijackers, rather than having air marshals carry live ammunition onboard planes. He then provided a demonstration, which showed that this implement is efficient because when it is directed at a person's eyes, he/she is unable to look back at, or come near the person holding the implement.

He mentioned that the cost of this implement is approximately \$1,000.

MS. JENNIFER RUDINGER, Executive Director, Alaska Civil Liberties Union (AkCLU), stated that clearly there is a need for heightened security in airports and on airplanes; nobody disputes that. She said she was heartened to hear Representative Ogan's comments about not turning this country into a totalitarian state in "our" efforts to protect security, and not sacrificing everything that makes this country great, i.e. civil liberties and freedom. There is a way to do both: we can protect our freedom and we can also increase safety. The AkCLU has some comments on a number of proposals before Congress. It is important to protect both passengers and civil liberties. The AkCLU believes that three principles should be applied to air travel safety: One, new security proposals must be genuinely effective rather than creating a false sense of security; two, the level of intrusion should reflect the level of risk; three, security measures should be implemented in a nondiscriminatory manner - travelers should not be subjected to intrusive searches or questioning based on race, ethnic origin, or religion.

MS. RUDINGER, with regard to applying these three principles, said the AkCLU supports the use of effective security measures to enhance airport safety; measures that have minimal risk to privacy, have maximum security benefits, and reflect the level of risk. The AkCLU believes that increased safety should not come at the expense of civil liberties, and therefore suggests the following measures: increased training for security personnel; heightened screening of airline and airport security personnel; strict control of secure areas of the airport; measures to improve security at foreign airports; a neutral entity to which passengers can report lax security procedures; and luggage matching of all passengers. The AkCLU does not oppose sky marshals. The AkCLU supports maximizing security around cockpit doors - making the door thicker - in fact she said she thinks that almost every thing she has heard at this meeting is a wonderful idea.

MS. RUDINGER noted that there have been proposals made in congress, including some made by Senator John Edwards of North Carolina, regarding "biometric testing" to accurately identify airport personnel who have access to sensitive areas. The AkCLU does not oppose using biometric identification techniques with a proven record of accuracy such as iris scans or fingerprint scans to identify and authenticate persons working in secured areas of airports. The error rate for those technologies is very low; using such technology would increase security without compromising civil liberties. This represents a good application of modern technology. Biometric identifiers collected from airport and airline workers should not, however, be used for

unrelated purposes.

MS. RUDINGER noted that the AkCLU does oppose using this technology for all airline passengers. One idea voiced earlier is the concept of a database [for passengers], but this raises some concerns because in order to be effective, the government would have to have an iris scan or a digital fingerprint of every person living in the United States, which would be the high-tech equivalent of creating a national ID system. Doing so would raise grave privacy concerns and, furthermore, it would be unrealistic to expect that high quality images could be easily obtained and maintained on the tens of millions of Americans that travel by air. Not every technological solution makes sense and will enhance safety. For example, many in Congress have proposed face-recognition technology; this modern technology is notoriously inaccurate. According to a government study, face-recognition technology has a 43 percent error rate. She explained that this means that if this technology is used to scan her face today, and then 18 months later, she looked into that camera, there is a 43 percent chance that it would not correctly identify her. Put another way, if Osama bin Laden were to stare at the camera in an airport, the technology would have little more chance (indisc.) of properly identifying him.

MS. RUDINGER mentioned that some people have proposed using video surveillance to scan crowds at airports and compare those images with photographic databases. This technology is even less accurate in those circumstances, and will not only create privacy problems for law-abiding passengers, but will create a false sense of security. Terrorists would then be lining up to be photographed for security databases and they will quickly learn the techniques for hiding their identity. There is no reason to jeopardize our (indisc.) measures that create these false senses of security. Some other security measures that have been proposed in congress are extremely intrusive and should only be used when there is good cause to suspect that an individual is actually a security risk. (Indisc.) entering the scene such as body searches and body scans are actually in use at some airports by the [U.S.] Customs Service to search of drugs and other contraband.

MS. RUDINGER said that the AkCLU is concerned that these searches have been conducted without good cause, and based on profiles that are racially discriminatory. In addition, these machines - these body scanners - are capable of projecting an image of a passenger's naked body. The AkCLU opposes using this type of technology as part of a routine screening procedure. Passengers expect privacy under their clothing; they should not be required to display highly personal details of their body without any indication that a particular passenger poses an actual threat. In conclusion, Ms. Rudinger said that the AkCLU certainly opposes

the use of any profiles based on race, religion, ethnicity, or national origin. She added that the AkCLU would be very happy to work with the committee and other members of the legislature and the airlines to craft regulations that will protect passengers.

CHAIRMAN COWDERY mentioned that security procedures that adhere to a "just cause" requirement are currently in use. He then clarified that the comments he read regarding use of a database pertained to a voluntary system.

MS. RUDINGER noted that it is hard to discuss some of these ideas in the abstract, and she said that she looks forward to seeing the details of any proposals discussed by the legislature. She clarified that during her testimony regarding the idea of individualized searches, she was discussing it in the context of highly intrusive searches, such as body scans. These types of searches that can reveal breast implants, penile implants, and other things about a person's body that he/she has an expectation of privacy about, should only be used on passengers if there is actually a reason to suspect that passenger. In response to what would constitute just cause for such an additional step, she suggested, for example, if the luggage doesn't match, if he/she doesn't have proper ID, if a metal detector is flagged, or there seems to be something suspicious. (She noted that the AkCLU has never challenged the use of metal detectors in airports.) She suggested determining just cause in the same way the legal system determines probable cause - a "reasonable" factor is involved.

SENATOR WARD asked what other tools the AkCLU believes are appropriate alternatives to profiling. He noted that although profiling is an infringement upon personal rights, it is a tool that law enforcement/security agencies can use, given that "these are not normal times."

MS. RUDINGER said she understands the difficulties that law enforcement and security [agencies] find themselves in sometimes. The alternative to profiling is "reasonable individualized suspicion;" she noted that "reasonable" does not mean that the entities making that decision have to be accurate every time, just that they must have reasonable grounds for suspicion before subjecting someone to a highly intrusive search or perform a significant invasion of a person's privacy. She added that is a requirement of the Fourth Amendment to the U.S. Constitution. Ms. Rudinger said that one of the reasons racial profiling has become a household word is because people recognize that racial profiling, in itself, by definition, is stopping people, searching people, or questioning people based on race (or in this case, possibly religion). That contradicts the Fourth Amendment.

SENATOR WARD said that he agrees with Ms. Rudinger's comments pertaining to the Fourth Amendment; he suggested that perhaps the

committee could look at additional ways to ensure that individual rights are not violated while still instituting viable safety procedures.

MS. RUDINGER reiterated that she would be glad to work with the committee to protect passengers. While it is unconstitutional to single out a person simply and solely because of race, ethnicity, or religion, it is, however, permissible to use race in conjunction with other information, if race is one of a number of characteristics used to describe a particular suspect. Racial profiling means only looking at race. But, for example, a description such as "a white male between the ages of 20 and 30 who is seen brandishing a weapon," would be acceptable. She said she is not saying this "tongue in cheek," but to the extent that race is one of a number of reasonable characteristics for someone who is a suspect - a particular suspect - then it is certainly appropriate to use race, but to stop everyone based only on race is unconstitutional. She added that it would not lead to greater security; she said she would dispute that such activities actually make the public safer.

CHAIRMAN COWDERY, on the topic of the knives that were used by the hijackers, pointed out that although some of them were plastic and thus undetectable, they were as sharp as steel knives.

MS. RUDINGER, to add to Representative Ogan's point that people are never going to be perfectly safe, noted that one could file a credit card down until it is razor-sharp.

REPRESENTATIVE OGAN also noted that some people can make deadly weapons out of completely organic materials. Without a very intrusive search - a strip search or a body scan - such items are not going to be found. He said, "the thing we have to really be careful of ... is not to allow these people to undermine the very liberties that our men are overseas defending...."

SENATOR TAYLOR thanked Ms. Rudinger for her testimony. He said, "racial profiling truly violates the constitution ... as it relates to an unwarranted search or seizure in that the cause or the reason for the search is an inappropriate reason, but that inappropriate reason is found ... in the equal protection provisions of our constitution (both state and federal)." He asked Ms. Rudinger to comment on the equal protection clause. He said he is hoping the AkCLU is consistent in its opposition to any violation of, or any attempt to violate, the equal protection provisions of our constitutions (both state and federal).

MS. RUDINGER said:

Certainly once there is individualized suspicion that

is reasonable, then the fact that race may be a factor in what has been targeted, what's being looked for, who has been identified as a possible suspect, would not violate the equal protection clause because all people are being treated equally in that only upon reasonable individualized suspicion are they being subjected to a search.

SENATOR TAYLOR, on a topic unrelated to airline/airport safety, said it is his understanding that the committee would shortly be receiving a report from a gubernatorial commission whose entire purpose is dedicated to rewriting the equal protection clause of the Alaska State Constitution and recommending that it be modified and changed to provide different rights and different abilities and responsibilities for people in rural, as opposed to urban, areas. He said he wanted "to make certain that the AkCLU will be just as consistent with its defense of our equal protection clause on that issue."

MS. RUDINGER assured Senator Taylor that although she is not familiar with the report he is referring to, she would review it when she receives a copy.

TAPE 01-22, SIDE A
Number 0001

MR. FRANK DILLON, Executive Director, Alaska Trucking Association, said he wanted to speak on the issue of airline safety as it relates to the trucking industry. Because Alaska has an intermodal transportation system, the trucking industry is being affected by the September 11 tragedy as well as the airline industry. Access to the Port of Anchorage is restricted right now and new requirements for entry are being developed. The Anchorage and Fairbanks airports have a fairly sophisticated security system in place to insure that trucks on airport property are supposed to be there and that the drivers are who they purport to be. However, that system is not foolproof; the Alaska Truckers Association is looking for guidance from the airports, USDOT, and the FAA on how to improve it. The screening process for truck drivers is likely to change and will involve more extensive background checks.

MR. DILLON cautioned that huge vulnerabilities exist with any sort of public transportation facility. He stated that the transportation industry has concentrated on safety in the past, but that differs from security. The transportation industry has an excellent safety record but it has never prepared any of its facilities for the types of attacks that we are looking at now. Infrastructure costs alone for hardening airport security areas may run in the tens to hundreds of billions of dollars. In addition, tens of billions of dollars will be spent per year on

additional maintenance. The trucking industry is ready, willing and able to do whatever is necessary in a reasonable way to help ensure that airports are secure but it believes the most important security measure that can be undertaken by the United States government is to eliminate the degree of danger posed by terrorist activities by eliminating the terrorists themselves. He personally does not believe we can harden our transportation system enough to prevent a determined, sophisticated and extremely well-financed attempt to damage our transportation system. However, we can take steps to make such an attempt more difficult. A very frightening incident that came to light recently is that in Chicago, a man who had attended truck driver training school and qualified for a commercial driver's license to transport hazardous materials was arrested as his intentions were suspect. He offered to work with the committee in the future and answer questions.

CHAIRMAN COWDERY noted that food, freight, and other supplies that go to the airports are transported by the trucking industry.

MR. DILLON stated that fuel delivery is one of the reasons security at the Port of Anchorage is being tightened.

MR. MIKE NOLAN, Action Security, offered the following comments. The basic tenet of the security business is that security and convenience are on an inverse sliding scale. Regarding previous comments made about Israel not having terrorists on aircraft, he pointed out the scale of the problem is very different in the United States as 30,000 to 40,000 domestic flights fly within the United States every day.

MR. NOLAN pointed out that security for air travel can be divided into three zones. The first zone is physical area control, which pertains to parking areas and facilities. Improvements to physical area control might include microwave fence detection, improved visual surveillance through a wide variety of technology, and access control to allow instant lockdown of all exterior points. Right now to do an airport lockdown, a security officer would have to visit every exit. The second zone involves airport area employee control. Improvements under discussion include better pre-employment training and an audit trail to determine whether access cards, biometric identification or video surveillance is used to recreate the location of all employees during an incident to make investigations more efficient. The third zone is passenger control. Identification verification, baggage matches, pat-downs and body scanners all have advantages and disadvantages. All three zones have significant economic impacts and, if applied across the board in an equal fashion, the results will be unequal in their application in Alaska. Mr. Nolan said in summary, his concern is that Alaska has a very different threat profile depending on different locations in the

entire state. Obviously Ted Stevens International Airport will require a different level of commitment regarding convenience and security than an LAB flight out of Skagway. Right now, there does not appear to be a good clear-cut procedure in which the public and local and state representation can work with the FAA at the federal level to design a threat matrix so that expenditures can be controlled. We need to define the legislative process, pursue the appropriate actions that will protect liberty and the economic entities involved to give Alaskan and U.S. citizens the peace of mind they deserve.

REPRESENTATIVE OGAN said, to his recollection, the reason no hijackings occur on Israeli planes is that when they did in the past, the Israelis would not negotiate with the terrorists; they simply killed them.

MR. NOLAN said he believes during the last incident in the mid 1970s the plane was forced to fly to Uganda but seven terrorists were shot.

SENATOR TAYLOR asked if the committee would be hearing from the Alaska Railroad Corporation (ARRC) or about pipeline security.

CHAIRMAN COWDERY said no one had signed up to testify but, regarding the pipeline, he understands that Prudhoe Bay and Valdez are under high security.

MR. DILLON said he has been involved in several discussions about security-related matters of the Port of Anchorage. The ARRC is working on various plans to heighten its security. The Department of Defense, the U.S. Army, and Alyeska have been in discussions about pipeline security. A cooperative program with the trucking industry that began in 1991 has been reinstated. Truck drivers actually patrol a lot of the pipeline route and are on the alert for suspicious activity.

SENATOR TAYLOR expressed concern that railroad tanker cars travel to the Ted Stevens International Airport and cargo flights could be severely impacted if the railroad was vulnerable.

CHAIRMAN COWDERY informed committee members that an alternative buried pipeline for fuel was discussed as an alternative several years ago.

Number 1000

SENATOR WARD asked the Chairman to find out from the Department of Corrections the procedure for flying Alaskan inmates to Arizona and whether inmates with armed guards ever travel on commercial flights.

CHAIRMAN COWDERY agreed to get that information.

MR. HORACE BLACK, a 30-year pilot, U.S. Air Force mechanic, and teacher of Alaska concealed carry courses from Fairbanks, said the country needs to prevent hijackers from turning commercial flights into guided missiles. Although many of the suggestions made by previous speakers are important, he believes it is most critical to deny any person access from the cabin into the cockpit now. Almost no metal objects are being carried on to large aircraft with searches at the levels in use prior to September 11. Those hijackers did not have to smuggle weapons on to the aircraft. It is apparent that none of them had extensive pilot training. It is unlikely that any of the hijackers could have successfully made the take-off and initial climb up. It is critical to deny any person access into the cockpit during flight now. The danger still exists that determined fanatics could take over the cabin even with some resistance from passengers.

MR. BLACK maintained that aircraft do not need to be remanufactured or expensive modifications. Relatively minor beefing up of the door and bulkhead into the cockpit with positive latches would keep even the most determined hijacker out if he or she had no tools to work with. No person, including flight attendants, should be able to enter the cockpit from the cabin in flight and vice versa. Pilots who wish to be armed should be allowed to be. The question of protecting passengers from hijackers is much more complex and expensive. Plain-clothed armed guards will require seats on the planes and require pay. The 10,000 air carrier flights per day would suck up a lot of resources. He urged that cockpits be fixed now.

MR. BLACK also suggested allowing concealed weapon holders, police officers, and federal and state-armed personnel to carry weapons on board. He noted that half of the country's citizens are not flying now due to fear; he cautioned not to exacerbate the problem by implementing security measures that make flying too expensive.

SENATOR TAYLOR asked Mr. Black if he has discussed his thoughts with the FAA or with the airport security personnel at the Fairbanks airport.

MR. BLACK said he has talked to the Alaska congressional delegation and a number of air carrier people in the area. He said the only avenue of communication available with the FAA is to write a letter to someone, somewhere, which he has not done.

DR. PETRA ILLIT, an aviation medical examiner in Anchorage, made her comments on her own behalf. She noted she has extensive experience in aviation physiology and medicine and was the former regional medical director for [indisc.] airlines. She felt Mr.

Black's comments were extraordinary regarding where the buck most stop. We can spend an enormous amount of resources on screening and not identify the individuals who will actually commit a terrorist attack. She agreed with Mr. Black that preventing access to the cockpit is absolutely critical. Several simple maneuvers could incapacitate everyone in the passenger area. Pilots can control access to oxygen from the cockpit. If cockpit access is eliminated, pilots could depressurize the cabin in an emergency so that in about two to three minutes, most people would be unconscious. Unless someone grabs an emergency oxygen supply from the back of the airplane, no one will be able to take over the aircraft. Obviously, there would be dangers associated with that action depending on how long it takes to land but, overall, that approach would save more lives and the aircraft could not be turned into a bomb.

REPRESENTATIVE OGAN commented that he has seen pictures of NASA training exercises in which an aircraft is depressurized and he would not want to be in one as he would probably be deaf at a minimum. In addition, while the crew and passengers are incapacitated, the offenders might be smart enough to hot wire the oxygen system or access the oxygen stored for medical emergencies.

DR. ILLIT pointed out the oxygen bottles could be locked up. She said her point is that we need to rethink the entire security issue with a completely new set of assumptions. The threats we now face are entirely different and require different methods of control procedures in aircraft. She noted in a decompression scenario, the immediate risk of a decompression injury is related to the amount of time taken to decompress the cabin. If decompression takes place over a few minutes, rather than a few seconds, the likelihood of serious injuries is very small.

REPRESENTATIVE OGAN acknowledged that would be better than being shot down by an F-16.

MS. CINDY KROON, manager of Always Travel, said in response to the question about criminal transport, her brother works for a juvenile probation division so she is familiar with the transport of criminals. In addition, she has issued many tickets for the Department of Corrections. In her experience, there is a very wide range of requirements from the airlines when taking a prisoner on board. Her brother has been forbidden to carry a gun on board, he has been forbidden to use handcuffs on the prisoner on board and, in other instances, he was told he could not transport a passenger unless he had a gun. She believes criminal transport is an issue that needs to be addressed with the airline industry. In addition, she believes airline pilots need the same authority as a ship captain to make decisions about handling a dangerous situation on board. If that means allowing pilots to

carry guns or to be trained in martial arts, so be it. Regarding baggage claims, she believes baggage claim workers need to be highly trained and paid more.

CHAIRMAN COWDERY noted that housing prisoners at a Kenai facility will prevent transporting criminals outside.

MR. DEAN RIVERSON, former operator of Anchorage Airways and now a security advisor, stated the gentleman from Fairbanks was 100 percent on target. He believes it was pathetic that an aircraft was forced to land because two girls were fighting on board. He questioned why flight attendants do not have more authority over problem-passengers. They should have the authority to ask for help from passengers. A person causing a problem on an aircraft should automatically have no rights whatsoever. His second concern is that aircraft personnel are totally unarmed. Strong consideration should be given to allowing people with the correct training to take weapons on board. Technology has advanced tremendously in the last ten years. Laser weapons and flangible bullets that do not penetrate make it very difficult to misplace the ordinance. To not take advantage of the thousands of people who are capable is a waste of our resources. His third suggestion is to seal the cockpit off and place monitors in the cockpit to monitor activities in the cabin, perhaps video cameras. Fourth, he pointed out that rather than depressurizing a cabin, agents could adjust the oxygen level so that people would fall asleep. He believes not having armed individuals in the cabin area is a mistake.

CHAIRMAN COWDERY said he has received similar suggestions from many callers, particularly the one about prohibiting the pilot from leaving the cockpit for any reason. Regarding video camera surveillance, there are two schools of thought. One is that a pilot would be inclined to enter the passenger area if the pilot sees dangerous activity going on.

Number 1914

MR. RIVERSON emphasized the need for new regulations for the flying public as to the rules onboard an aircraft.

CHAIRMAN COWDERY informed participants that the House Oil and Gas Committee will be holding a hearing next week on pipeline security issues. There being no members of the public wishing to testify at this time, Chairman Cowdery called on Mort Plumb to testify.

MR. MORT PLUMB, director of the Ted Stevens International Airport, maintained that the hearing has been very helpful and informative. He asserted that the country is obviously dealing with a very complex situation but he assured everyone that his

staff is working very hard on it. He introduced the chief of airport police and head of security at the Ted Stevens International Airport. The airport has both overt and covert actions underway. The Anchorage airport will have an armed officer at each screening point.

CHAIRMAN COWDERY assured participants that he would not allow anyone testifying to disclose details they do not feel comfortable disclosing.

MR. CLIFF ARGUE, Vice President of Properties and Facilities for Alaska Airlines and Chair of the Anchorage and Fairbanks Airline and Airport Affairs Committee, said he echoes Mr. Plumb's remark that this morning's meeting has been very useful. He stated he would highlight what the scheduled airlines are doing to minimize security problems and he asked the committee, the legislature and the public to support activities taking place in Washington, D.C. this week.

MR. ARGUE said the airlines' chairmen and chief executive officers spent last week in Washington, D.C. meeting with the congressional delegation, Secretary of Transportation Mineta, and White House staff to talk about airport security. In addition to supporting the Airline Stabilization Act, which recently passed, a great deal of effort went into briefing national leaders on many of the issues discussed at the Senate Transportation Committee meeting this morning. The airlines' chief executive officers have proposed a program consisting of four items: two items relate to airports and two relate to aircraft. All four items are being considered now in legislation before Congress. Regarding airports, the airline industry strongly supports a federalized screening function at airports. The entire screening issue has fundamentally changed from concerns about baggage screening to additional concerns about passenger screening. As a result, screeners need to be acutely aware of all potential characteristics of those passengers that may cause a problem. Screening programs need to be developed on a national basis with uniform training. Airline employees and passengers are under attack and need to be protected. They need to be protected. Federal agencies, such as the border patrol, exist to protect the public on a national basis. A federal agency needs to protect the traveling public on a national basis because airplanes have been used as weapons.

In addition to the federalization of airport security personnel, the airlines believe increased law enforcement and/or military presence is necessary in all airports. Having uniformed people patrolling airports will serve as a deterrent. That presence is commonplace in overseas airports.

TAPE 01-22, SIDE B

MR. ARGUE said regarding aircraft, a great deal needs to be done to strengthen and deny access to cockpits. A task force made up of Boeing and the airlines is trying to find ways to do that. Finally, the airlines believe the reintroduction of a full-fledged sky marshal program is absolutely necessary on every commercial flight. Providing the necessary training for such a program will take time but it is critically important to reintroduce that program. Because this is a national security problem, the airlines believe these changes should be paid for by the federal government. The airlines have and will continue to pay their share, but the greatly increased costs of these programs need to be paid with federal funds.

MR. ARGUE said the airlines favor better background checks on all people with access to aircraft operations areas. He noted Secretary of Transportation Mineta has established two rapid response teams, made up of three people each. These teams are due to report to the Secretary by October 1. One group will work on aircraft security; the other will work on airport security. He encouraged the Chairman to gather the information provided at the meeting and give it to Secretary Mineta so that it can be considered in the eventual legislation considered by Congress. He informed committee members that two pieces of legislation were introduced in Congress today. He offered to answer questions.

SENATOR WARD remarked the people who committed the September 11 disaster were not Americans. He asked if protecting the sovereign borders of the United States from access by illegal aliens has been part of the discussions Mr. Argue referred to.

MR. ARGUE said he is not familiar with any specific discussions along that line. He acknowledged Senator Ward's concern about that issue and suggested passing it along to the Alaska congressional delegation or the Secretary of Transportation.

SENATOR WARD asked that his concern be a part of the Senate Transportation Committee's report to Alaska's congressional delegation. He reiterated that the United States does not have adequate protection along our borders - not only from illegal aliens entering but also from those who should not have entered. He believes that is the crux of the problem and this country owes it to the victims of the World Trade Towers tragedy to be more vigilant.

SENATOR ELTON commented that when people speak of federalization of airport security, most people assume a large portion of the problem will be borne by the federal government. However, if we increase the number of law enforcement officers, whether federal, state or local, we will draw from a very shallow pool. It is his understanding that three out of 20 applicants may be accepted and

that no training is available yet. Right now, municipalities are stealing police officers from other communities. He believes that municipal and community police officers will move to airport security positions and ferry terminal protection services, which will have a dramatic impact on state troopers and local police forces.

CHAIRMAN COWDERY said the goal is to get the best trained security possible.

REPRESENTATIVE OGAN recounted a personal incident he experienced regarding a failure of airport security to detect an illegal item he unknowingly carried onto a plane.

CHAIRMAN COWDERY said he has received many phone calls, in particular from hunters, regarding similar incidents.

SENATOR ELTON asked Mr. Argue if Alaska Airlines is making any changes during this interim period regarding recruitment of people for airport screening, for instance by increasing the pay rate or training.

MR. ARGUE said that well before the September 11 incident the airlines were working with the FAA to develop a new federal aviation regulation (FAR), which required several measures to improve screening. One was certification of the screening companies. The second was a greatly increased training program for the individual screeners. Alaska Airlines has started to move in that direction to heighten awareness among contract security employees and Alaska Airline employees. Furthermore, Alaska Airlines has been working very closely with the FAA to obtain more and better screening equipment for use at the airports.

SENATOR ELTON asked Mr. Plumb if he will have to increase the number of people he is hiring or reprioritize the law enforcement assignments at the Ted Stevens International Airport.

MR. PLUMB said that Senator Elton identified the operative issue, that being manning. If personnel are moved to one area, the area they are moved from could become more vulnerable. Right now the airlines and airport are working very hard in a collaborative way to increase confidence among the traveling public. Obviously, the airline industry is in a reactive mode right now. It was lured into complacency because it had not had an incident in the United States for many years. Many of the things that happened on September 11 probably would not happen today. However, heretofore most of the hijackings were not done by people who were willing to take their own lives. Although airlines are not accepting responsibility for security oversights, they are trying to help airports out.

SENATOR TAYLOR said he watched as Alaska Airlines brought in new and different screening equipment to Wrangell. He is aware of how much is being spent in Wrangell to hire additional police officers to stand at the terminal. He said he hasn't heard anything in the news that indicates that one of these underpaid people did a bad job. He acknowledged that some insider activity probably went on so maybe background and screening of airport and ramp personnel should be heightened but he questioned what difference it would make if a security person was paid \$25 per hour if the implement used for hijacking purposes was legal and appropriately screened. He asked why we should go to the expense of dramatically increasing airport screening equipment when the equipment was not the problem. He stated,

You can't tell me we're going to save all airlines by restricting razors so people can't shave and pen knives less than an inch long because I'm told that it was box knives and using razor blades and those type of implements that were used on these airplanes.

Maybe federalizing is great for the industry, because they're no longer going to have that cost, and a huge cost is going to be shifted on to the federal government. Can we all expect a reduction in [the] cost of air tickets because the airlines are no longer going to bear that cost? Can we all expect a huge increase in taxes on airfares because we, the public, will have to be picking up the cost of the federal government? I'd like to know the answers to some of those questions.

I'd also like to know whether or not the federal government now, through its intelligence agencies, will be sharing the information that it has about known terrorists in this world with those people who are doing the screening or are we going to end up again with a bunch of people standing there screening, and the guy in another office down the hall happens to know very well that we have known terrorists wandering around the United States but he doesn't bother to tell anybody. Some of us, I think, would like to know that something practical, something common sense, something that may work is going to happen - not that just a bunch of bureaucrats are going to keep me from parking my car 400 feet from the terminal and then doing a body search on me.

I want to know whether or not this government of ours is going to coordinate the information, whether or not they're going to do anything meaningful on cockpit security, which has been universally testified to today, and whether or not they're going to do anything at all, other than make it more inconvenient for thee and me to get on aircraft. I'd like any one of the people from the aircraft industry to expound on that a bit if they could.

CHAIRMAN COWDERY was not sure Senator Taylor's questions could be answered at this time. He noted the purpose of the meeting is to try to solve problems and not to point fingers at the airlines.

SENATOR WARD said he believes Senator Taylor brought up a valid point. He repeated his concern about the number of illegal aliens in this country. He believes people would prefer a two-hour delay at an airport while profiling is taking place. The United States borders are not being protected - a responsibility of the federal government. He noted that it is a privilege to come into this country and that the United States must protect our borders. He pointed out he does not oppose any of the suggestions made today, but the most important fact is that this disaster was committed by people who were not Americans and who were not in this country under the proper conditions.

SENATOR WILKEN announced that he would have to take a leave from the committee at 11:45 a.m.

MR. ARGUE acknowledged that Senator Taylor raised many important issues, especially those related to the information flow. The airline industry favors federalizing the security process so that information can be shared more easily. He urged the committee's support of the airlines' proposal. He repeated the most important thing we can do now is to re-instill confidence in the traveling public and any or all of the measures discussed today will hopefully lead to that.

SENATOR TAYLOR thanked Mr. Argue for the response. He agreed it is very important to rebuild the confidence necessary to get this industry going as it affects the entire economy of Alaska. He then thanked Chairman Cowdery and his staff for holding the hearing and creating a report for Alaska's congressional delegation and the FAA.

REPRESENTATIVE FATE said Part 135 operators touched on a few things but that general aviation is the heartbeat of this state, especially in rural Alaska. The committee has not dwelt on general aviation much, but he is sure that in light of the terrorists' possible plan to use crop dusters, the regulations

and security measures will include general aviation. He hopes the committee's report will give special emphasis to the differences and the need for general aviation in the state so that we are not infringed upon to the extent that general aviation is really changed forever. Some people say that private aircraft are on their way out. Such stringent regulations would be the death knell of general aviation, especially in Alaska. That issue requires special attention in Alaska. He thanked all participants.

MR. DAN ZANTAC, a longtime Alaskan, asked why airlines should allow any carry-on baggage at all.

CHAIRMAN COWDERY said that question has raised a lot of discussion and everyone knows that carry-on baggage is an abused privilege. He plans to note that in the committee's report.

REPRESENTATIVE OGAN said, in all due respect, when the airlines quit losing his luggage, he will quit using a carry-on.

MR. JOHN LINELL, a former 20-year employee of an international airline, informed the committee that employees were always taught to challenge anyone who was not wearing a valid airport ID with picture at any international airport. Delivery drivers at the Anchorage airport are allowed to go onto the runway without any security clearance whatsoever. They enter on recognition by the vendors they deliver to. This must stop. Vans are loaded onto planes without being searched. He noted he saw it happen just the other day.

CHAIRMAN COWDERY guaranteed Mr. Linell that will be addressed.

MR. LINELL said he frequently travels on American Airlines as a passenger. He finds, quite often, that Alaska Airlines, Continental Airlines, and others have no cabin crew at the door to greet the passengers so no one checks who actually gets on the plane.

MR. PAUL LANDIS, Senior Vice President of ERA Aviation, said he was heartened to hear the comment by the gentleman from Fairbanks who said we should not forget the pilots and flight attendants from United and American Airlines who were on the front line. ERA Aviation asked him not to make a formal presentation today because it does not believe discussing its security measures is prudent. He can say that the FAA has been very proactive since September 11 in issuing a number of security directives. Some of the measures taken are visible to the public, some are not. ERA Aviation meets and goes well beyond the current regulations. But, like many other regional carriers in the state, ERA Aviation is not waiting for the regulations to catch up to it, it keeps moving forward. ERA supports the industry's position, as laid

out by Mr. Argue. ERA is concerned about public safety as it relates to the airlines. He felt Representative Fate's comment that it is not too early to think about the impact on general aviation has merit.

SENATOR ELTON asked for the definition of a law enforcement officer (LEO) and who licenses them.

CHIEF WILBUR HOOKS, Ted Stevens International Airport Police, informed the committee that law enforcement officers are commissioned by the State of Alaska.

SENATOR TAYLOR asked if they can carry a gun.

CHIEF HOOKS said that is correct.

SENATOR TAYLOR asked if that is the only difference between them and another type of officer.

CHIEF HOOKS said that is correct.

MR. ANTHONY LLOYD, Greatland Foods, said he made a delivery to the Ted Stevens International Airport last week and was able to access airside onto the tarmac with just a flash of his ID. He was able to drive within 10 feet of aircraft. He feels if passengers need to be screened to board a flight, security should be the same if not tighter on the airside. He was shocked to see that even after September 11, no apparent changes had been made. He suggested that someone should be inspecting trucks at the freight areas.

SENATOR LEMAN asked what route he takes to get to the airport.

MR. LLOYD described the route.

SENATOR LEMAN noted the airport director was present.

MR. PLUMB said members could be assured that Greatland Foods would comply with changes.

MR. BOB HAJDUKAVICH, Frontier Flying Service, said in response to Senator Taylor's question about an increased federal excise tax, he believes any amount saved by the airlines will be passed on through an increase in federal taxes because the expense will be massive. He noted that Alaska has 34 airlines, one of which is Alaska Airlines. Other Part 121 carriers based in Alaska are ERA, Frontier, and Penn Air. There are over 25 other scheduled airlines: 401 certificated air carriers. He cautioned that whatever comes down the pipe [directive] will distinguish as to what [aircraft] it applies to. When the latest security directive was issued, it said that no mail or freight will be

accepted by any Part 108 carrier. Every carrier in Alaska is a 108 carrier. That was later clarified to mean aircraft with more than 60 seats. As a company that hauls a lot of passengers, Frontier has zero security requirements but it wants to be first in line to talk about improving security. A large portion of the airline stops in Alaska do not even have any facilities on the runway. He warned that all ideas not be assumed to work for everyone. He pointed out that regarding cockpit security, the cockpit of a Navajo aircraft cannot be protected. He stated that carriers are anxious to help, but they do not believe that terminal buildings should be required in some remote places.

SENATOR TAYLOR said that the Wrangell airport officials were informed that Boeing 737 200 Combies (ph) would not be able to fly freight in the future because of that same directive. He asked Mr. Hajdukavich if he is aware of any clarification of that directive.

MR. HAJDUKAVICH said it is his understanding that the Combies were cleared as long as they held less than 60 seats. He said he cannot speak to the future because a Combie is the same size as an airplane that carries 158 passengers.

SENATOR TAYLOR said he does not understand the distinction but he is glad it was made because it would have devastating impacts on the four communities.

MR. RICHARD WEAVER, a Sky Cap at the Anchorage airport, asked committee members if there is anyway Sky Caps can remain employed because they act as the eyes in the airport. He questioned how handicapped people and others who may have difficulty getting around in the airport will do so if no Sky Caps are available. He recommended that Sky Caps act as porters during the interim. As things stand now, no Sky Caps will be at airports within a few weeks. He pointed out that Sky Caps usually inform the police of any suspicious activity they see.

CHAIRMAN COWDERY asked Mr. Plumb to address Mr. Weaver's comments.

MR. PLUMB stated that the Sky Cap positions are contracted through the airlines, not the airport. He checked to see if the airport has the ability, assuming the Sky Cap contract is cancelled, to get through the procurement issues because the airport will need to have people available to help passengers who are disadvantaged. He said he does not have an answer at this time but it is something he is looking into.

SENATOR TAYLOR noted that Mr. Weaver's concern will affect thousands of small independent businesses nationwide. He questioned how a mother with three children or a person in a

wheelchair will get their baggage to the counter. Sky Caps serve a valuable function. He hoped this concern will be included in the committee's report.

SENATOR WARD stated that he believes people who work at airports have kept an eye out at all levels for the unusual. He repeated that it was the federal government's responsibility to screen the terrorists before they entered this country. Now we have American citizens about to lose their jobs because the federal government did not do its job.

MR. RICHARD HARDING, Vice President of Penn Air, commented that quite a few years ago he traveled through the Soviet Union when it was a police state. The experience was not pleasant. Guards with ski masks and automatic weapons were everywhere. He does not want to see that happen in the United States. We need to be careful that we don't make decisions and mistakes in haste. The terrorists have killed 6,000 people and disrupted our economy, we cannot let them take away our civil liberties also.

MR. STEVE HAGGAR, representing the Airline Pilots Association, voiced support for many of the ideas presented today, in particular modifications to cockpit doors and sky marshals. He stated that cockpits have a jump seat for an additional crew member. Those seats are typically used by the FAA or a pilot in training. They can also be used by crew members traveling home. Use of that seat is restricted right now. It would be helpful to have an extra crew member in the cockpit. He asked for assistance in discussing that possibility with the FAA.

There being no further testimony, CHAIRMAN COWDERY thanked all participants. He said the committee has received a tremendous amount of ideas and suggestions. He urged everyone to continue living their lives as in the past, and to not allow the terrorists to shut down America. People must continue to travel and to live their lives just as they did before September 11. Everyone needs to be patient and understand that it will take awhile for things to get back to normal. He said, as an aside, in his lifetime, he can recall the terms of 12 presidents and he has never been more proud than he is of our current president and his key staff and how they have handled this crisis. He noted that copies of this hearing will be forwarded to appropriate officials and Alaska's congressional delegation. He again thanked all participants and adjourned the meeting at 12:05 p.m.