

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

HOUSE CONCURRENT RESOLUTION NO. 8

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES TUCK, Cissna, Austerman, Muñoz, Dick, Millett, Peggy Wilson, Gruenberg, Hawker, Guttenberg, Petersen, Fairclough, Costello, Kerttula, Pruitt, Chenault, Miller, Gara, Gardner, Kawasaki, Herron, Johansen

SENATORS Olson, Giessel, Wielechowski, Kookesh, Ellis, Menard, Paskvan, Egan, Davis, McGuire, Meyer

Introduced: 3/11/11

Referred: Special Order of Business

A RESOLUTION

1 **Urging the Transportation Security Administration to reconsider its use of pat-down**
2 **search procedures adopted on October 28, 2010, and to conduct pat-down searches**
3 **using less invasive but equally effective procedures; and urging the United States**
4 **Congress to exercise greater oversight of the Transportation Security Administration.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **WHEREAS** efficient air travel is a cornerstone of Alaska's economy and quality of
7 life, and no one should have to sacrifice their dignity in order to travel; and

8 **WHEREAS** many Alaskans can access urban centers only by air travel; and

9 **WHEREAS** Alaska is not adjacent to any other state, and those who want to travel by
10 land to another state must travel through another country, which requires a passport; and

11 **WHEREAS**, as a result of a change in nationwide policy, the Transportation Security
12 Administration, on October 28, 2010, began implementing new pat-down procedures that
13 involve a more intrusive, full-body search, during which Transportation Security
14 Administration personnel make inappropriate physical contact with sensitive or private areas
15 of the body; and

1 **WHEREAS** the Transportation Security Administration is an agency of the federal
2 government charged with protecting the nation's transportation systems to ensure freedom of
3 movement for people and commerce; and

4 **WHEREAS** the Transportation Security Administration is responsible for screening
5 airline passengers and personnel for weapons, explosives, and other contraband that pose a
6 threat to airport security and is responsible for the safety of the general public; and

7 **WHEREAS** current Transportation Security Administration screening policy involves
8 airline passengers and personnel passing through advanced-image technology scanners or
9 undergoing a pat-down search administered by Transportation Security Administration
10 employees, or both; and

11 **WHEREAS** the advanced-image technology scanners used by the Transportation
12 Security Administration capture images that depict the shape and outline of a person's full
13 body as it appears underneath the person's clothing; and

14 **WHEREAS**, finding advanced-image technology scanners to be overly invasive,
15 many airline passengers and personnel choose the option of undergoing a pat-down search;
16 and

17 **WHEREAS** the new procedures are offensive and humiliating to many individuals on
18 whom they are imposed and are egregious whether imposed in public or private; and

19 **WHEREAS**, for survivors of physical and sexual abuse, invasive physical searches
20 may cause revictimization; and

21 **WHEREAS**, for individuals with medical conditions, including those with
22 prosthetics, joint replacements, drainage tubes, pacemakers, or other physical evidence related
23 to a medical condition, invasive physical searches may be particularly traumatic and
24 demeaning, may cause physical harm, and may endanger the person's health; and

25 **WHEREAS** reports have indicated that, in some instances, overzealous
26 Transportation Security Administration employees have carried out the new procedures in a
27 manner sufficiently aggressive to rise to the level of an inappropriate invasion of personal
28 privacy from which an individual would ordinarily be protected under the laws of Alaska; and

29 **WHEREAS** travelers who refuse the new screening procedures are not free to
30 proceed beyond security checkpoints to continue their travel; and

31 **WHEREAS** encouraging travel by ensuring the right of individuals to move about

1 without fear of undue invasions of privacy is essential to preserving a free society,
2 safeguarding the flow of commerce, and promoting and sustaining goodwill among nations;
3 and

4 **WHEREAS** the advanced-image technology scanners and new pat-down search
5 procedures may discourage air travel, causing significant economic and personal hardship to
6 Alaskans;

7 **BE IT RESOLVED** that the Alaska State Legislature urges the Transportation
8 Security Administration to reconsider the new pat-down search procedures that were adopted
9 on October 28, 2010, and adopt less invasive but equally effective procedures; and be it

10 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
11 Congress to exercise a greater degree of oversight of the Transportation Security
12 Administration, including investigation of policies that may violate the privacy rights of law-
13 abiding individuals and a scientific study of the harmful effects of full-body scanning.

14 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
15 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
16 President of the U.S. Senate; the Honorable Janet A. Napolitano, United States Secretary of
17 Homeland Security; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the
18 Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable John
19 Boehner, Speaker of the U.S. House of Representatives; the Honorable Nancy Pelosi,
20 Minority Leader of the U.S. House of Representatives; the Honorable John S. Pistole,
21 Administrator of the Transportation Security Administration; and the Honorable Lisa
22 Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young,
23 U.S. Representative, members of the Alaska delegation in Congress.