



# FLIGHT-WATCH



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## A LOOMING FIRE STORM FOR THE TSA

### I. ENOUGH IS ENOUGH

Almost daily, we read accounts of American citizens who are fed up with groping and naked images displayed on x-ray machines employed by the TSA, as part of its security measures. Of interest is the fact that these enhanced measures undertaken by the TSA would not have prevented the Christmas Day bomber, Umar Farouk Abdulmutallab from boarding an aircraft. Explosive compounds and devices can be secreted in the cavities of the human body. Nevertheless, as part of "security theatre," the American public continues to endure the ineptitude of the Transportation Security Administration (TSA) created in the wake of the disaster of September 11, 2001. Who among us has forgotten that the TSA, not once, but twice disclosed the contents of its security manual on the internet? We now have a number of Americans who are declaring, "enough is enough."

John Tyner of Oceanside, California was attempting to pass through security at Lindbergh Field in the early morning hours of November 13, 2010, when the metal scanner was unmanned, he was given two choices. He could go through the x-ray device, which is a full body scan that presents an image of the person as though he or she were nude, or undergo a physical pat down. Tyner was advised that the pat down would consist of a person raising his hand up Tyler's inner thigh until it reached the bottom of Tyner's torso. Tyner is reported to have uttered words to the effect "If you touch my junk, I'll have you arrested." After Tyner refused to go through the machines or the physical pat down, the TSA opened an investigation into the incident and hinted Tyner might be liable to pay a civil penalty of as much as \$11,000.00.

Two airline pilots, Michael S. Roberts of Memphis, Tennessee and Ann Poe of Ft. Lauderdale, Florida have filed suit in federal court in Washington, D.C. against the Department of Homeland Security and the Transportation Security Administration. These two airmen have been grounded following separate incidents in which they refused to submit to full body scans or, in the alternative, to pat downs by the TSA officers. According to a story published in *The Commercial Appeal*, the grounds of their law suit is that the full body scans and pat downs employed by the TSA violate the protections of American citizens under the Fourth Amendment against unreasonable searches and seizures. Roberts and Poe are requesting that a judge bar the use of image scanning technology or enhanced pat downs. These airmen are represented by the Rutherford Institute and are blogging at fedupflyers.org. Roberts has not flown since

mid-October and is currently on unpaid administrative leave from his employment as a regional airline pilot. It appears the legal action filed by Roberts and Poe has been successful. On Friday, November 19, the TSA quietly announced airline pilots will be allowed to bypass the invasive screening. Counsel for Roberts and Poe, John Whitehead, Esq. declared:

*Although the TSA's concession may make it easier for pilots to travel, American passengers will still be subjected to these full-body scans and invasive pat downs in violation of the Fourth Amendment." No American, pilot or passenger, should be forced to undergo a virtual strip search or subjected to such excessive groping of the body as a matter of course in reporting to work or boarding an airplane when there is no suspicion of wrongdoing. To do so violates human dignity and the U.S. Constitution, and goes against every good and decent principle this county was founded upon.*

### II. CONGRESSMAN RON PAUL AND H.R. 6416 – THE AMERICAN TRAVELER DIGNITY ACT

Congressman Ron Paul (R-Tex.) recently took the floor of the House of Representatives to speak in favor of H.R. 6416 – The American Traveler Dignity Act. Paul took the floor to draw concern to what he described as the calamity we have found at our airports. He noted that pilots are fed up and the people are fed up. Ron Paul has declared that "enough is enough." Paul notes correctly, that we are allowing TSA personnel to feel inside our underwear. Paul did observe that this presents a potential health hazard.

Ponder for a moment and contemplate that when you go to the doctor's office, health care personnel are required to changed gloves between examinations. If a TSA agent has made physical contact with his or her gloves on the skin of a person with shingles, and if the agent does not change gloves and comes in physical contact with the next prospective passenger who has not had chicken pox, then the contract between the TSA agent and the second person examined with the same gloves is a vector for spreading disease. It is no accident that Paul declared during his remarks that these actions of the TSA "may be dangerous to our health."

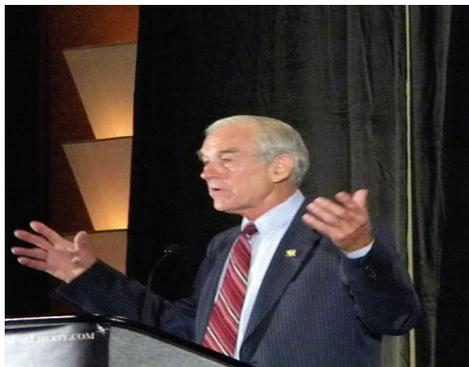
Paul noted, correctly, that the activities of the TSA do not work declaring: "This is preposterous to think that TSA has made us safer." As noted by Paul, Michael

Chertoff, the former head of the Department of the Homeland Security is now selling equipment to the TSA. It must certainly give comfort to members of the traveling public to contemplate that a former cabinet level official is realizing profits from technology that would not have prevented the Christmas Day bomber from boarding an aircraft with a concealed explosive device. As noted in a Government Accountability study issued March 17, 2010, "It remains unclear whether the (advanced imaging technology) would have detected the weapon used in the December 2009 incident based on the preliminary information GAO has received." For his part, the current TSA Administrator, John Pistole has declared that if Americans will not acquiesce in undergoing full body scans or being subjected to full body searches, then they have no business boarding a commercial airliner. As noted by Congressman Ron Paul, it is ridiculous to have the pilot subjected to this level of security theater, considering that the pilot is in control of the aircraft.

One is left to wonder if TSA agents have an appreciation for the public health risks posed by groping in passengers' underwear. Consider the experience of Cathy Bossi, a Charlotte flight attendant. When feeling her right breast, the TSA agent said, "What is this?" When Bossi explained she was a cancer survivor and it was prosthesis, the TSA agent responded, "Well, you'll need to show me that." Bossi related that she removed the prosthetic breast from her bra after being taken to a private room.

The experience of Ms. Bossi is not unique as we learn from the CBS interview of a new mother who said she felt raped after the tops and bottoms of her breasts were touched and her vaginal area groped by a TSA agent. The woman said she was pondering hands of the TSA agent. Apparently, the TSA's new procedures portend the potential for not only spreading disease but psychological trauma as well.

Women who feel violated at the hands of the TSA clearly must experience a feeling of helplessness. After all, once they appear at the screening area, if they try to leave, they can be fined \$11,000.00. It is simply unbelievable that America has allowed this to come to pass.



Congressman Ron Paul  
Republican Texas

### III. WHAT CAN WE EXPECT NEXT?

Republican Congressman John Mica who is the ranking Republican on the House Transportation and Infrastructure Committee (a committee he is expected to chair after January, 2011), is advocating that airports ditch the TSA agents and replace them with private security contractors. Mica has recently written one hundred of the nation's busiest airports suggesting they employ private security firms rather than the TSA.

Mica's efforts appear to be bearing fruit. Orlando Sanford International Airport near Orlando, and Middle Georgia Regional Airport in Macon may switch to private security screeners. Hopefully, Mica's approach portends the eventual demise of the TSA if more airports replace this inept and non-responsive bureaucracy with private security firms.

### V. CONCLUSION

The Transportation Security Administration is demonstrably incompetent. In war, if one cannot identify the enemy, one has no prospect of winning. Like it or not, radical Islam has declared a holy war on the United States. However, the TSA is so "politically correct" it cannot bring itself to consider obvious measures such as focusing its attention on the kinds of people who are trying to kill us. To treat a young Islamic male from Yemen the same way it scrutinizes a seventy-four year old woman from Dallas, Texas is folly.

In time, the TSA's incompetent conduct in addressing the threats of terrorists will be its undoing. It is focused exclusively on reactive approaches. After Umar Farouk Abdulmutallab boarded an aircraft with explosives in his underwear, the TSA has employed x-ray scanners and pat downs. The only thing that prevented disaster was the intervention of passengers aboard the plane, not the TSA. The American intelligence community dropped the ball when the man's father reported to the CIA officials that he feared his son had become radicalized and was a threat. So, now everyone must endure invasive procedures that would not have prevented Abdulmutallab from boarding an aircraft.

The TSA's reactive approach was the same after toner cartridges shipped from Yemen were found to contain explosives; ban the shipment of toner cartridges by air.

Until Congress holds the TSA accountable for its incompetence, Americans will continue to be abused and placed at risk by radical Muslim terrorists bent on our destruction. The TSA's version of "Security Theater" will continue until Congress brings the curtain down on this farce.



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