



*New York's Senator*

# CHARLES E. SCHUMER

313 Hart Senate Office Building \$ Washington, DC 20510

Phone: (202)224-7433 Fax: (202)228-1218

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CONTACT: Mike Morey

(202) 380-5990

## **SCHUMER: NEW SECURITY DEVICE COULD PREVENT WOULD-BE TERRORISTS FROM BOARDING PLANES; WOULD HAVE PREVENTED SHAHZAD AND OTHERS LIKE HIM FROM GETTING PAST TERROR NO-FLY LIST**

*Schumer: \$50 Million Funding Exists for Pilot Program to Incorporate New Scanning Device at Airports; Urges DHS to Consider Using Long Island Company - Has Advanced Prototype and Would Help Create Local Jobs*

*New Scanning Device Would Cross Check Passengers with Terror Watch Lists, Weed-Out Fake IDs, and Track Visa Overstays*

*Schumer: We Need to Close Loopholes that Allow Would-Be Terrorists to Get Past No Fly and Terror Watch Lists*

United States Senator Charles E. Schumer today called for the Department of Homeland Security to invest in a new security device that would prevent suspected terrorists from boarding planes and getting past terror no fly lists. The device electronically scans passenger identifications and would cross check IDs with the terror watch list, weed out forged identifications, and track visa overstays. Implemented nationally, the system would electronically link, in real time, all airport ports of entry and exit to the terror watch list. Had a similar system been in place when Faisal Shahzad tried to board an Emirates flight to Dubai, it is unlikely he would have made it aboard.

In his letter to the Secretary of the Department of Homeland Security (DHS), Janet Napolitano, Schumer pointed out that Congress has appropriated \$50 million as part of the Department of Homeland Security Appropriations Act of 2010 for the purpose of developing an electronic exit-entry security system at airports across the country. Schumer noted that Intellicheck Mobilisa, a Woodbury, Long Island company, currently produces an identification verification device that is protecting over 50 military and federal locations across the country by instantly reading, analyzing, and verifying encoded data in

magnetic stripes and barcodes on government-issue IDs. Schumer is requesting that DHS invest in this new technology and implement a pilot program that would integrate the technology at a New York airport.

“It’s high time we have a sophisticated and integrated security system at our nation’s airports,” said Schumer. “If we have learned anything in the effort to apprehend Mr. Shahzad, it’s that we need a fully integrated airport security system that can immediately identify, in-real time, passengers who should not be flying. This device would immediately remove the potential for human error by electronically linking identification with no fly lists, spot phony ids, and track Visa overstays for better tracking of foreign visitors.”

Currently, airport security agents cross check passengers with a terror-watch list that is distributed to carriers and security personnel at airports. It is the responsibility of security personnel to cross check ID’s with the most recently sent no-fly list. Schumer’s plan would automatically link electronic identification scanners to the watch list and remove the potential for human error. It will also link in real time any updates to the list. The new device, set up at airport security gates across the country would do the following:

- (1) Electronically scan and verify the identification provided by an airline passenger in order to board a flight to verify if it is a valid lawful identification;
- (2) Electronically obtain the name on the identification provided by the passenger and electronically scan all terrorist watch lists and the no-fly list to provide notification to TSA agents as to whether the passenger has been designated for further scrutiny or detention; and
- (3) Electronically scan the passenger’s passport—if the passenger’s airplane ticket indicates that the passenger will be boarding an international flight—and integrate the scanner with our US-VISIT entry-exit system to ensure that a record is created of that passenger leaving the country so that they are not classified as a visa overstay that needs to be searched for or apprehended. This will allow DHS to focus its interior enforcement resources on a far smaller pool of known individuals who have overstayed their visa.

Schumer pointed out that the Faisal Shahzad incident revealed that there are still gaps in our ability to prevent persons from flying on airplanes who have been placed on either the terrorist watch list or no-fly list and that relying solely on the airlines and security personnel to discover potential security risks has proven insufficient.

“The resources exist to jump-start a more sophisticated and fool-proof security system at our nation’s airports,” said Schumer. “We were fortunate that Shahzad was apprehended before his plane ever took off, but we need to make sure that in the future, someone on the watch-list never even makes it past the security gates. We all know something like this must be done. The only question is whether we will have the will to do this before or after another terrorist boards a U.S. flight.”

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June 25, 2010

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Dear Secretary Napolitano,

As Chairman of the Subcommittee on Immigration, Refugees and Border Security, I am responsible for directing the Senate's oversight of the Department of Homeland Security's efforts to secure our borders and ports of entry. In this capacity, I write to you to propose a comprehensive strategy to secure our airports and to finalize implementation of an entry-exit system at our airports.

There are currently three major security objectives that need to be accomplished at our airports that can and should be integrated into one comprehensive system. These objectives are:

- (1) Determining whether the identification provided by an airline passenger in order to board a flight is indeed a valid lawful identification;
- (2) Determining whether the passenger has been designated for further scrutiny or detention as part of the terrorist watch list or no-fly list; and
- (3) Implementing a system that accurately tracks whether foreign nationals entering the United States on nonimmigrant visas have exited the United States as required by law.

The current system is failing to adequately achieve any of the three objectives, much less all three objectives.

Firstly, the determination as to the validity of the identification provided by an airline passenger is a subjective determination made by an individual TSA officer as opposed to an objective determination based on an electronic verification of the identification being provided. Subjective determinations are far more likely to be prone to human error and to security breaches, and thus should be minimized in the airport security screening process.

Secondly, the Faisal Shahzad incident plainly revealed that there are still gaps in our ability to prevent persons from flying on airplanes who have been placed on either the terrorist watch list or no-fly list. We are still primarily relying on the airlines to prevent these individuals from boarding airplanes in the United States, and only provide one additional check by a Customs and Border Protection (CBP) agent where they compare the manifest of the flight 30 minutes before the flight leaves against these watch lists. Unfortunately, when CBP checks the manifest against the watch list, they have no idea where the individual is and must then try to locate the individual either somewhere within the airport or inside the plane. Our security would vastly improve if we could immediately identify and apprehend these individuals at the TSA security checkpoint before they ever enter the terminal.

Finally, as Congress plainly indicated in the Fiscal Year 2010 Department of Homeland Security Appropriations Act, the Department has failed to implement a biometric exit solution at our airports. Accordingly, we are currently unable to track whether those who have entered the United States on temporary visas have exited the country as required by law. Because we are unable to accomplish this important goal, we remain vulnerable to potential terrorists who overstay their visas in order to carry out terrorist plots against our citizens.

Fortunately, there is a comprehensive solution that can accomplish all three of these vital security objectives. All three of these goals can be accomplished by installing integrated electronic identification readers at the TSA security checkpoints located at each airport. The readers would perform the following functions:

- (1) Electronically scan and verify the identification provided by an airline passenger in order to board a flight is indeed a valid lawful identification;
- (2) Electronically obtain the name on the identification provided by the passenger and electronically scan all terrorist watch lists and the no-fly list to provide notification to TSA agents as to whether the passenger has been designated for further scrutiny or detention; and
- (3) Electronically scan the passenger's passport—if the passenger's airplane ticket indicates that the passenger will be boarding an international flight—and integrate the scanner with our US-VISIT entry-exit system to ensure that a record is created of that passenger leaving the country so that they are not classified as a visa overstay that needs to be searched for an apprehended. This will allow DHS to focus its interior enforcement resources on a far smaller pool of known individuals who have overstayed their visa.

I am hopeful that under your leadership, a pilot program can be initiated at John F. Kennedy International Airport to design, develop, and deploy this comprehensive system which is sorely needed. Fortunately, the resources are available for your agency to immediately begin implementation of this pilot program, as Congress has appropriated \$50 million as part of the Department of Homeland Security Appropriations Act of 2010 for this purpose.

In addition, there are many companies with the technological knowhow and experience to design and deploy the type of system that is necessary. For instance, a company named Intellicheck Mobilisa, in my home state of New York, currently employs an advanced ID card access control product that is currently protecting over 50 military and federal locations by instantly reading, analyzing, and verifying encoded data in magnetic stripes and barcodes on government-issue IDs from approximately 60 jurisdictions in the U.S. and Canada to determine if the content and format are valid. There are many other companies in New York and throughout the United States that also perform similar functions—all of which can be asked to develop the comprehensive system needed to secure our airports.

I am eager to work with you to overcome the failures of the past and to finalize implementation of a fully functional and effective airport security system at all of airports. We cannot and must not wait until another security breach occurs to take the actions we all know are necessary to improve our security. I thank you for your attention to this important matter, and look forward to working with you to enact any legislation necessary to assist you in your mission of protecting America.

Sincerely,

Charles E. Schumer  
Chairman  
Subcommittee on Immigration, Border Security and  
Refugees