

Mr. Speaker, today I introduce legislation to protect Americans from physical and emotional abuse by federal Transportation Security Administration employees conducting screenings at the nation's airports. We have seen the videos of terrified children being grabbed and probed by airport screeners. We have read the stories of Americans being subjected to humiliating body imaging machines and/or forced to have the most intimate parts of their bodies poked and fondled. We do not know the potentially harmful effects of the radiation emitted by the new millimeter wave machines.

In one recent well-publicized case, a TSA official is recorded during an attempted body search saying, "By buying your ticket you gave up a lot of rights." I strongly disagree and am sure I am not alone in believing that we Americans should never give up our rights in order to travel. As our Declaration of Independence states, our rights are inalienable. This TSA version of our rights looks more like the "rights" granted in the old Soviet Constitutions, where freedoms were granted to Soviet citizens -- right up to the moment the state decided to remove those freedoms.

The incident of the so-called "underwear bomber" last Christmas is given as justification for the billions of dollars the federal government is spending on the new full-body imaging machines, but a Government Accountability Office study earlier this year concluded that had these scanners been in use they may not have detected the explosive material that was allegedly brought onto the airplane. Additionally, there have been recent press reports calling into question the accuracy and adequacy of these potentially dangerous machines.

My legislation is simple. It establishes that airport security screeners are not immune from any US law regarding physical contact with another person, making images of another person, or causing physical harm through the use of radiation-emitting machinery on another person. It means they are subject to the same laws as the rest of us.

Imagine if the political elites in our country were forced to endure the same conditions at the airport as business travelers, families, senior citizens, and the rest of us. Perhaps this problem could be quickly resolved if every cabinet secretary, every Member of Congress, and every department head in the Obama administration were forced to submit to the same degrading screening process as the people who pay their salaries.

I warned at the time of the creation of the TSA that an unaccountable government entity in control of airport security would provide neither security nor defend our basic freedom to travel. Yet the vast majority of both Republicans and Democrats then in Congress willingly voted to create another unaccountable, bullying agency-- in a simple-minded and unprincipled attempt to appease public passion in the wake of 9-11. Sadly, as we see with the steady TSA encroachment on our freedom and dignity, my fears in 2001 were justified.

The solution to the need for security at US airports is not a government bureaucracy. The solution is to allow the private sector, preferably the airlines themselves, to provide for the

security of their property. As a recent article in Forbes magazine eloquently stated, “The airlines have enormous sums of money riding on passenger safety, and the notion that a government bureaucracy has better incentives to provide safe travels than airlines with billions of dollars worth of capital and goodwill on the line strains credibility.” In the meantime, I hope we can pass this legislation and protect Americans from harm and humiliation when they choose to travel.