

**ASSOCIATION OF FLIGHT ATTENDANTS–CWA, AFL-CIO**

TESTIMONY OF  
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INTERNATIONAL PRESIDENT  
SUBMITTED TO  
**SUBCOMMITTEE ON  
TRANSPORTATION SECURITY**  
OF THE U.S. HOUSE  
COMMITTEE ON HOMELAND SECURITY  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASHINGTON, DC  
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Association of Flight Attendants – CWA, AFL-CIO

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Exhibit

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We thank Chairman Hudson, Ranking Member Richmond and all of the members of the Transportation Security Subcommittee for your diligence on this important topic for aviation security. We appreciate the work of the Subcommittee to review the TSA's efforts to advance risk-based security. On behalf of the 60,000 Flight Attendants we represent as members of the Association of Flight Attendants-CWA, AFL-CIO (AFA) I submit the following testimony for review as the committee considers "stakeholder perspectives."

AFA has testified on risk-based security and the work of the TSA on several occasions and most recently before the Subcommittee on Aviation of the U.S. House Committee on Transportation and Infrastructure on November 29, 2012. That testimony in support of the risk-based approach is relevant in the context of this hearing, but the recent announcement of an abrupt policy shift to lift the ban on knives in the aircraft cabin overshadows progress towards a risk-based security program. Today's testimony includes our objections to this policy change. We are concerned with the TSA Administrator's process to reach this decision without considering the experience of Flight Attendants and other key stakeholders, and dispute inaccuracies put forth by the TSA Administrator regarding the lack of notification of the policy change provided to me.

### **Knives in the Cabin Introduce Risk – Threaten Safety of Passengers and Crew**

At the most basic level, the question of whether to allow knives in the aircraft cabin for the first time since 9/11 is a simple one: does such a policy change increase or decrease risk. No one can credibly argue that allowing thousands of knives onto aircraft every day decreases the risk to passengers and crew.

TSA has attempted to dismiss this increased risk with a wave of the hand, stating repeatedly that 'small knives cannot cause a catastrophic loss of the aircraft.' First, it should be noted that small knives *did* cause the loss of four aircraft on 9/11. To deal with that contradiction, TSA has continued the ban on certain small knives, like box cutters and tactical knives, dismissively saying that allowing them would be too "emotional." Speaking on behalf of AFA Flight Attendants, I have to say that trying to berate our position as "emotional" is insulting. It disrespects the lessons of our past, the heroes who were the first to die in a war we did not know we were fighting, and this the courage of this nation's Flight Attendants who every day face the challenges of serving on the frontlines of aviation security.

But TSA goes further, saying that improvements in cockpit security since 9/11, including the locked and reinforced cockpit door, have eliminated the possibility that terrorists with small knives can take over the aircraft and cause a catastrophic loss. We have grave concerns with the lack of understanding of the necessary interaction between the cockpit and cabin in flight. Further, this cynical position assumes that casualties in the cabin are acceptable due to an attack by a terrorist or an irate passenger with a newly permissible knife, so long as the cockpit is not breached. Needless to say, Flight Attendants object to that callous calculation of acceptable casualties and we believe it fails to accurately recognize the mission of the TSA.

The TSA Administrator's excuse for the abrupt policy shift on knives and other potential weapons in the cabin is yet another in a long line of excuses that does not hold up. In discussing this issue with the media and on Capitol Hill the reaction has been surprise over how TSA could

possibly have concluded that it was appropriate to remove knives from the prohibited items list. It simply does not make sense. The tragic knife attack at the Lone Star Community College this week in Houston highlights the dangers of a small knife in the hands of someone who wishes to harm others. Even in that setting, with multiple exits and the ability to call for additional help, fourteen people were injured. It is critical that we recognize the dangerous scenario of a small knife in the wrong hands within the confines of the enclosed aircraft cabin and closely seated passengers traveling at thousands of feet in the air.

TSA argues that relaxing the ban would merely put the American aviation security policy on par with that of Europe, Asia and Africa. Never mind that we should be the *leaders* in aviation security, especially on this issue. This attempted justification exposes TSA's inconsistency. TSA has modified ICAO's standards to prohibit locking blades. So, the announced policy change will not harmonize the US policy with the international standard and, therefore, any claimed benefit of such harmonization as justification of the policy change is illusory.

TSA also claims that allowing a certain size of knife will actually reduce the time TSOs must take to screen baggage, thereby freeing them to concentrate on other prohibited items such as improvised explosive devices. Common sense dictates otherwise. A blanket prohibition of knives, as opposed to a case-by-case evaluation of knife size, is clearly the more expeditious procedure. No one could argue that setting the stage for a fight over the size of an open knife is a good idea for public safety. So, once again, the justification offered is simply illusory.

This abrupt policy change does not make sense for combating potential terrorist attacks nor for deescalating the daily disturbances we handle in aircraft cabins that are fuller than ever, while Flight Attendant staffing has been cut. On a daily basis, Flight Attendants address, deescalate, and when necessary, direct other passengers to help contain disturbances on the aircraft.

In April 2012, on a U.S. Airways flight from Los Angeles to Phoenix, a passenger suddenly charged down the aisle and tried to ram the drink cart into a flight attendant, all the while screaming threats against the lives of everyone on board. He was subdued with the help of passengers, several of whom had to sit on him for the duration of the flight.

In November 2007, a United Airlines flight from Washington Dulles to Sacramento made an emergency landing in Fargo, North Dakota due to a serious threat to the aircraft, the Flight Attendants and all of the passengers on the flight. A series of aggressive actions by a twenty-five year old man led Flight Attendants to prepare for the worst. Passengers were briefed to help, if necessary. The culmination of aggressive actions was when the man rushed up the aisle towards the cockpit while shouting that everyone on the plane was going to die. One Flight Attendant physically blocked him, and a second rushed forward to help while the third called to detail the threat for the cockpit. Not until Flight Attendants shouted forceful commands did passengers get up to assist and help contain the aggressor. The pilots locked in the cockpit later told investigators it sounded like a fist fight outside the door – and it was.

Just last month, as a Delta Air Lines flight from Minneapolis to Atlanta began its final descent, cabin pressure change led to crying and tears for a two-year-old boy sitting on his mother's lap.

As the boy's mother tried to soothe him, the man sitting next to them allegedly used a racial slur and told the mother to "shut up" her son, then turned and slapped the toddler with an open hand.

There are countless stories like this and that is why the experience of Flight Attendants has led to such strong opposition by our union and the entire Coalition of Flight Attendant Unions, representing 90,000 Flight Attendants across the industry. Introducing knives into any one of these scenarios could prove deadly and there is no question that it makes everyone in the cabin less safe.

We support risk-based security, but it makes no sense to introduce risks into the system. Multi-layered security, including prohibition of items that could pose a threat, ensures U.S. aviation is the safest in the world. The ban on dangerous objects is an integral layer in aviation security. Not every decision can be presumed correct simply because it's labeled "risk-based security." The decision to allow knives on planes is clearly not correct. We must always apply a risk-based approach to solve for transportation security which includes the entire aircraft and all of the passengers and crew within it.

Flight Attendants take very seriously our role as aviation's First Responders and, since 9/11, also its last line of defense. We promote improved security because we are the professionals who are charged with the safe passage of the travelers in our care. We are aghast at the TSA Administrator's position that TSA's job is limited to guarding against "devices that could take down an aircraft," while failing to even consider the experience of Flight Attendants who know firsthand of the very real dangers of small knives in the cabin. TSA cannot explain nor justify this policy change to the more than 100,000 Flight Attendants who put their lives on the line everyday for aviation security. Nor can TSA explain it to the millions of air travelers who fly every day and their families who expect them to arrive safely. Surely, the traveling public deserves better.

## **Policy Should Never Take Effect without Stakeholder Involvement**

Air Marshals, Transportation Security Officers, and Pilots agree with Flight Attendants, as do many airline CEOs. There is a consensus among those in aviation security. The people on the front lines know this is a bad idea. At times, the TSA Administrator has asserted that these stakeholders and 9/11 families were advised on some level prior to the announcement of the new policy. In each of these cases, that has turned out not to be accurate. TSA has the ability to review policy changes with the Aviation Security Advisory Committee, which includes certain stakeholders in aviation security. AFA has our own security expert who serves on this committee. Even this committee, which is set up to interact with TSA on a regular basis for review of security issues, was not consulted. Genuine engagement and consultation with stakeholders demands a much more open and honest approach.

Although the key stakeholders in aviation security were not consulted, we have learned that lobbyists for the knife industry were consulted. This causes us to question whether the policy change is indeed based on misplaced efforts to improve security, or instead driven by corporate interests. Already we are experiencing the chilling, disrespectful effects of an industry

emboldened by what they believe is a boon to business. Note the following online description from “Gear Patrol” of a knife that has already been created based on the new TSA policy:

## Emerson Hummingbird



**Bonus: Best TSA-Approved Premium Holdout:** Ernest Emerson, the maker of high-end tactical folders popular with military and law enforcement, is rumored to be modifying his Hummingbird blade to be TSA-compliant. A craftsman who focuses on utility over art, Emerson is a proponent of knives as both tool and weapon, and he designs and builds them for hard use, with 154cm high carbon steel and a chisel-grind edge. While we advocate you remain seated with your seatbelt securely fastened during flight, an Emerson would be the EDC [“every day carry”] you’d want if you get the call, “Let’s roll”.

This description is found at:

<http://gearpatrol.com/2013/04/05/keep-calm-carry-ons-5-best-tsa-approved-pocket-knives/>

The 60,000 members of the Association of Flight Attendants-CWA who still grieve the loss of our member heroes on United flights 175 and 93 along with the members of Association of Professional Flight Attendants who were crewmember heroes on American flights 11 and 77, are not only disgusted by this advertisement, but horrified that this is what we will face on our aircraft after April 25<sup>th</sup> if this policy is allowed to take effect.

Flight Attendants and passengers did not know what they faced on September 11, 2001. We were trained to survive a hijacking, to keep everyone calm and safe until the aircraft could land. It was the heroic actions of Flight Attendants on those flights that ensured our country had some of the first intelligence of that horrific day. That intelligence made its way to the Flight Attendants and passengers on flight 93 and they in turn acted without reservation to sacrifice their own lives to save countless others on the ground. They are heroes and we will never forget their actions, nor will we ever disgrace their memory by forgetting the lessons we learned. Let not one more American have to make the heroic choice they made that day. Let us not invite another tragedy by failing to apply what we know can happen today.

Let us not allow the heroism of that day to be exploited for dirty profits. And do not set up a scenario where Flight Attendants must attempt to handle a knife fight that breaks out when passengers take it upon themselves to enforce a disturbance in the cabin.

These are the scenarios that the traveling public and the nation's Flight Attendants will face because those on the frontlines of aviation were not consulted in this process.

### **AFA Was Not Notified or Consulted on Policy Change**

In an April 3, 2013 letter, TSA Administrator Pistole responded to a letter from Congressman Bennie Thompson and 133 Members of the House. In his response, TSA Administrator Pistole states that on November 30, 2012 he "provided notice of his pending decision [to AFA] . . . and asked for [my] input." His letter goes on to state that "TSA received no feedback from AFA until after TSA Administrator Pistole's March 5, 2013, announcement."

Nothing could be further from the truth. On November 29, 2012 I had the honor to testify before the House Aviation Subcommittee of the Transportation and Infrastructure Committee. The purpose of that hearing was to discuss "TSA Impacts on Passengers & Industry." At the hearing, I defended TSA's risk-based approach as well as the important work the Transportation Security Officers perform.

At the end of the hearing, Congressman Ribble indicated that his daughter-in-law, a Southwest Airlines Flight Attendant was not in favor of knives being in the aircraft cabin and that he was likewise concerned. In response, I strongly agreed with his position and stated on the record:

" . . . I used to take my knife to work . . . I am much more thankful to know not that I don't have a knife, but that nobody else has a knife on the plane. While I miss that aspect of being able to travel with that, I feel much more confident to know that the potential threat does not exist."

At that hearing, I clearly reiterated AFA's longstanding position on prohibiting knives in the aircraft cabin.

On November 30, 2012 I received a phone call from TSA Administrator Pistole thanking me for my supportive testimony. The vast majority of our brief conversation focused on AFA's support of TSA's comprehensive risk-based approach to security. As a momentary aside, I even expressed my disbelief over a fellow witness's advocacy for permitting knives in the cabin. As I recall, TSA Administrator Pistole casually mentioned that he was reviewing the prohibited items list, which of course includes knives, and I responded that I understood his responsibilities as part of risk-based screening to "look at everything." At no time during or after the conversation was I left with the impression that TSA Administrator Pistole was planning to amend the prohibited items list nor did I reverse our position that knives do not belong in the cabin. Between my testimony and our phone conversation, there should be no doubt that both my union and I personally support the continued ban on knives. Nothing that the TSA Administrator said in that brief call can legitimately be called "notice" of the pending policy change, and certainly nothing approaching "consultation" took place.

As additional facts have come to light, it is clear that the TSA's abrupt policy change was actually considered over a number of years. But, it was not until 30 minutes before TSA announced its policy shift that I received a phone call from TSA informing me that the Agency was about to announce that knives would be allowed back on the aircraft for the first time since 9/11. There was never any notice. Never any meaningful dialog. Never any attempt to engage in consultations with AFA on behalf of the tens of thousands of flight attendants we represent who, as the head of the Air Marshall's union has said, 'will be sitting ducks' if this policy change is allowed to go into effect.

Bottom line: The TSA Administrator attempts to distract attention from the real issue at hand by mischaracterizing a call he initiated to thank me and my union for standing up for risk-based security.

## **Conclusion**

The April 25<sup>th</sup> effective date is fast approaching and serious concerns are mounting about the risks created by the policy change. This Committee is right to look into problems with how TSA engages its stakeholders. But, let me be absolutely clear that our primary concern is that knives should never be in the air craft cabin. In our view, an appropriate process of consultation would have prevented TSA from concluding that such a change should be implemented.

We encourage the Transportation Security Subcommittee to do everything in its power to extend the April 25<sup>th</sup> implementation date and to ultimately ensure a ban that would keep knives out of our aircraft cabin permanently.

Let us learn from the lessons of our past and make sound decisions for our future.