



**One Hundred Twelfth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515**

March 16, 2011

The Honorable John S. Pistole
Administrator
Transportation Security Agency
601 S. 12th Street
Arlington, VA 20528

Dear Administrator Pistole:

We write today because of a screening incident involving Alaska State Representative Sharon Cissna in Seattle, Washington. Earlier this month, Representative Cissna was flying from Seattle to Juneau. She was prevented from boarding her flight after she declined to undergo a pat-down search at Seattle-Tacoma International Airport.

Having submitted to a full-body scan through the backscatter Advanced Imaging Technology (AIT), Representative Cissna—a breast cancer survivor—declined to undergo an enhanced pat-down search. According to Representative Cissna, TSA officials told her the pat-down search was necessary because the scan showed an anomaly.

Incidents like this one, call into question TSA's practices when screening passengers with medical conditions and/or disabilities. While TSA has implemented the Disability Notification Card as an attempt to accommodate passengers with medical conditions or disabilities, these voluntarily issued, self-certified cards do not either enhance privacy or security.

The Transportation Security Agency (TSA) is tasked with the mitigation of transnational threats in transportation security. While TSA must protect the flying public from terrorist threats, security should not come at the cost of civil liberties or the right to privacy. The process of conducting and publishing a Privacy Impact Assessment (PIA) and a Civil Liberties Impact Assessment (CLIA) of the enhanced pat-down screenings would provide means of assuring that privacy and civil liberties are not undermined by measures intended to increase security. However, despite several requests, it is my understanding that the Department of Homeland Security has failed to publish a PIA or a CLIA concerning enhanced pat-down screenings.

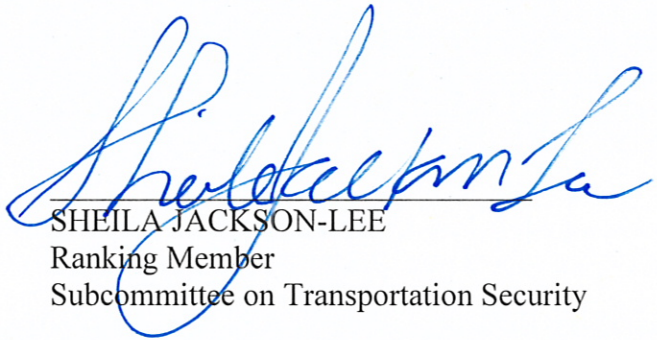
Therefore, we urge you to work with DHS Office of Privacy and Office of Civil Rights and Civil Liberties to publish a PIA and CLIA concerning enhanced pat-down screenings. Based on the results of a PIA or CLIA, it may be necessary for TSA to revise its current enhanced pat-down screening process and implement new screening procedures. Any revised screening procedures must contain suitable methods to properly address particular concerns faced when screening passengers with medical conditions or disabilities which may appear as anomalies during a full-body scan.

We thank you for your prompt attention to this matter and look forward to reviewing your written response to the issues raised herein no later than March 29, 2011. If you have any questions or concerns, please contact Cherri Branson, Chief Counsel for Oversight, Committee on Homeland Security at 202-226-2616.

Sincerely,



BENNIE G. THOMPSON
Ranking Member



SHEILA JACKSON-LEE
Ranking Member
Subcommittee on Transportation Security