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HOUSE JOINT MEMORIAL 4000

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State of Washington                      62nd Legislature                      2011 Regular Session

By Representative Appleton

Prefiled 12/10/10.

1            TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND  
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF  
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE  
4 UNITED STATES, IN CONGRESS ASSEMBLED, TO THE HONORABLE JANET  
5 NAPOLITANO, SECRETARY OF HOMELAND SECURITY, AND TO CHRISTINE GREGOIRE,  
6 GOVERNOR OF THE STATE OF WASHINGTON:

7            We, your Memorialists, the Senate and House of Representatives of  
8 the State of Washington, in legislative session assembled, respectfully  
9 represent and petition as follows:

10           WHEREAS, The Transportation Security Administration (TSA) is an  
11 agency of the federal government charged with protecting the nation's  
12 transportation systems to ensure freedom of movement for people and  
13 commerce; and

14           WHEREAS, The TSA is responsible for screening airline passengers  
15 and personnel for weapons, explosives, and other contraband that pose  
16 a threat to airport security and the safety of the general public; and

17           WHEREAS, Current TSA screening policy requires that airline  
18 passengers and personnel either pass through advanced image technology  
19 scanners, or otherwise elect to undergo a pat down search administered  
20 by TSA employees; and

1           WHEREAS, The advanced image technology scanners used by TSA capture  
2 images that depict the shape and outline of a subject's full body as it  
3 appears underneath the subject's clothing; and

4           WHEREAS, Many airline passengers and personnel find advanced image  
5 technology scanners overly invasive and, therefore, prefer the  
6 alternative option of undergoing a pat down search; and

7           WHEREAS, As a matter of nationwide policy, the TSA on October 28,  
8 2010, began implementing new pat down procedures that involve a more  
9 intrusive, full body search, during which TSA personnel make physical  
10 contact with sensitive areas of the body; and

11           WHEREAS, These new procedures are potentially offensive and  
12 humiliating to every individual upon whom they are imposed and, indeed,  
13 particularly egregious in their application to women, children, and  
14 disabled members of our society; and

15           WHEREAS, Reports have indicated that in some instances overzealous  
16 TSA employees have carried out these new procedures in a manner  
17 sufficiently aggressive to rise to the level of an inappropriate  
18 invasion of personal privacy, from which an individual would ordinarily  
19 be protected under the laws of this state; and

20           WHEREAS, Encouraging travel by ensuring the right of individuals to  
21 move about without fear of undue invasions of privacy is essential to  
22 preserving a free society, safeguarding the flow of commerce, and  
23 sustaining good will among nations; and

24           WHEREAS, The new pat down procedures implemented by the TSA have,  
25 to the contrary, discouraged travel by creating fear of physical  
26 intrusions of the person;

27           NOW, THEREFORE, Your Memorialists respectfully resolve that the  
28 Transportation Security Administration immediately terminate its use of  
29 the new pat down search procedures that were adopted on October 28,  
30 2010, and resume conducting pat down searches in accordance with the  
31 procedures that were in place prior thereto.

32           BE IT RESOLVED, That copies of this Memorial be immediately  
33 transmitted to the Honorable Barack Obama, President of the United  
34 States, the President of the Senate and the Speaker of the House of  
35 Representatives of each state's legislature of the United States of  
36 America, the President of the United States Senate, the Speaker of the  
37 House of Representatives, the Honorable Janet Napolitano, Secretary of

1 Homeland Security, Christine Gregoire, Governor of the State of  
2 Washington, and each member of Congress from the State of Washington.

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