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PUBLIC WORKS

United States Senate

WASHINGTON, DC 20510

February 24, 2011

Richard L. Skinner
Inspector General
Department of Homeland Security
245 Murray Drive, SW, Bldg 410
Washington, D.C. 20538

Dear Inspector General Skinner:

Since the beginning of 2011, there have been at least half a dozen security breaches at Newark Liberty Airport (EWR), raising serious questions about security at one of our nation's busiest airports. These breaches come one year after a security breach at Newark Liberty shut down the terminal for more than six hours. In the wake of these incidents, I respectfully request that you initiate an investigation concerning these security breaches, the factors leading to them, and the Transportation Security Administration's (TSA) response.

On January 3, 2010, a Transportation Security Administration guard left his post, allowing a 28 year old man to walk into the secure part of the terminal at Newark Liberty. This security breach shut down the terminal for more than six hours, delayed 108 departing flights and 50 arriving flights, canceled 27 flights, and affected 16,000 passengers around the globe.

I understand that TSA increased security at EWR following the January 2010 incident; however, a recent proliferation of reported security breaches at the airport calls into question the sufficiency of these measures:

- Jan. 4, 2011 – a dead dog was loaded onto a passenger flight from EWR to Los Angeles, contrary to proper security procedures. After learning of the breach, TSA considered recalling the flight but decided not to do so.
- Jan. 16, 2011 – TSA shut down a security checkpoint in Terminal C because a carry-on bag containing a knife made it through screening. The checkpoint reopened 45 minutes later.
- Jan. 30, 2011 – A bag was improperly handed off after being x-rayed.
- Feb. 1, 2011 – A passenger in Terminal B walked through a disability area without being screened.
- Feb. 3, 2011 – Two passengers were allowed through a Terminal B checkpoint even though the monitor of the full-body scanner at that checkpoint was malfunctioning.

- Feb. 21, 2011 – An improperly screened passenger was allowed to enter the secure area of Terminal B. TSA agents then shut down the checkpoint, found the passenger and rescreened him or her.

A TSA source told the *Star-Ledger* newspaper there were three more security lapses, but TSA has disputed them. Separately, TSA supervisor Michael Arato pled guilty on February 14, 2011, to bribery of a public official in federal court. Arato took bribes and kickbacks from a co-worker who stole up to \$30,000 in cash from passengers who went through his checkpoint in Terminal B.

Breaches like these would be of grave concern at any airport, but it is particularly alarming that they have occurred at Newark Liberty. Newark Liberty is one of the busiest airports in the country, with more than 33 million passengers passing through each year—an average of more than 90,000 passengers every day. Moreover, it is at high risk for terrorist activity: It lies in what security officials have called the most dangerous area in the country for a terrorist attack, and one of the planes hijacked on September 11, 2001 took off from Newark Airport.

To address the security threat at Newark Liberty, I ask that the Department of Homeland Security Inspector General conduct an investigation into the recent incidents at the airport and the general level of security there. In particular, this investigation should explore:

- What factors have contributed to these breaches, including, but not limited to:
 - Management issues;
 - Personnel issues;
 - Staffing levels;
 - Training;
 - Resources;
 - Coordination between TSA and the Port Authority of New York and New Jersey; and
 - Any weaknesses in current laws or regulations.
- Whether this high incidence of security breaches is typical or atypical, as compared to:
 - The ordinary rate of breach at Newark Liberty Airport;
 - Other airports in the New Jersey/New York region; and
 - Comparable airports nationwide.
- What security changes were implemented at Newark Liberty Airport following the January 3, 2010 security breach.
- Any additional security changes that have been implemented at Newark Liberty Airport following the January and February 2011 security breaches there.

- What actions have been taken to discipline security personnel involved in breaches at Newark Liberty Airport.
- What actions have been taken with respect to persons who have breached security at Newark Liberty Airport.

The security of Newark Liberty Airport is critical not only to the New Jersey/New York region, but to the nation as a whole. Thank you for your prompt consideration of this matter.

Sincerely,



FRANK R. LAUTENBERG
Vice Chairman
Subcommittee on Homeland Security
Senate Appropriations Committee

cc: Charles Edwards, Deputy Inspector General