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green underline denotes added text  
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**2010 NJ AR 127**

**AUTHOR:** McHose  
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ASSEMBLY RESOLUTION No. 127

STATE OF NEW JERSEY

214th LEGISLATURE

INTRODUCED NOVEMBER 22, 2010

Sponsored by:

Assemblywoman ALISON LITTELL MCHOSE

District 24 (Sussex, Hunterdon and Morris)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman JOHN DIMAIO

District 23 (Warren and Hunterdon)

Assemblyman ERIK PETERSON

District 23 (Warren and Hunterdon)

SYNOPSIS

Urges Transportation Security Administration to terminate recent changes to its procedure for conducting pat down searches at airport checkpoints.

CURRENT VERSION OF TEXT

As introduced.

An Assembly Resolution urging the Transportation Security Administration to terminate recent changes to its procedure for conducting pat down searches at airport checkpoints.

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

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

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

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

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

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

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

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

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

Whereas, The new pat down procedures implemented by the TSA have, to the contrary, discouraged travel by creating fear of physical intrusions of the person; now, therefore,

Be It Resolved by the General Assembly of the State of New Jersey:

1. This House urges the Transportation Security Administration to immediately terminate its use of the new pat down search procedures that were adopted on October 28, 2010, and resume conducting pat down searches in accordance with the procedures that were in place prior thereto.

2. Duly authenticated copies of this Assembly resolution, signed by the Speaker of the General Assembly and attested by the Clerk thereof, shall be transmitted to the Administrator of the Transportation Security Administration and every member of Congress from this State.

#### STATEMENT

This Assembly resolution urges the Transportation Security Administration (TSA) to end the use of its recently adopted procedures for conducting pat down searches and to return to its former procedures.

Under current TSA policies, airline passengers and personnel must either pass through advanced-imaging technology scanners or otherwise elect to undergo a pat down search administered by a TSA employee. Because the scanners produce images that depict the shape and outline of an individual's body as it appears under the individual's clothing, many passengers have instead chosen a pat down search as the less intrusive option for meeting security requirements.

However, as of October 28, 2010, TSA has begun implementing new pat down procedures that are more invasive. These procedures require TSA employees to make physical contact with sensitive areas of a person's body. Furthermore, there have been reports that some searches have been conducted in an overly aggressive manner, resulting in severe and humiliating invasions of privacy. This resolution urges TSA to end these new pat down procedures and to return to conducting pat down searches in accordance with its former, less-invasive procedures.

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