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HOUSE JOINT MEMORIAL 4001

State of Washington -- 62nd Legislature -- 2011 Regular Session

By Representative Appleton

Prefiled 12/10/10.

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

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

WHEREAS, In a September 2010 press release, Department of Homeland Security Secretary Janet Napolitano announced that the Transportation Security Agency (TSA) would increase the use of advanced imaging technology at airports around the country which could include the Seattle-Tacoma International airport in SeaTac, Washington; and

WHEREAS, This advanced imaging technology, also known as full body scanners, produces detailed images of air travelers' naked bodies which are reviewed by TSA employees for evidence of certain prohibited items and substances; and

WHEREAS, These full body scans appear to intrude upon personal privacy rights and may violate the Fourth Amendment of the United States Constitution which specifically protects citizens from unreasonable searches and seizures; and

WHEREAS, Full body scans may also violate the Religious Freedom Restoration Act by requiring persons with strongly held religious beliefs about personal modesty to submit to the intrusive imaging, or should the person object to full body scanning, an enhanced pat down that requires the TSA agent to contact the person's genitals, and these methods have been publicly rejected by religious leaders of a variety of faiths; and

WHEREAS, The effectiveness of advanced imaging technology to detect prohibited substances more reliably than existing technology and security measures has not been sufficiently proven; and

WHEREAS, Full body scans subject the traveling public to radiation in order to generate the image, the potential health consequences of which have not been fully explored, especially the impact on frequent fliers, flight crews, pregnant women, and children; and

WHEREAS, Advanced imaging technology may present real risks to Washington citizens, and it is therefore fitting and proper that the legislature call upon the President and Congress of the United States to immediately address these concerns, and if they cannot be satisfactorily addressed, to discontinue their use;

NOW, THEREFORE, Your Memorialists respectfully pray that immediate action is taken to address the serious privacy, constitutional, safety, and religious freedom concerns that are presented by advanced imaging technology employed by Transportation Security Agency employees at the nation's airports; and if these concerns cannot be satisfactorily addressed, that action is taken for discontinuation of their use.

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the United States, Janet Napolitano, Secretary of Homeland Security, the Honorable Christine Gregoire, Governor of the State of Washington, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

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