

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE RESOLUTION****No. 16** Session of  
2011

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INTRODUCED BY TALLMAN, METCALFE, DENLINGER, KORTZ, READSHAW,  
SCAVELLO, STEVENSON AND SWANGER, JANUARY 20, 2011

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AS AMENDED, HOUSE OF REPRESENTATIVES, MAY 9, 2012

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## A RESOLUTION

1 Memorializing Congress to address concerns raised by security  
2 screening methods employed by the Transportation Security  
3 Administration.

4 WHEREAS, The Transportation Security Administration (TSA) was  
5 created by Congress in 2001 to protect the nation's  
6 transportation systems to ensure freedom of movement for people  
7 and commerce; and

8 WHEREAS, The TSA is responsible for security at our nation's  
9 airports, including the screening of commercial airline  
10 passengers and baggage; and

11 WHEREAS, The TSA has demonstrated at multiple times and  
12 locations its inability to successfully detect potential  
13 threats; and

14 WHEREAS, The TSA has begun to employ advanced imaging  
15 technology, which produces detailed images of passengers' naked  
16 bodies for review by a TSA employee; and

17 WHEREAS, Airline passengers who object to the use of advanced  
18 imaging technology are subject to thorough pat-downs that

1 require TSA employees to touch sensitive areas of a passenger's  
2 body; and

3 WHEREAS, Passengers, including children, may be required to  
4 subject themselves to either or both of these procedures as a  
5 condition of boarding a commercial aircraft; and

6 WHEREAS, The use of advanced imaging technology and pat-downs  
7 are potentially offensive and humiliating to every individual  
8 that they are imposed upon; and

9 WHEREAS, These procedures appear to intrude upon personal  
10 privacy rights and may violate the Fourth Amendment to the  
11 Constitution of the United States and Article I, Section 8 of  
12 the Constitution of Pennsylvania; therefore be it

13 RESOLVED, That the Pennsylvania House of Representatives  
14 memorialize Congress to exercise a greater degree of oversight  
15 on the TSA ~~and~~ BY ESTABLISHING AN INDEPENDENT REVIEW BOARD TO  
16 MONITOR SAFETY ISSUES CONCERNING ADVANCED IMAGING TECHNOLOGY AND  
17 ITS USE AND IMPLEMENTATION OF SECURITY PROCEDURES BY THE TSA AND  
18 TO MAKE REGULAR RECOMMENDATIONS TO CONGRESS; AND BE IT FURTHER

19 RESOLVED, THAT THE PENNSYLVANIA HOUSE OF REPRESENTATIVES  
20 MEMORIALIZE CONGRESS TO AMEND THE HOMELAND SECURITY ACT OF 2002  
21 (PUBLIC LAW 107-296, 116 STAT. 2135), TO SUBJECT TSA ADVANCED  
22 IMAGING TECHNOLOGY TO THE SAME SAFETY REGULATION BY STATE  
23 AGENCIES AS OTHER RADIATION-EMITTING DEVICES; AND BE IT FURTHER

24 RESOLVED, THAT THE PENNSYLVANIA HOUSE OF REPRESENTATIVES  
25 MEMORIALIZE CONGRESS TO place greater restrictions on the  
26 airport screening procedures employed by that agency, with  
27 specific concern about the privacy of law-abiding individuals;  
28 and be it further

29 RESOLVED, That Congress is urged to limit the use of advanced  
30 imaging technology and pat-downs by TSA employees to situations

1 where the person being searched is under arrest, a search  
2 warrant has been issued to search a specific person or probable  
3 cause exists to search a specific person; and be it further  
4       RESOLVED, That copies of this resolution be transmitted to  
5 the President of the United States Senate, the Speaker of the  
6 United States House of Representatives, the Majority Leader of  
7 the United States Senate, the Minority Leader of the United  
8 States Senate, the Majority Leader of the United States House of  
9 Representatives, the Minority Leader of the United States House  
10 of Representatives and every member of Congress elected from  
11 Pennsylvania.