

COST AVOIDANCE VERSUS DISASTER CONSEQUENCES
The Airlines Industry's Financial Crisis

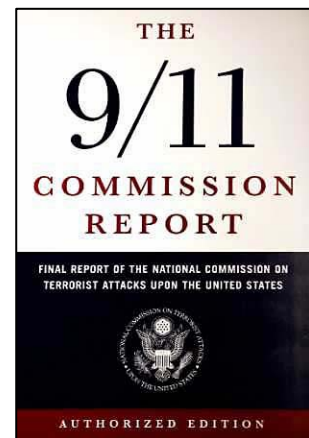
Billie H. Vincent

Synopsis

The author's thesis is that the 9/11 Commission failed to determine the root cause of the FAA's and U.S. airlines' development of a flawed follow-on security measure to the Computer Assisted Passenger Prescreening System (CAPPS). The CAPPS process identified as many as 10 of the 19 hijackers on September 11, 2001 as individuals who should have received special security scrutiny of their persons and carry-on property. They did not do so because of a flawed security process. The author asserts that this failure can be attributed to the politicization of the recommendations coming out of the Gore Commission in February 1997. He asserts that this failure can be attributed to the U.S. airlines' overwhelming influence through their ability to contribute tens of millions of dollars into the U.S. political system thereby garnering the influence to change, modify, delay or kill U.S. government actions to develop and implement appropriate aviation security measures. He further asserts that the airline opposition to these security measures were primarily based on avoiding costs associated with the security measures.

Introduction – U.S. 9/11 Commission Report Findings

Three Presidential Initiatives took place prior to 9/11 that declared the U.S. aviation security system to be flawed, recommended significant improvements, but failed to achieve the procedural changes needed to provide the protection needed. President Reagan's Vice President's Task Force on Combating Terrorism (February 1986 - chaired by then VP George Bush), President Bush's Commission on Aviation Security and terrorism (Report issued May 15, 1990), and the "Gore Commission" under President Clinton in late 1996 all found defects in aviation security that were not corrected in time to prevent 9/11¹. Following 9/11, the National Commission on Terrorist Attacks Upon the United States (frequently referred to as the 9/11 Commission) issued its report in July 2004². This makes the third Presidential-appointed commission dealing with aviation security in less than two decades.



¹ President Reagan's Vice President's Task Force on Combating Terrorism (February 1986), President Bush's Commission on Aviation Security and Terrorism (Report issued May 15, 1990) and the White House Commission on Aviation Safety and Security more commonly known as the "Gore Commission" under President Clinton (Report issued February 12, 1997).

² Official Report of the Commission – July 22, 2004.

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Vice President George H. W. Bush's 1986 study and the three Presidential appointed commissions were driven in-part or whole by attacks, or supposed attacks, against civil aviation. Just as promptly as these past studies and commissions reports were completed, parts of the government and the airline industry began their proclamations of support or opposition to many of the recommendations.

A number of the recommendations from the past studies and commissions were never implemented, some were partially implemented and a few actually became law, regulations or standard practices within the aviation community. However, after reading each of the 9/11 Commission's conclusions and recommendations one is left in wonderment with the repetition of the recommendations from each of the succeeding Commissions – haven't we done anything to improve aviation security in the past two decades?

Reviewing the recommendations from the Commissions is insufficient to determine the extent of the failure to properly address the vulnerabilities in the U.S. aviation security system over the past two decades. One has to also delve into the deliberations of these Commissions as well as other related studies and aviation industry activities. Some of these failures are addressed in the following sections of this paper. In all instances these failures are related to the financial aspects of the U.S. aviation security system.

Computer Assisted Passenger Prescreening System (CAPPS³)

I was pleasantly surprised to see the 9/11 Commission address the failure of the FAA's follow-on security measures for the CAPPS which was "designed to identify passengers whose profile suggested they might pose more than a minimal risk to aircraft,"⁴ and "a computerized prescreening system ... created to identify passengers who should be subject to special security measures."⁵

The Commission's Report noted that "Although the algorithm (CAPPS) included hijacker profile data, at that time only passengers checking bags were eligible to be selected by CAPPS for additional scrutiny."⁶ The Commission's Report mentions CAPPS on pages 1, 2, 3, 4, 84, 352, 386 (indirectly), 392, 393 and in some footnotes but in none of these instances does the Report delve deeply into the details of this abject failure of the U.S. aviation security system. This failure is a symptom of the U.S. Government's inability to envision and protect against new and emerging threats instead of its practice of continually "fighting the last war" against past threats. This was demonstrated by the FAA's millennium focus on the 1970/80/90s measures to prevent hijackings⁷ and out-

³ This was originally entitled "Computer Assisted Passenger *Profile* System" but *Profile* was changed to *Prescreening* to be politically correct in the highly-charged Washington, DC political arena.

⁴ 9/11 Commission Report, pg 84.

⁵ *Ibid.*, pg 1

⁶ *Ibid.*, pg 84

⁷ The FAA security officials apparently could not or did not visualize the potential for violence involved in the permissiveness of allowing 4 inch edged weapons through security screening points and onto airplanes.

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dated '80s and '90s security measures to protect against the introduction of bombs on airplanes at the time of the 9/11 attacks.

Accountability is at issue here and had the Commission really completed its job it would have addressed the origin of this failure by the FAA and U.S. airlines to implement proper and thorough security measures to carefully examine all CAPPs selectees and their carry-on articles. Accountability for this gross failure is necessary to understand what has to be done to prevent a recurrence of this failure. The 9/11 Commission did not fully address this system failure, leaving one wondering in puzzlement as to 'why'? Was it because of the time constraints placed on the Commission to complete its report, or was the failure more sinister, e.g. a deliberate act to ignore the fact that the inadequate CAPPs follow-on security measures could be traced back to political concerns of the 1996/97 Gore Commission? Or, did the staff or the Commissioners fail to realize the significance of the underlying reasons for the CAPPs inadequate follow-on security measures?

Given the discussion in the 9/11 Commission's Report on this subject in Chapter 11 *Foresight-and Hindsight* and in Chapter 12 *What to do? A Global Strategy* and the associated recommendations, it appears that the 9/11 Commission Staff (Commissioners also?) addressing the CAPPs follow-on security measures were well aware of its significance. The Commission's Report notes that "The FAA's capabilities to take aggressive, anticipatory security measures were especially weak. Any serious policy examination of a suicide hijacking scenario, critiquing each of the layers of the security system, could have suggested changes to fix glaring vulnerabilities --...searching passengers identified by the CAPPs screening system...."⁸

The Commission Report then noted that "CAPPs is still part of the screening process, still profiling passengers, with the consequences of selection now including personal searches of the individual and carry-on bags."⁹ This is the classic case of "closing the barn door after the horses have fled" It is not clear, however, that the Commissioners or the 9/11 Staff knew the history of the subject and the association with the Gore Commission.

Origin of U.S. Adoption of Computer Assisted Passenger Prescreening System

If the 9/11 Commission had delved deeply enough into the background of this failure, it would have discovered that the implementation of the CAPPs program was the outgrowth of a recommendation from representatives of U.S. airlines during the Clinton-era Gore Commission. CAPPs was one layer of what should have been a multi-layered aviation security system. It is an essential layer of the U.S. aviation security system as is the Full-Bag-Passenger Match process. Both of these layers and others are needed for an effective aviation security system.

⁸ Ibid., pg 352

⁹ Ibid., pg. 393, underscoring and italics added.

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The Gore Commission was named in August 1996 to address what was thought at the time to be the failure of the U.S. aviation security system to prevent the destruction of TWA Flight 800¹⁰. It subsequently turned out that TWA 800's destruction resulted from an explosion of fuel vapors in the center-line fuel tank and had nothing to do with terrorism.



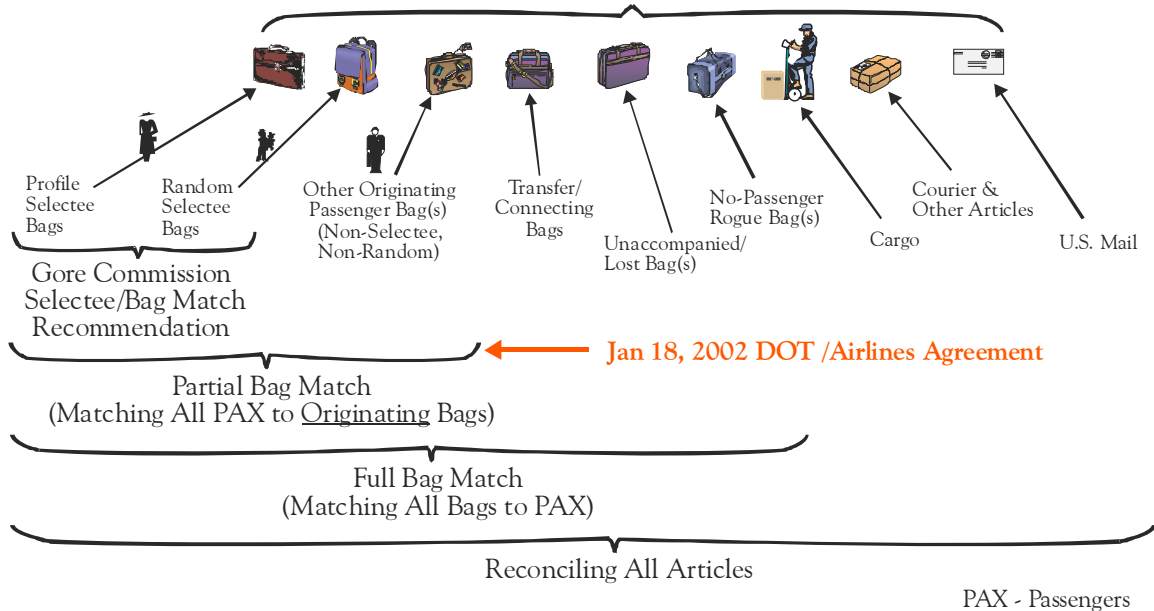
Cummock (file)

The sequence of events that led to the Gore Commission recommendation to adopt the CAPPS program began at the first meeting of the Commission attended by Vice President Gore. One of the 22 Commissioners, Ms. Victoria Cummock, lost her husband on Pan Am Flight 103 when a bomb that had been placed in a suitcase detonated killing all 259 persons on board the aircraft, plus 11 persons on the ground in Lockerbie, Scotland. A Libyan national was subsequently convicted of that act of terrorism. Ms. Cummock was acutely aware that the suitcase containing the bomb that destroyed PAA 103 was unaccompanied by any passenger.

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¹⁰ TWA Flight 800 was lost south of Long Island, New York on July 17, 1996.

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In the first meeting of the Gore Commission attended by Vice President Gore on September 5, 1996, Ms. Cummock convinced the Vice President to include in his press statement the Commission's intent to require U.S. airlines to conduct what was commonly referred to as a "Full Bag-Passenger Match". This meant that all baggage had to be matched to a passenger on-board the departing airplane. Should the passenger not be present, the bag(s) associated with that passenger had to undergo security screening prior to being loaded into the belly of the passenger aircraft. The presumption here was that a person boarding a plane was less likely to take baggage containing a bomb on board (unless suicidal) than if the baggage could be boarded independently.

Vice President Gore made his announcement to "Begin implementation of full bag-passenger match" on September 5, 1996. In the following days he was besieged by U.S. airline industry representatives urging the Clinton Administration to back-away from the intent to require a full-bag match.¹¹ The U.S. airlines claimed that they could not do a full-bag match and still maintain their on-time operations at their large domestic U.S. hub and spoke airports. The U.S. airlines' primary focus was on their on-time departures that would improve their financial well being – not security which cost them money. "Suddenly the Vice President was an advocate of partial bag match, a less expensive system that used computer profiles to identify the luggage of suspicious passengers who did not board the plane."¹² Shortly afterwards Vice President Gore sent a letter to the Air Transport Association¹³ stating:

"I want to make it very clear that it is not the intent of this Administration or of the Commission to create a hardship for the air transportation industry"¹⁴

"The day after Vice President Gore wrote his letter, the airlines started to contribute heavily to Democratic Party committees, such as the Democratic National Committee, which acts as an arm of the presidential campaign during election years. In the election's closing weeks, the airlines gave the Democratic Party \$585,000 – which was more than twice what the airlines gave the Democrats in a preceding 10-week period."¹⁵ Top airlines also reportedly contributed over \$6.58 million in soft money to Republican and Democrat issues from 1997 through 2000.¹⁶

As stated elsewhere¹⁷ U.S. airlines have had an overwhelming influence on the FAA's failure to develop and implement stringent security measures to protect U.S. aviation. To

¹¹ All international commercial airline operations have been required by the International Civil Aviation Organization (ICAO) to conduct a Full-Bag Match since April 1, 1989.

¹² *U.S. Aviation Security Before and After the September 11 Terrorist Attacks*, E. Marla Felcher, A report of the Century Foundation and Understanding Government, 2004, pg 41.

¹³ The Air Transport Association (ATA) is the airlines' principal lobby organization.

¹⁴ *U.S. Aviation Security Before and After the September 11 Terrorist Attacks*, E. Marla Felcher, 2004, pg 41. See also Public Citizen Report, October 2001, pg 9.

¹⁵ Public Citizen Report *Delay, Dilute and Discard: How the Airline Industry and the FAA have Stymied Aviation Security Regulations* – October 2001. See also *Center for Responsive Politics* and Walter V. Robinson and Glen Johnson, "Airlines fought security changes," *The Boston Globe*, September 20, 2001.

¹⁶ Public Citizen Report, October 2001, Appendix I

¹⁷ Public Citizen Report, October 2001.

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the degree that the airlines have been successful in thwarting the development and implementation of these security measures they have been their own worst enemies. Trans World Airline's demise can be attributed in part to the successful penetration of host country and TWA's own security measures in the Eastern Mediterranean in the 1970s and 1980s. Likewise Pan American Airways demise, which was already in serious financial trouble, was assured after the loss of PAA 103. Are we going to see the loss of another major U.S. airline as a result of a combination of factors, one of which was the failure to carry-out appropriate security measure on September 11, 2001?

Effectiveness of CAPPS Identity Process on 9-11

According to the 9/11 Report on pages 1, 2, 3 and 4, as many as eight of the nineteen hijackers on 9-11-2001 were CAPPS selectees.¹⁸ The Commission's Report actually states: "On 9-11, the 19 hijackers were screened by a computer screening system called CAPPS. More than half were identified for further inspection, which applied only to their checked baggage."¹⁹ The attack leader Atta was selected by CAPPS at the Portland, Maine airport.²⁰ The Commission Report notes "the only consequence of Atta's selection by CAPPS was that his checked bags were held off the plane until it was confirmed that he had boarded the aircraft. This did not hinder Atta's plans."²¹

The Report also states that "three members of his (Atta's) hijacking team –Suqami, Wail al Shehri, and Waleed al Shehri- were selected (by CAPPS) in Boston. Their selection affected only the handling of their checked bags, not their screening at the checkpoint."²²

Three of the Dulles International Airport hijacking team led by Hani Hanjour were selected by CAPPS (Hanjour, Khalid al Mihdhar and Majed Moqed). The remaining two members of the 5-person hijacking team, the Hazmi brothers, "were also selected for extra scrutiny by the airline's customer service representative at the check-in counter. He did so because one of the brothers did not have photo identification nor could he understand English, and because the agent found both of the passengers to be suspicious. The only consequence of their selection was that their checked bags were held off the plane until it was confirmed that they had boarded the aircraft."²³

The question these events raise is if these persons were CAPPS selectees "whose profile suggested that they might pose more than a minimal risk to aircraft."²⁴ and CAPPS was

¹⁸ 9/11 Commission Report - Footnote 2 in Chapter 1 *We Have Some Planes*, pg451 says "Ten out of the 19 hijackers (including 9 out of 10 on the two American Airlines flights) were identified via the CAPPS system."

¹⁹ 9/11 Commission Report pg 392. The supposed discrepancies in the numbers cited in the 9/11 Commission Report occurs because 8 of the 19 hijackers were actually CAPPS I selectees and two more were selected as CAPPS I selectees at random.

²⁰ Ibid., pg 1

²¹ Ibid., pg 1

²² Ibid., pg 2

²³ Ibid., pg 3

²⁴ Ibid., pg 84.

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“created to identify passengers who should be subject to special security measures”²⁵ then why weren’t they subjected to a full and thorough search of their bodies and their carry-on articles?

The answer is that the CAPPS identity program was adopted by the 1996/97 Gore Commission in lieu of a Full-Bag Match because the U.S. airlines opposed the domestic implementation of the Full-Bag Match program. When the FAA and the U.S. airlines implemented the follow-on security measures to the CAPPS profile identity system, they minimized its impact on the airlines by using it as a substitute to the Full-Bag Match. The FAA and the airlines only required a CAPPS selectee’s bags to be “matched” to the passenger or that the bag(s) be security screened before loading – no special search of the passenger or their carry-on bag(s) was required. Yet, these people were identified as persons “who should be subject to special security measures.”²⁶ Were the costs of implementing a full follow-on security screening process of any profile-selectee a consideration in limiting the extent of any security measures applied to a profile selectee?

The FAA and U.S. airline’s minimal implementation of the CAPPS follow-on security measures was without precedent. It was a “political solution” to a problem that the U.S. airlines claimed would be impossible to implement - the Full-Bag Match within the U.S. domestic commercial aviation system.²⁷ A subsequent study commissioned by the FAA revealed that the U.S. airline’s fears were not justified²⁸ – but the Full-Bag Match has never been implemented in the U.S. So, the question remains: why didn’t the 9/11 Commissioners address this issue in great depth; as their cursory examination of the subject clearly reveals that some of the hijacking teams could have been detected carrying box cutters or knives on their persons or in their carry-on bags? As CAPPS’ selectees, they should never have been allowed to carry edged weapons onto their flights regardless of the length of the blades.²⁹



According to the 9/11 Commission’s Report, “CAPPS is still part of the screening process, still profiling passengers, with the consequences of selection now *including personal searches of the individual and carry-on bags.*”³⁰ Yet, the Commission stops

²⁵ Ibid., pg 1.

²⁶ Ibid., pg 1.

²⁷ Public Citizen Report *Delay, Dilute and Discard*, Section C – *Security of Checked Baggage*, pgs 7-10.

²⁸ See FAA Study on Positive Bag Match - Arnold Barnnet, George Eastman Professor of Management Science Massachusetts Institute of Technology - 1997.

²⁹ According to FAA rules knives with 4 inch blades and less could be carried into sterile areas and onto airplanes, provided they were not “menacing.” However, according to the airlines’ checkpoint operations guide (COG) box cutters were prohibited.

³⁰ 9/11 Commission Report, pg 393 – italics added.

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short of specifically recommending the continuation of a CAPPS identity program.³¹ This is puzzling as it was one of the processes that actually worked on 9/11.

The CAPPS *identity*³² system in place on 9/11 was not perfect but identifying more than half of the 19 hijackers is an excellent system test of any profile system. Since 9/11 a considerable amount of U.S. Government resources have been expended in the pursuit of a new system entitled CAPPS II. Privacy advocates in non-governmental organizations have mounted a vigorous opposition to the supposed invasion of an individual's privacy that CAPPS II would engender. The Transportation Security Administration (TSA) has succumbed to the pressure from these privacy advocates and to pressure from the Congress, and has changed the name of the program to "Secure Flight". Presumably this change was to deflect criticism from the program by this euphemistic name change that implies safety versus a supposed invasion of one's privacy under the U.S. Constitution? Are we to accept the several privacy advocates opposition and eliminate a proven process "designed to identify passengers whose profile suggested they might pose more than a minimal risk to aircraft?"³³

9/11 Commission's Findings as it relates to U.S. Airlines and the FAA

It is quite significant that the 9/11 Commission's Report is short on data addressing the U.S. airlines' role in aviation security on 9/11. The October 2001 Public Citizen's assessment reports that the U.S. airline industry spent over \$62.8 million in lobbying activities from 1997 through 2000.³⁴ Public Citizen's Congress Watch October 2001 Report also labels the U.S. airline industry as "One of Washington's Most Powerful Lobbies."³⁵ A longtime FAA security official described the air carriers' approach to security regulation as "decry, deny and delay" and told the 9/11 Commission staff that while "the air carriers had seen the enlightened hand of self-interest with respect to safety, they hadn't seen it in the security arena."³⁶

A suicide hijacking was one of the possibilities considered by the FAA in 1999. "In early August 1999, the FAA's Civil Aviation Security intelligence office summarized the Bin Laden hijacking threat. After a solid recitation of all the information available on this topic, the paper identified a few principal scenarios, one of which was a 'suicide hijacking operation.' The FAA analysts judged such an operation unlikely, because 'it does not offer an opportunity for dialogue to achieve the key goal of obtaining Rahman'³⁷

³¹ Ibid., pg 393

³² CAPPS essentially has two parts 1) identifying potential persons of interest, and, 2) the screening of those persons and their associated articles.

³³ Ibid., pg 84

³⁴ Public Citizen Report: *Delay, Dilute and Discard: How the Airline Industry and the FAA have Stymied Aviation Security Recommendations* – October 2001 – Appendix D.

³⁵ Ibid pg 12-14.

³⁶ 9/11 Commission Report, pg 83

³⁷ Egyptian Sheik Omar Adel Rahman, also known as the "Blind Sheik," and nine others was convicted of seditious conspiracy on October 1, 1995 to bomb the United Nations building, an FBI building, the Holland and Lincoln tunnels, and the George Washington Bridge in 1993. Sheik Rahman is serving a life sentence in a U.S. Federal Prison.

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and other key captive extremists. A suicide hijacking is assessed to be an option of last resort.”³⁸ It is noteworthy that the FAA analysts, and apparently the decision makers as well, were incapable of thinking the “unthinkable” that someone would actually use airplanes in a suicide operation. In retrospect this failure to consider this possibility now seems bizarre given the predisposition of the radical fundamentalists to use suicide individuals as well as suicide car bombs in their attacks in the Middle East.

Previous FAA and Airlines’ Permissive Rules and Practices Concerning Carry-on Edged Weapons

The 9/11 Commission notes that “While FAA rules did not expressly prohibit knives with blades under 4 inches long, the airline’s checkpoint operations guide (which was developed in cooperation with the FAA) explicitly *permitted*³⁹ them.” The checkpoint operations guide (COG) did indeed permit knives with blades 4 inches and less except those considered to “pose a potential danger.” The COG provides the following guidance in a section labeled “Restricted”:⁴⁰

“GUIDELINES FOR ITEMS THAT MAY NOT PASS INTO THE STERILE AREA

Restricted articles items are things or substances that pose a potential danger. Even though they are not firearms or explosives, they are not permitted in the passenger cabin of an aircraft, i.e. (i.e. toy or replica gun, martial arts devices, swords, sabers or hunting knives, etc.) The supervisor must be notified if an item in this category is found.”⁴¹

It is well known among security professionals that small knives require a high degree of alertness and skill to find under normal X-ray examination, both in 1993 and today. All knives have been banned since 9/11 and new walk-through metal detectors have been purchased and deployed by the FAA/TSA⁴².

FAA July 1996 Baseline Working Group

The 9/11 Commission also states in the same paragraph “A proposal to ban knives altogether in 1993 had been rejected because small cutting implements were difficult to detect and the number of innocent “alarms” would have increased significantly, exacerbating congestion problems at checkpoints.” This last quote is footnoted⁴³ and the

³⁸ 9/11 Commission Report, pg 345

³⁹ Ibid., pg 84

⁴⁰ The use of “Restricted” here refers to items that should not be allowed into aircraft passenger cabins.

⁴¹ Checkpoint Operators Guide 7/94 words in capital letters are as shown in the COG.

⁴² While not perfect these new walk-through metal detectors are considerably improved today than in 1993 and recently developed software for some of these units are now available that offer even better discrimination and detection.

⁴³ 9/11 Commission Report, pg 476 footnote 57. See also *U.S. Aviation Security Before and After the September 11 Terrorist Attacks*, E. Marla Felcher, A report of the Century Foundation and Understanding Government, 2004, pg 51.

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reference is even more damning as it indicates that the FAA officials were fully cognizant of the danger these edged weapons posed to the safety of flight as early as the mid-1990s.



To the FAA's credit the Associate Administrator for Aviation Security convened the Aviation Security Advisory Committee and selected other persons into a Security Baseline Working Group to review the Government's aviation security measures. The Baseline Working Group had its first meeting on July 17, 1996 in Washington – ironically the same day that TWA Flight 800 exploded over the ocean south of Long Island a few hours later.

Apparently the Air Transport Association of America (ATA) considered the 1996 FAA Baseline Working Group an important endeavor because the ATA President and CEO, along with other ATA representatives, attended the first session on July 17, 1996. The FAA Baseline Working Group's subsequent deliberations in July and August overlapped the start of the Gore Commission. The work, findings and recommendations of the FAA's Baseline Study Group were provided to the Gore Commission. The Working Group did not address the vulnerability of permitting 4 inch or less edged weapons through airline screening points and onto aircraft.

Cost-Avoidance versus Disaster-Consequences

During the deliberations of the Gore Commission⁴⁴ in late 1996 and early 1997, one of the Commissioners, Ms. Victoria Cummock made the suggestion that \$4-\$5.00 per ticket, the price of a quick meal⁴⁵ at a fast-food outlet, be levied on passengers to support aviation security improvements. Mrs. Cummock's suggestion was roundly rejected by most of the other 21 Commissioners. Had this been adopted and the 9/11 attacks been prevented with better analysis of the potential threat and the implementation of more-comprehensive security measures, which is a huge assumption, the result of cost avoidance of the \$4-\$5.00 per passenger security charge would have been dramatic.

It has been variously calculated by differing organizations that the 9/11 terrorist attacks cost the U.S. economy \$639 billion through 2003⁴⁶. The impact on the world's economy is even harder to determine, but it is variously estimated to be between \$1 to 2 trillion or more. The cost of the \$4-\$5.00 levy for the years between the Gore Commission's

⁴⁴ President Clinton's *White House Commission on Aviation Safety and Security*, Executive Order 13015, August 22, 1996.

⁴⁵ Or, a quickie meal, as stated by Ms. Cummock at the time.

⁴⁶ The New York State Senate Finance Committee, GAO-02-700R, *Impact of Terrorist Attacks on the World Trade Center*, pg. 32.

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demise on February 12, 1997⁴⁷ and September 11, 2001, would have been approximately \$10.4 to \$13 billion. This is based on the number of revenue passenger enplanements of 2,559,028,000⁴⁸, or, for the benefit of this analysis – 2.6 billion passengers. The benefit cost ratio using these rough-order-of-magnitude figures would have been a startling 60 to 1, using the \$10.4 billion security assessment and the New York State Senate Finance Committee's \$639 billion estimate, or 154 to 1 using the \$13 billion security assessment and a cost consequence figure of \$2 trillion.

These are immediate short-term direct and indirect impacts of the 9/11 attacks. The medium- and long- term impacts, although highly uncertain, affect industries' capital bases. It has been estimated that the medium-term impacts will primarily affect five main areas: (1) insurance – an estimated increase in property and liability insurance rates of 30%; (2) airlines – a loss of 20% in the industry's relative value; (3) tourism and other industries associated with travel – relative equity values in hotels and leisure facilities reduced by 15%;(4) shipping – underlying transportation rates increased; and (5) increased defense/security expenditures⁴⁹.



In doing research on the cost-consequences of the 9/11 attacks, one is struck by the indefinite findings of the papers on the subject. Moreover, the further one recedes from the date of the attacks, the more uncertain the amount and extent of the cost-consequences become. As the 9/11 attacks get mixed with the already diminishing U.S. economy at the time of the attacks, as well other subsequent events such as the Severe Acute Respiratory Syndrome (SARS) outbreak in Southeast Asia, the more difficult it gets to accurately assess the extent of the impact of the attacks. In the end, one has to accept the fact that there is no satisfactory way to directly and accurately determine the full extent of the economic consequences of the attacks.

As unlikely as it seems, there are positive economic consequences as a result of the 9/11 attacks in that it created an increase in the security and defense industries' output in equipment, R&D, new technologies, increased security and defense employment, etc. One can just as easily argue, however, that these economic benefits, for the most part, are consequences that also add to the burden of the world's commercial environment through the increased cost of the production of goods, their transportation, etc. In any event, any

⁴⁷ Actually the calculations used are from September 1997 as it would take at least that much time, even on an expedited basis, for any assessment to have been passed into law by the Congress and signed by the President.

⁴⁸ Department of Transportation Bureau of Transportation Statistics, www.bts.gov/programs/airline_information/indicators/airtraffic/annual/1981-2001.html .

⁴⁹ Robert Looney, Economic Costs to the United States Stemming from the 9/11 Attacks, *Strategic Insight*, August 5, 2002.

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positive economic consequences are far out-weighted by the negative cost consequences of the attacks.

No scientific support for these figures is claimed, but the reader will get the point. Sometimes the choices we have are not pleasant, but there is no substitute for doing the job right the first time. This would appear to be the case in the checked baggage EDS system – we can gamble, as we have been doing in the years prior to the 9/11 attacks, or we can do the job right. In any event, the potential consequences are most unpleasant if we fail – particularly if we do so a second time.

One aspect of cost-consequence is that one never knows in advance what the ultimate price will be for not doing something. One can speculate on a worst-case scenario – but it is still speculation. In the failure to adopt Ms. Cummock’s suggestion to levy a \$4-\$5.00 fee for security on each passenger the calculation of the cost, including projections, is relatively easy.

One does not know in advance if the funding of additional security measures will prevent a disaster from occurring, or the consequences of a disaster if it does occur. This was the case in Ms. Cummock’s suggestion regarding a full-bag/passenger match program and in the suggestion to impose a \$4-\$5 levy on passengers to fund additional security measures. Clearly, however, in the case of the failure of the CAPPS follow-on security measures the U.S. missed a major opportunity to prevent some of the hijackings on 9/11. In this instance, the consequences were horrendous – will the next consequence be the result of a chemical, biological, nuclear or a radiological dispersal device (RDD - a dirty bomb)?

Psychological Consequences

The monetary costs are not the only thing at issue. The psychological loss the U.S. suffered as a nation, and similar losses to other nations as a result of the vulnerabilities exposed are incalculable – but real. It takes decades for a nation to establish a sense of invulnerability and, although the U.S. had breaches in its aviation security system, it was looked on as relatively terrorist-proof – that is until this myth was destroyed on 9/11. This sense of invulnerability was in itself a level of protection, and many of the U.S. adversaries believed it as well. But many of the professionals in the aviation security system knew its “warts” and were not as sanguine about its invulnerability.

The U.S. failure to prevent the 9/11 attacks, or to prevent a part of them, empowered its adversaries. It now appears that individuals and groups with like-minded views were emboldened and may attempt to attack the U.S. in the future, something that they would never have considered doing so absent the successful 9/11 attacks. The U.S. is still addressing these potential adversaries, and will probably have to contend with a halo effect for decades. All of this is because the U.S. was not vigilant enough to ban the admission of “edged weapons” on commercial airplanes. As the saying goes:

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*“for the want of a nail the horse shoe was lost, for the want of a shoe the horse was lost, for the want of the horse the rider was lost, for the want of the rider the message was lost, for the want of the message the battle was lost, for the want of the battle the war was lost, for the want of the war the kingdom was lost, and **all for the want of the horse shoe nail.**” Benjamin Franklin*



What better symbolism than that of 9/11 – *for the want of a security system that detected and prevented the use of **4 inch blades**, etcetera, etcetera.*



Once a major breach occurs in an otherwise vaunted system, it is nearly impossible to re-establish the sense of invulnerability. The U.S. is now in that position of trying to re-establish our supposed invulnerability and protection against bombings as one of the key defensive areas. The U.S. cannot afford to fail, given the horrendous impact a second failure would have on the U.S. and the world aviation community.

9/11 Commission Failure to Address Root Causes for Screening Failures

So, why didn't the 9/11 Commission grasp the significance of the underlying failure of the CAPPs follow-on security measures? One possible explanation is that to deal with the basic underlying cause for this failure the 9/11 Commission would have had to indict the U.S. political funding system. This would have struck a blow at the very heart of the “bi-partisan” Commission's deliberations; and the Congress, the Administration, and local, state and municipal U.S. political funding systems. The old adage of “follow the money” to the source of the problem certainly appears to apply here.

If the Commission, or the Commission staff, did have knowledge of the underlying cause of the CAPPs follow-on security measures, why didn't they tackle this problem? If they did not know the underlying cause, then the bigger dilemma is “why not”?

FAA - A Weak Regulator and Enforcer

The Commission reports that “The FAA's capabilities to take aggressive, anticipatory security measures were especially weak.”⁵⁰ This finding, coupled with its statement that “each layer relevant to hijacking – intelligence, passenger prescreening, checkpoint screening, and onboard security – was *seriously flawed* prior to 9/11”⁵¹ is particularly damning. Ironically, President George H. W. Bush's Commission on Aviation Security and Terrorism (August 4, 1989) also found “the U.S. civil aviation security systems is

⁵⁰ 9/11 Commission Report, pg 352.

⁵¹ 9/11 Ibid., pg 83 italics added.

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seriously flawed and has failed to provide the proper level of protection for the traveling public. This system needs major reform.”⁵²

Congress, the Administration and the Airline Industry

An earlier reference was made to the amount of money that permeates the political system from the aviation industry, e.g. \$62.8 million in lobbying from 1997 through 2000. The influence of this major infusion of monies into the U.S. political system cannot be underestimated. The airline industry is fully justified in seeking to protect its interests but it has no counter-balancing organization that has equal amounts of money for lobbying purposes. Consumer advocates usually have few funds in which to garner influence on subjects of interests and are completely overwhelmed in any contest with the U.S. airlines.

Ms. E. Marla Felcher outlined the money flowing into the political system in a unique manner in her report *U.S. Aviation Security Before and After The September 11 Terrorist Attacks*, The Century Foundation, 2004. In her report whenever she mentions a member of Congress, she includes the amount of money that politician accepted from the air transport industry within a defined period. It is instructive to read her report for this reason alone – it is also a good report on the happenings before and after 9-11. Public Citizen’s *Delay, Dilute and Discard: How the Airline Industry and the FAA have stymied Aviation Security Recommendations* – October 2001 is also very revealing in both the amount of monies spent in lobbying in the aviation industry as well as the problems in securing good security practices.

Conclusions

Based on the 9/11 Commission Report we had as many as 10 opportunities⁵³ to detect the 9/11 terrorists carrying edged weapons either on their persons or in their carry-on articles.

Based on the 2004 release of CCTV recordings from the Washington Dulles International Airport on September 11, 2001, three of the five hijackers of American Flight 77 alarmed the primary metal detector at the Washington Dulles International Airport. These three hijackers were then subjected to a secondary walk-through metal detector screening. Two of these three hijackers alarmed the secondary metal detector, one at the thigh level and the second at the ankle level indicating the presence of metal.

The 9/11 Commission Report states that they “asked a screening expert to review the videotape of the hand-wanding, and he found the quality of the screener’s work to have been ‘marginal at best.’ The screener should have ‘resolved’ what set off the alarm; and in the case of both Moqed and Hazmi, it was clear that he did not.”⁵⁴ I have personally viewed those tapes and I concur with this analysis – it was clearly inadequate.

⁵² President’s Commission on Aviation Security and Terrorism, August 4, 1989, Executive Summary, pg. i. italics added.

⁵³ 9/11 Commission Report, pg 451, footnote 2.

⁵⁴ Ibid., pg 3

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9-11 Hijackers at Dulles Airport Passenger Screening Point



As the saying goes: "For of all sad words of tongue or pen, the saddest are these: 'It might have been!'"⁵⁵. We are facing that dilemma now, i.e. if the FAA and the U.S. airlines had stipulated the proper follow-on security measures for CAPPs selectees, as is reportedly being done now,⁵⁶ and the security screeners at the Washington Dulles, Newark and Boston International airports, and at the Portland Maine Airport, had done a thorough job of screening of these selectees, at least some of the edged weapons should have been detected.

⁵⁵ American Poet and abolitionist John Greenleaf Whittier (1807-1892).

⁵⁶ Ibid., pg 393

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Any detection of selectees carrying edged weapons, or any other kind of weapon, should have been cause for confiscating those weapons. Additionally, if any of these weapons appeared to have been “artfully concealed”, e.g. taped to a thigh or ankle, would have warranted the intervention of law enforcement and the detention of the individual(s). Given the alarms on the thigh of one of the hijackers on the video tape of the screening point at Washington Dulles International Airport, and the alarm at ankle level of another of the hijackers at Washington Dulles, it is entirely possible that they had taped the weapons to their legs. Detection of any artfully concealed weapons would have set off all sorts of alarm bells at the airports where this was discovered.

If the CAPPS follow-on security measures had included “personal searches of the individual and carry-on bags,”⁵⁷ AND the screeners conducting selectee screening had carefully and thoroughly done their jobs⁵⁸ – then as many as two or three of the four hijackings may have been prevented. I make this conclusion on the basis that if the hijackers had been stripped of their weapons and were still permitted to board the aircraft,⁵⁹ it is highly unlikely that any of the terrorist teams would have proceeded with their plans. Was Atta confirming their plans to continue with the hijackings after successfully clearing the Portland and Boston Airport’s security screening checkpoints when he took a call from Marwan al Shehhi at 6:52 AM, a member of the other Boston Airport hijacking team (United Flight 175)?⁶⁰

Summary

More than 18 years have passed since the completion of Vice President George H. W. Bush’s *Task Force on Combatting Terrorism* and over 14 since the issuance of President George H. W. Bush’s *Commission on Aviation Security and Terrorism*. President George H. W. Bush’s Commission and now the current 9/11 Commission reached some of the same conclusions – so what have we been doing in the almost 15-year interval? Isn’t it time to get serious about aviation security? Are we doing so when we back away from developing and implementing protection measures such as CAPPS II⁶¹ because of dubious privacy issues? Isn’t it time that we select some hard courses instead of mucking around with “feel good measures” that have all sorts of political implications?

In the dark hours of the Blitz on London, Sir Winston Churchill said to the British people, “this is our finest hour.” In the days, weeks and months following the 9/11 attacks our political leaders were tripping over one another to get their 10 seconds of fame on a TV newsbyte by wringing their hands and saying how “no one could have anticipated that hijackers would use airplanes as fuel-air bombs”. It apparently escaped their logic that

⁵⁷ Ibid., pg 393

⁵⁸ Ms. Cummock’s suggestion of a \$4-\$5 levy to increase security measures may well have resulted in additional training and supervision of the screening staff that could have resulted in improved application of security screening measures.

⁵⁹ The author assumes here in this instance that if the weapons were not artfully concealed and the terrorists had a plausible explanation for the edged weapons and there was no other reason for suspicion then the individuals may have been permitted to continue their flights after confiscation of the weapons.

⁶⁰ 9/11 Commission Report, pg 1.

⁶¹ Recently changed to *Secure Flight* – once again a change for political correctness.

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they did not have to anticipate *what hijackers would do with commercial airplanes – they only had to prevent hijackings*. The excuse given was an oxymoron statement yet the Administrator of the FAA repeatedly used it as well as some of the President's key advisors.

Given our post 9/11 actions, particularly during the past several months, are we once again headed for *disaster consequences* as we pursue *cost avoidance and political correctness*?

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I am indebted to a number of persons that have provided their knowledge and expertise, useful comments, critiques, suggestions for improvements, etc. to this paper. Notable among these persons are Scott Ward and Dr. Al Cook. I, however, am solely responsible for the contents, any errors, and any critical judgments of individuals and/or organizations