

September 7, 2010

The Hon. Joseph Lieberman, Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Senator Lieberman,

We are writing to urge you and your colleagues on the Senate Committee on Homeland Security and Governmental Affairs to convene a public hearing to review the government's deployment of whole-body scanners at passenger security checkpoints in US airports.

The Department of Homeland Security (DHS) and Transportation Security Administration (TSA) have disregarded serious questions concerning the devices' effectiveness, privacy safeguards and potential health impacts and have continued to purchase and install scanners at US airports. According to *The New York Times*, the TSA expects to install scanners at 2200 security checkpoints in 450 airports within two years. The tide of upset by the traveling public will only increase as their experience and knowledge about these machines increases.

Safety Issues:

Medical and science experts have registered their unease with the potential health risks associated with the backscatter X-ray scanner, which emits low doses of radiation. On April 6, 2010, a group of distinguished scientists at the University of California-San Francisco wrote to Dr. John Holdren, President Obama's science adviser, urging a more rigorous review of this technology citing the absence of any real, independent safety data.

The letter noted that the media (and TSA) has misleadingly compared the backscatter's radiation dose as equal to the exposure one gets from in-flight air travel. However, the scientists explain that while airplane flight exposure is a whole-body exposure, the backscatter technology targets the skin and adjacent tissue, and thus the real radiation dose to the skin is higher than stated. The scientists cite potential harm to pregnant women, women genetically vulnerable to breast cancer and those with compromised immune systems.

Dr. David Brenner, director of Columbia University's Center for Radiological Research, has cautioned using a technology that would expose millions of air travelers to radiation. Dr. Brenner was a member of the 2002 government panel that set radiation safety guidelines for the airport scanners. He now says he would not have signed the report if he had known that TSA planned to X-ray virtually every airline passenger.

Last month, three US Senators, including ranking minority committee member, Susan Collins, sent a letter to DHS Secretary Janet Napolitano and TSA Administrator John Pistole urging them to examine the health impacts of the backscatter scanner on air travelers and airport workers. The letter also asked why the agencies continued to buy and install these controversial devices when legitimate questions about their safety have already been brought to their attention and remain unanswered.

Civil Liberties Issues:

A broad coalition of privacy, civil liberties and religious groups object to body scanners arguing that they are uniquely intrusive and unreasonable and that they constitute an unconstitutional search. The Electronic Privacy Information Center (EPIC) has sued the DHS to stop the deployment of scanners at airports. Moreover, although the TSA has said it will not retain images of scanned passengers, documents obtained by an EPIC FOIA revealed that the TSA required that scanners have the ability to store, record and transfer detailed images of naked air travelers.

Also, other documents obtained by EPIC as well as news reports, indicate that the TSA is not actually giving air travelers an alternative to the body scanners. Pregnant women, young children, those with strong religious beliefs, immunocompromised individuals, i.e. HIV and cancer patients, and others are routinely forced by the TSA to go through these devices.

Effectiveness Issues:

Many security experts have concluded that scanning devices can be easily defeated by concealing explosives in body cavities. A March 2010 GAO report concluded that it was unclear whether scanning devices would have detected the explosives hidden in the underwear of a man who tried to blow up a Detroit-bound airplane last Christmas.


The TSA has made costly errors in the past concerning new security technologies. The "puffer" security devices were canceled at a cost of \$30 million after the TSA concluded that they were unreliable. Aren't there lessons for the TSA and Congress from that costly and inconvenient experiment?

The potential harm to public health, risks to our civil liberties and questionable effectiveness of whole-body scanners require that the Homeland Security Committee hold rigorous hearings to review these issues.

Sincerely,



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