

United States Senate

WASHINGTON, DC 20510

June 20, 2005

The Honorable David M. Walker
Comptroller General
U.S. Government Accountability Office
441 G. Street, NW
Washington, DC 20548

Dear Mr. Walker:

We are writing to follow-up on the Government Accountability Office's (GAO's) March 2005 Report assessing the Secure Flight aviation passenger screening program, pursuant to the directives and criteria outlined in the Department of Homeland Security Appropriations Act of 2005 (Act). That Act prohibited the Department of Homeland Security (Department) and the Transportation Security Administration (TSA) from using funds for the Computer Assisted Passenger Prescreening System (CAPPS II), Secure Flight or any other successor aviation passenger screening programs until GAO reported that the ten milestones had been met.

It is critical that the nation have a passenger screening program that accurately and effectively identifies and precludes terrorists from our airways, while also protecting privacy and civil liberties. GAO has long played a critical role in assessing the effectiveness and impacts of this effort as it has developed, and the March report was an important and helpful evaluation of the progress on Secure Flight. Importantly, the report noted that, while the Department and TSA are making progress, they have not yet achieved nine out of the ten milestones outlined in the Act, and additional information would be needed to assess fully the status of the program. In addition, key program decisions including what data Secure Flight will use to operate and how connectivity between air carriers and TSA will be achieved to transmit data have not yet been made.

Given DHS and TSA's aggressive development and testing schedule for Secure Flight, and plans to achieve initial operational capability with two air carriers in August 2005, we believe that continued oversight of the program is necessary to help ensure the system is appropriately developed and tested, achieves the desired functionality, and ultimately is successful in identifying passengers who may pose a threat to commercial aviation.

In an effort to continue to monitor DHS and TSA's progress in developing and implementing a prescreening system for domestic passengers, we request that GAO continue to assess all of the ten factors identified in Section 522 of Public Law 108-334, and specifically assess the following questions related to the Secure Flight program:

- 1.) What is the status of Secure Flight's development and implementation?
- 2.) What factors could influence the effectiveness of Secure Flight?

3.) What procedures have been put in place to oversee and manage the Secure Flight program?

4.) What efforts are being taken to protect passenger rights?

In answering these questions, GAO should address the key areas of congressional interest that it has previously reported on related to Secure Flight, including whether DHS and TSA have met the previously unachieved nine milestones outlined in the Act.

Thank you for your continued attention to this important matter. If you have any questions regarding this request, please contact Ken Nahigian at 224-0203 or Gael Sullivan at 224-9512.

Sincerely,

Bob Sturgeon

Ally

Judd Goss

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Patrick Leahy

Jay Byrnes