



**AVIATION/AIRPORT SECURITY**

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## **AVIATION/AIRPORT SECURITY**

### **INTRODUCTION**

Prior to 11 September 2001, most Canadians – and citizens of most countries – felt that aviation was a safe mode of travel. Canada has been relatively free of hijackings, security breaches and terrorist attacks.

Since 11 September, the security environment has changed. We are now faced with designing a security system that contemplates terrorists who are willing to give up their lives during an attack.

In a relatively short time, a number of actions have been taken in both Canada and the United States to enhance aviation security in North America. These have focussed on more federal involvement in security, enhanced information gathering and sharing, and increased use of technology in aviation security systems.

### **UNITED STATES INITIATIVES**

In response to the events of 11 September, the U.S. Federal Aviation Administration (FAA) instituted increased security procedures for airports and air carriers.

#### **A. Increased Airport Security Measures**

##### **1. Law Enforcement Officers**

- Posting National Guard personnel at security screening checkpoints and other points in airports; and
- Using additional uniformed law enforcement officers to patrol boarding areas at major airports.

## **2. Restricted Areas**

- Reducing the number of access points to secure areas (e.g., airport gates);
- Requiring guards at each vehicle access point;
- Requiring stringent verification of persons and vehicles seeking access to restricted areas; and
- Conducting additional identification checks within restricted areas.

## **3. Terminal Security**

- Enhancing terminal surveillance to detect explosive devices (the use of explosives detection teams) and restricted weapons (e.g., knives).

## **4. Pre-Boarding Checks**

- Conducting positive identification checks of all passengers and random searches immediately before boarding.

## **5. Checked Bags**

- Increasing the use of explosives detection systems at major airports; and
- 100% checked baggage screening.

## **6. Aircraft/Crew/Service Personnel**

- Enhancing security checks of aircraft prior to their entering service each day; and
- Inspecting crew and service personnel identification.

## **7. Cargo**

- Prohibiting all cargo on passenger aircraft that has not been accepted from a “known” shipper.

## **8. Catering**

- Requiring a direct air carrier employee (or a representative who is not a catering employee) to monitor all catering activities or search and inspect all catering carts.

## **B. Increased Air Carrier Security Measures**

### **1. Federal Air Marshals**

- Increasing the use of Federal Air Marshals on flights.

### **2. Checkpoints**

- Allowing only ticketed passengers in the sterile areas;
- Restricting the type and amount of carry-on items; and
- Increasing the use of explosives detection systems at checkpoints.

### **3. Employees**

- Revalidating all airport identification cards and comparing employee names against the FBI Watch List.

## **C. Legislation**

In addition to these initiatives, the United States also passed legislation to provide for even more improvements to security. In November 2001, Congress passed the *Aviation and Transportation Security Act*, which provides for an Undersecretary of Transportation for Security, a Transportation Security Administration within the U.S. Department of Transportation, and a Transportation Security Board. In addition, the legislation mandates that all screeners at airports be federal employees, that all checked baggage be screened and that a passenger fee be levied to cover the costs of screening.

## **CANADIAN ACTIONS**

Canada's response to 11 September has also centred on enhanced security initiatives and new legislation. In terms of enhanced security, the Minister of Transport announced a series of security measures including:

- Locking and reinforcing cockpit doors;

- Accelerating the purchase of advanced explosives detection systems for use at Canadian airports; and
- Increasing Transport Canada's oversight of screening procedures and security measures at airports.

#### **A. Legislation**

The government has brought forward three pieces of legislation that deal with transportation security. These are:

- *An Act to Amend the Aeronautics Act* (Bill C-44) – this Act, which was passed in December 2001, allows the Government of Canada to provide the United States with information on passengers and crew members entering the United States on flights from Canada. This amendment was needed to comply with the requirements contained in the U.S. *Aviation and Transportation Security Act* passed in November 2001; that Act requires that information on passengers and crew flying into the United States be provided to the U.S. government prior to the flight's landing in the United States. Information that is required includes the full name of the passengers and crew, date of birth and citizenship, passport number and country of issuance, and any other information that is reasonably necessary to ensure aviation safety.
- The proposed Public Safety Act, 2002 – introduced in the House of Commons on 29 April 2002, the legislation retains key elements of Bill C-42 (introduced on 22 November 2001 and withdrawn on 24 April 2002) and incorporates a number of improvements, including the facilitation of parliamentary review by providing a single, integrated bill. Additional improvements to the Act include:
  - Further defining and circumscribing the power of the Minister of National Defence to establish Controlled Access Military Zones, and of ministers to use interim orders in emergency situations;
  - Providing comprehensive parameters for new terrorist hoax offences;
  - Providing strong measures to ensure accountability and transparency;
  - Improving the capacity of federal departments and agencies involved in anti-terrorism and national security activities to share critical information and co-ordinate their work; and

- Providing for the smooth flow of information between Canada and its international partners, particularly the United States, in order to prevent terrorist activity and protect public safety.

Elements of the original Bill C-42 that are retained in the new Bill include:

- The clarification, and in some cases strengthening, of existing aviation security authorities (e.g., allowing the government to establish restricted areas within airports and aircraft);
  - Deterring unruly passengers (commonly known as “air rage”) by making it an offence to engage in any behaviour that endangers the safety or security of a flight or person on board;
  - Requiring air carriers or those operating aviation reservation systems to provide basic information on specific passengers or flights when it is needed for security purposes;
  - Establishing tighter controls over explosives;
  - Providing for control over the export and transfer of sensitive technology;
  - Providing job protection for reservists called for emergency service;
  - Preventing unauthorized use of or interference with Department of National Defence computer systems; and
  - Deterring the proliferation of biological weapons.
- The *Budget Implementation Act, 2001* – under this Act, and as part of the December 2001 Budget, the government is establishing a new Canadian Air Transport Security Authority responsible for the provision of key air security services.

## **B. Parliamentary Action**

### **1. House of Commons Standing Committee on Transport and Government Operations**

In October–November 2001, the House of Commons Standing Committee on Transport and Government Operations undertook a study on aviation security and produced a report entitled: *Building a Transportation Security Culture: Aviation as the Starting Point*. The report identifies the major aviation security issues and makes recommendations to further augment aviation security in Canada. Key elements of the report are highlighted below.



### **a. Delivery of Transportation Security**

- The Committee believed that there was a need for a single agency with overall responsibility for aviation security, and therefore recommended that the federal government enact a Transportation Security Act establishing a Secretary of State for Transportation Security. This would provide a single entity with responsibility for aviation security that could implement a national system that would be consistently applied and administered across Canada.

### **b. Tools to Enhance Aviation Security**

- Information gathering and sharing – during its study, the Committee received extensive testimony stating that intelligence gathering and sharing was one of the most important tools in enhancing aviation security. To date, while a number of organizations (e.g., the RCMP, CSIS, INTERPOL) collect information on “individuals of particular interest,” this information tends to be kept “in house” and is not shared among countries or even among the country’s own agencies. The Committee recommended that the government develop a national security database that could be used to share information among security agencies within Canada as well as on an international basis.
- Passenger and baggage screening – one of the most contentious areas in the security field has been passenger screening. A great many concerns were raised before the Committee on this issue, including the low wages paid to screeners, on-the-job boredom, a lack of adequate training, and inconsistency of screening procedures across the system. The Committee recommended that screening standards be dramatically upgraded, enhanced training for screeners be initiated and the latest screening technologies be implemented.
- On-board security – a significant issue that the Committee dealt with was the use of armed air marshals on Canadian flights. Air marshals are required for Canadian flights into Reagan National Airport, in Washington, D.C., as mandated by the United States. As a result, the RCMP has instituted an air marshal-training program, and marshals are used on Canadian flights on a random basis. In addition to these measures, the Committee recommended that cockpit doors be reinforced and that enhanced training be instituted for flight attendants to enable them to cope better with on-board threats of terrorism.
- Training – throughout the Committee’s hearings, witnesses stressed the need for standardized training across the system for personnel directly involved in security functions such as baggage and passenger screening. The Committee recommended that national training standards be established for aviation security personnel.
- Security culture – the Committee concluded that the key to developing a secure aviation system is to create a “security culture” whereby everyone – aviation personnel, passengers, government and all Canadian citizens – are concerned with security issues.

## **2. Canadian Air Transport Security Authority (CATSA)**

On 28 March 2002, the Minister of Transport announced the creation of the Canadian Air Transport Security Authority (CATSA). It was established through the *Canadian Air Transport Security Authority Act*, which received Royal Assent on 27 March 2002 as part of the *Budget Implementation Act, 2001*. The new Authority came into effect on 1 April 2002.

The new Authority assumes responsibility for:

- Pre-board screening of passengers and their belongings;
- The acquisition, deployment and maintenance of explosives detection systems (EDS) at airports;
- Funding for airport policing related to civil aviation security;
- Funding for an expanded program of armed RCMP officers on board aircraft; and
- Development of a certification program for all screening officers based on criteria that are at least as stringent as those prescribed in Transport Canada regulations and standards.

A fee of \$12 per one-way passenger will be used by the Authority to pay for screening, explosives detection systems, policing and an expanded RCMP air marshal program.

The authority is a federal Crown corporation that reports to the Minister of Transport and is regulated and monitored by Transport Canada. The government will appoint 11 members to the Board of Directors for terms of up to five years, with the Board selecting the Chief Executive Officer. CATSA employees, not being public servants, will be federally regulated under the *Canada Labour Code*.

## **3. The Future**

The measures taken by the federal government with regard to aviation are seen as the first step in an ongoing series of initiatives to enhance transportation security. Transport Canada is undertaking a review of all transportation modes to ensure that appropriate security measures are in place. It is also examining ways to enhance existing security levels to further improve the safety and security of Canada's transportation system.