

Police State USA: Building Public Acceptance for Airport Body Scanners

Schumer's scanner bill is an effort to make Americans "more comfortable" with being controlled

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Senator Charles E. Schumer (D-NY) [has introduced legislation](#) criminalizing the distribution or recording of revealing images taken by airport full-body scanners. Violators would be subject to penalties of up to a year in prison and fines up to \$100,000, or both. Although the Transportation Security Administration (TSA) has said that images cannot be stored, transmitted, or printed and are deleted after being reviewed, it did admit in [a February 2010 letter to House Homeland Security Committee Chairman Bennie Thompson](#) (D-MS) that the machines have some capability to store, print, record and export images "for testing, training, and evaluation" that is done at facilities away from airports.

Further, the US Marshall's Service admitted last summer in [a letter to the Electronic Privacy Information Center](#), in response to a Freedom of Information Act request, that it had saved over 35,000 images recorded with a Brijot Gen 2 scanner at a security checkpoint of an Orlando, Florida courthouse. The letter also stated that "the USMS also tested a Millivision machine in the Federal Courthouse in the District of Columbia. However, that courthouse is no longer using the machine, which has been returned to Millivision; **any images that may have been stored on that machine are therefore no longer under the agency's control.**" (emphasis added).

Senator Schumer's bill is yet another attempt by the government to assure people that this invasion of privacy is really not that serious and is outweighed by the need for greater security at airports. But the legislation misses many important points in the public's objection to "naked" scanners.

1) The fact that there is a law in place does not mean that everyone will obey it. If some images are saved and distributed, irreparable harm will have been done to the victims, and the harm will not be undone by punishing the wrongdoers. Once on the Internet, a victim's image will stay there forever. It can be copied and distributed wholesale. Imagine the image of a child being distributed to online pedophiles. On one hand, the government professes to want to stamp out online child pornography and on the other hand, it seems to provide an avenue for kiddie porn with these "naked" scanners. The TSA's letter to Congress does not indicate that images of mannequins are used to test, train and evaluate. So members of the public might have their images viewed for purposes other than pre-flight security screening, albeit away from the airport setting. Do you feel any better knowing that your image will not be distributed by a TSA airport employee but it might be viewed elsewhere?

2) These "naked" scanners proliferated after an alleged terrorist hid bomb-making

chemicals in his underwear. He could have eluded detection by these scanners because they miss thin plastics and certain types of liquids and powders. So people are being expected to give up their privacy and dignity for security theater. I know that the Fourth Amendment right to security of your person and effects against unreasonable search and seizure has been greatly eroded for decades, and even more so after 9-11, but for a judge to rule that a person at the airport has no reasonable expectation of not being sexually assaulted or viewed naked would be insane. Not impossible, just insane. Does the Schumer bill give cover (pun intended) to that kind of insane court ruling? It would not surprise me if a court ruled that the government's interest in security outweighs your privacy interest because it's against TSA policy and, if the Schumer bill passes, the law, to store and distribute your naked picture. Exposure to just a few peeping toms at the airport is a small price to pay for "safety." At least six lawsuits have been filed against the TSA since enhanced pat-downs were started, the latest by [two Harvard law students](#).

3) We are always fighting the last war. What happens if a terrorist puts the explosives up his butt to detonate in the airplane lavatory? Will we then be subject to cavity searches before boarding a plane? What if a terrorist blows him or herself up on the line before the scanner? That will be just as deadly during a holiday travel season or a weather delay that keeps people packed in at the airport as a bomb on board a plane. What good would scanners be then?

4) Why isn't cargo on passenger planes being as closely inspected as the people? Is it because TSA employees do not have a prurient interest in boxes? Or does [Michael Chertoff](#) not have a profit incentive to promote cargo scanning?

5) Why are we subjected to this humiliation when the Israelis, surely the most security-conscious people in the world, do not use these methods? The ultra-orthodox religious parties in the Knesset would not stand for such indignities and would bring down any Israeli government crazy enough to try to implement them.

That last question has an answer even more important than the dollars to be made for sales of scanners to airports, federal buildings, and eventually corporate facilities such as banks, malls, and stadiums. This is all about control. We are being programmed to open ourselves up for inspection by government (and corporate) agents to go anywhere or do anything. We are being brainwashed into believing that we should be afraid of everyone and everything around us, that the corpo-government intrusions are all "for our safety" and that if we balk, we are either foolish or have something to hide.

Unfortunately, as this New York Daily News online poll demonstrates, too many of the American sheeple have bought into the programming.

Poll Results

Thank you for voting.

Would the proposed law make you feel more comfortable with full body scans?

Yes. I think it's a good step.

62%

No. It's still too invasive.

35%

I'm not sure.

4%

Poll results as of approximately 4:20 pm PST, on Wednesday, December 8, 2010, when I voted NO.

Recently, frequent flyer and peace activist [Cindy Sheehan wrote about her experience](#) at airports:

Every time a TSA operative asks me if he or she can "take a look in my bag," I say: "Sure, if you can show me a warrant." I cannot say how many times a fellow traveller has proclaimed: "It's for your own safety!"

Really? Are we to presume that Cindy does not know what is in her own bag, and needs a TSA snoop to search it for **her** own safety?

Rep. Ron Paul (R-TX) has introduced The American Traveler Dignity Act, **HR 6416**, which states:

To ensure that certain Federal employees cannot hide behind immunity.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NO IMMUNITY FOR CERTAIN AIRPORT SCREENING METHODS.

No law of the United States shall be construed to confer any immunity for a Federal employee or agency or any individual or entity that receives Federal funds, who subjects an individual to any physical contact (including contact with any clothing the individual is wearing), x-rays, or millimeter waves, or aids in the creation of or views a representation of any part of a individual's body covered by clothing as a condition for such individual to be in an airport or to fly in an aircraft. The preceding sentence shall apply even if the individual or the individual's parent, guardian, or any other individual gives consent.

In [the speech Rep. Paul gave on the floor](#) of the House when introducing HR 9416, he said:

...what we're doing and what we're accepting in putting up with at this airport is so symbolic of us just not standing up and saying, "Enough is enough"....we have to realize that the real problem is that the American people have been too submissive, we have been too submissive. It's been going on for a long time....You know, the way I see this; if this doesn't change, I see what has happened to the American people is we have accepted the notion that we should be treated like cattle...

The fact that control is what's really at stake means that terrorism (or the appearance of or threat of terrorism) is the government's ally. A government that wants rigid control of its people and that uses the treat of terrorism as a control mechanism really has no incentive to end the true causes of terrorism, such as the illegal wars and occupations in which it engages. As the people get more and more disgusted with endless war, bailouts and tax breaks for the super-rich while the rest of us are unemployed and foreclosed upon, radiation and sexual assault at the airport and the closing of our society in the name of security theater, the government has every incentive to keep us afraid of each other. If we are afraid of each other, we are less likely to talk to each other and organize to fight corpo-government manipulation, even when we know there is a much greater chance of a TSA employee getting his jollies from ogling "naked" scanner pictures than there is of a scanner actually catching a bona-fide terrorist.

Boycott the airlines. Maybe the government will come to heel when its corporate masters notice their pockets getting felt up.

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