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HOUSE JOINT MEMORIAL 4001

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State of Washington                      62nd Legislature                      2011 Regular Session

By Representative Appleton

Prefiled 12/10/10. Read first time 01/10/11. Referred to Committee on Public Safety & Emergency Preparedness.

1            TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND  
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF  
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE  
4 UNITED STATES, IN CONGRESS ASSEMBLED, AND TO JANET NAPOLITANO,  
5 SECRETARY OF HOMELAND SECURITY, AND TO THE HONORABLE CHRISTINE  
6 GREGOIRE, GOVERNOR OF THE STATE OF WASHINGTON:

7            We, your Memorialists, the Senate and House of Representatives of  
8 the State of Washington, in legislative session assembled, respectfully  
9 represent and petition as follows:

10           WHEREAS, In a September 2010 press release, Department of Homeland  
11 Security Secretary Janet Napolitano announced that the Transportation  
12 Security Agency (TSA) would increase the use of advanced imaging  
13 technology at airports around the country which could include the  
14 Seattle-Tacoma International airport in SeaTac, Washington; and

15           WHEREAS, This advanced imaging technology, also known as full body  
16 scanners, produces detailed images of air travelers' naked bodies which  
17 are reviewed by TSA employees for evidence of certain prohibited items  
18 and substances; and

19           WHEREAS, These full body scans appear to intrude upon personal

1 privacy rights and may violate the Fourth Amendment of the United  
2 States Constitution which specifically protects citizens from  
3 unreasonable searches and seizures; and

4 WHEREAS, Full body scans may also violate the Religious Freedom  
5 Restoration Act by requiring persons with strongly held religious  
6 beliefs about personal modesty to submit to the intrusive imaging, or  
7 should the person object to full body scanning, an enhanced pat down  
8 that requires the TSA agent to contact the person's genitals, and these  
9 methods have been publicly rejected by religious leaders of a variety  
10 of faiths; and

11 WHEREAS, The effectiveness of advanced imaging technology to detect  
12 prohibited substances more reliably than existing technology and  
13 security measures has not been sufficiently proven; and

14 WHEREAS, Full body scans subject the traveling public to radiation  
15 in order to generate the image, the potential health consequences of  
16 which have not been fully explored, especially the impact on frequent  
17 fliers, flight crews, pregnant women, and children; and

18 WHEREAS, Advanced imaging technology may present real risks to  
19 Washington citizens, and it is therefore fitting and proper that the  
20 legislature call upon the President and Congress of the United States  
21 to immediately address these concerns, and if they cannot be  
22 satisfactorily addressed, to discontinue their use;

23 NOW, THEREFORE, Your Memorialists respectfully pray that immediate  
24 action is taken to address the serious privacy, constitutional, safety,  
25 and religious freedom concerns that are presented by advanced imaging  
26 technology employed by Transportation Security Agency employees at the  
27 nation's airports; and if these concerns cannot be satisfactorily  
28 addressed, that action is taken for discontinuation of their use.

29 BE IT RESOLVED, That copies of this Memorial be immediately  
30 transmitted to the Honorable Barack Obama, President of the United  
31 States, Janet Napolitano, Secretary of Homeland Security, the Honorable  
32 Christine Gregoire, Governor of the State of Washington, the President  
33 of the United States Senate, the Speaker of the House of  
34 Representatives, and each member of Congress from the State of  
35 Washington.

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