

TSA promises \$10,000 fine for refusing airport body search

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Global Research, November 17, 2010

15 November 2010

Region: [USA](#)

Theme: [Police State & Civil Rights](#)



At the San Diego International Airport on Saturday, about one-fifth of the travelers were selected for sexual assault by transportation security agents. Though TSA's website did not list SAN as one of the airports employing the [carcinogenic naked scan](#) or a full body rub down, one man was told his refusal to submit would result in a civil law suit and a \$10,000 fine.

John Tyner [posted his video](#) of the incident and described in detail the experience. At about 3:50 into the first video, Tyner tells TSA agents:

"If you touch my junk, I'm gonna have you arrested."

"Upon buying your ticket, you gave up a lot of your rights," said one TSA agent (~8:34).

"The government took them away after 9/11," he countered.

His father-in-law tried to convince the agents to allow him to be screened by the metal detector since he has an aversion to the x-ray machine and to having his genitals touched by strangers.

"We have our procedures, Sir."

Agents then filled out a report of the incident, taking down his name and other details. ([Second video](#))

Transportation Security Manager David Silva told agents to have Tyner escorted from the airport. But after his ticket was refunded, he was again detained by security personnel who continued to question him.

In the third video, Tyner's camera caught the agents on film as they huddled some distance off from him. Here's where Orwell rises from the dead. In the third video, we see one of the suits using doublespeak:

"For your benefit, can I get a contact number?"

"For my benefit?"

"Yes, Sir."

"I think we're done."

"Actually, Sir ..."

"My benefit has been achieved."

"No, Sir, I'm trying – I'm trying to get you, give you some mitigating factors, in your – in your favor. Cooperation is one of those mitigating factors."

"I'm sorry, what mitigating, mitigating what?"

"Remember the, remember the civil penalties I told you you could be subject to for failing to ..."

"So are you going to subject him and this officer and the four TSA members who escorted me out to those same penalties?"

"No, Sir, I'm not."

"They directed me to break the law and they escorted me out and told me my only choice was to leave the airport."

"Tyner? Was that the name?"

"I think you've got a record of it back there. All my pertinent information is on the record you took."

"I'm just trying to get the right to call you by your name. That's what –"

'My name is John.'

Tyner then demands to leave while the suit continues to seek his cooperation.

"To what end?" John asked.

"To the end, to the end, to the end that it will look better for you when we bring the case against you that we're *going to bring*, okay, if you cooperate."

"You bring that case," Tyner said, then walking out of the airport.

Under 49 CFR Sec.s 1540.105 and 1540.107, as summarized in these [2004 TSA Sanction Guidelines](#), apparently TSA has Congressional support to fine people for refusing to submit to molestation. But at the TSA website, at its [Tips for the Screening Process page](#), TSA warns

people:

"If a personal search is required you may choose to remain in the public area or go to a private area for your screening. If you refuse either option you will not be able to fly."

It does not tell them they will be fined \$10,000 for refusing both options.

You can read Tyner's [full report here](#), and his response to the 800+ comments he received (as of 1 pm Eastern on Sunday), [here](#).

San Diego International Airport's Transportation Security Manager David Silva chats with security personnel about how to proceed with a passenger who refused to be sexually molested by them. (Image rotated from video screen shot. H/T Casa Zaza.)

Industry and Public Outrage

On Friday, TSA Administrator John Pistole and the Dept of Homeland Security chief Janet Napolitano met with travel industry executives who expressed grave concerns over these offensive practices, which hurt their business. [Reuters reports](#):

"The meeting with Secretary Napolitano was informative but not entirely reassuring," said Geoff Freeman, an executive vice president with the U.S. Travel Association. "We understand the challenge DHS confronts but the question is where we draw the line."

Pistole mentioned several forthcoming reforms for so-called trusted travelers, Freeman said.

"Our country desperately needs a long-term vision for aviation security screening rather than an endless reaction to yesterday's threat," he said.

Airline officials and travel industry executives complained of the numerous emails they have received over this abusive practice from customers vowing to boycott air travel.

On November 24th, [WeWontFly.com](#) is sponsoring a national Opt Out Day to lodge consumer objection. Several cities are planning their own actions at airports that day.

[We recently reported](#) on the 20-year-old woman who was targeted for sexual assault at Ft. Lauderdale International Airport, which her radio station coworkers believe was due to her beauty. You can also see the video of the 3-year-old who was sexually molested by TSA workers under the guise of searching the child for weapons.

Airport Screening Involves Military Contractors

Military contractors General Electric and Lockheed Martin provide many of the explosive trace detection portals used at airports, [reported Mickey McCarter](#) in 2005. He also notes:

"American Science and Engineering Inc. (AS&E), based in Billerica, Mass., manufactures backscatter X-ray machines that have been purchased by TSA [as well as] Rapiscan Security Products Inc., based in Hawthorne, Calif."

[L-3 Communications Holdings, Inc.](#) is another defense contractor supplying such machines, reports [Perpetual Commotion](#). In October, the [New York Times](#) advised:

"The T.S.A. reports that there are 317 of the 'advanced imaging technology' machines now

in use at 65 airports around the country. About 500 should be online by the end of the year, the agency said, and another 500 are expected to be installed next year. Ultimately, the agency plans to have the new machines replace metal detectors at all of the roughly 2,000 airport checkpoints.”

San Diego International Airport services over [18 million passengers a year](#), and brings an estimated [\\$10 billion](#) to the local economy. Yet, if security measures destroy business, the federal government will further isolate itself from the economic interests of the nation, if not the manufacturers of these intrusive technologies.

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