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# Terrorized into Absurdity

## *The Creation of the Transportation Security Administration*

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ROGER ROOTS

“Emergencies” often cry out for drastic and expensive changes in public policy that later, on reflection, seem ill-conceived. Government responses to the Great Depression, for example, drastically altered the U.S. system of limited government and took an immense toll on American liberty and private-property rights—a toll that has never been repaid (Roots 2000). Declaration of a national emergency in 1933 facilitated the creation of a number of colossal government programs that survived long after the Depression had ended, even if they had done nothing to end the Depression (Roots 2000, 267 n. 44). A similar climate of hysteria regarding alleged runaway drug use in the late 1980s prompted government officials to fill U.S. prisons with casualties of the war on drugs, but the laws passed in response to that hysteria produced less-than-satisfactory advances against actual drug use (Goode and Ben-Yehuda 1994, 205–23).

Consistent with this pattern, U.S. policymakers responded to the terrorist suicide hijackings of September 11, 2001, with “the biggest expansion in federal powers and the most free-handed new spending of federal dollars in decades” (Page 2001, A4). Congress and the Bush administration expanded the powers of federal law enforcement to detect and arrest terrorists, increased U.S. investments in counterterrorist intelligence, placed thousands of National Guard troops at airports, and expanded the use of armed air marshals on domestic flights. By far the most ambitious reform, however, was the creation of a huge new federal agency, the Transportation Security Administration (TSA), to perform security screening at U.S. commercial airports.

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Roger Roots is a graduate student in the Department of Sociology at the University of Nevada, Las Vegas. *The Independent Review*, v. VII, n.4, Spring 2003, ISSN 1086-1653, Copyright © 2003, pp. 503–517.

The airlines previously operated the screening system under Federal Aviation Administration (FAA) regulation. The FAA required each airline to screen passengers at each gate at which passengers boarded its planes. In practice, most airlines contracted with private security firms such as Argenbright Security, International Total Services, and Globe Aviation Services. In some cases, airlines entered into joint agreements for the hiring of security firms. The airline with the most flights on an airport concourse typically was responsible for managing the security screening on that concourse (McCartney, Lunsford, and Armstrong 2001). Bidding for screening contracts produced strong incentives among security firms to maintain low labor costs. The FAA dictated overall security standards and occasionally tested gate security by means of mock attempts to smuggle weapons onto airliners.

Contrary to many news reports immediately after the September 11 attacks, the U.S. system of screening air passengers was very similar to the systems used in most European countries. Indeed, some of the same security firms contracted to perform screening services on both continents (McCartney, Lunsford, and Armstrong 2001). The only major difference between the European and U.S. systems was that the private security firms contracted with the airports in Europe but with the airlines themselves in the United States.

The private-contractor system of passenger screening had many critics (Drew and Wald 2001; Morrison and Stoller 2001, A4). Prior to September 11, however, U.S. airport screeners were finding and confiscating approximately two thousand knives and guns from passengers each year (Drew and Wald 2001), and the U.S. airline industry had not experienced a major security incident in nearly a decade (McCartney, Lunsford, and Armstrong 2001). Contracting out screening services allowed airlines that otherwise were saddled by expensive union contracts to provide security screening at relatively low cost and thus to keep fares low (Adams 2002).

On November 16, 2001, Congress nationalized the nation's twenty-eight thousand airport screeners, creating an agency that by itself had more personnel than the Department of Labor and the Department of Housing and Urban Development combined. Soon after the TSA was launched, however, a spokesman for the Department of Transportation (DOT) estimated that the agency would need more than seventy thousand employees to screen U.S. air passengers and baggage fully (Salant 2002). As of this writing, Congress has approved funding for at least forty-five thousand screeners, and TSA officials insist they need at least twenty thousand more. If Congress grants funding for the additional personnel, the TSA will rival or surpass the personnel strength of the Social Security Administration (some sixty-five thousand) and will dwarf the personnel of the legislative and judicial branches of the federal government combined. In any event, the TSA is the largest new federal agency Congress has created since the 1930s.

The expense of the government screening operation was estimated initially at \$1.8 billion annually but later increased by \$4.4 billion after the TSA had been created (DeLollis 2002). By comparison, the airlines paid approximately \$660 million to

screening firms in 2000 (DeLollis 2002). The explosion in funding for the TSA has enticed hundreds of federal workers to leave other agencies, such as the Border Patrol and the Secret Service, to take advantage of the TSA's \$36,900 to \$83,900 annual pay scale (Johnson 2002).

## The Group Dynamics of Crisis Policy Making

Creation of the TSA occurred in an environment of rare bipartisanship, a climate uniquely hostile to rational policymaking. Like the national emergency declared in 1933, the Aviation and Transportation Security Act<sup>1</sup> for the most part was handled outside normal committee processes. Scholars of group dynamics have known for a long time that in circumstances of extreme crisis “group contagion occasionally gives rise to collective panic, violent acts of scapegoating, and other forms of what could be called group madness” (Janis 1982, 3). Crisis policymaking can take on moblike characteristics typified by mindless conformity and collective misjudgment of risks (3).

Irving Janis (1982, 9–10) has identified a number of defects in decision making that commonly occur at times of such strong group solidarity. Discussions are limited to a few alternative courses of action and fail to mention nonobvious drawbacks (such as the more than fourfold increase in expense that will accompany Congress's chosen solution) (DeLollis 2002). Policymakers under such duress spend little time deliberating about how the chosen policy might be hindered by “bureaucratic inertia, sabotaged by political opponents, or temporarily derailed by the common accidents that happen to the best of well-laid plans” (such as future difficulties with unions and an inability to discipline employees effectively because of civil service laws) (10). In practice, of course, workers performing boring jobs often grow complacent no matter how well trained or well paid they may be, and neither government nor private workers can give absolute guarantees (for example, that no weapon ever will get through)—even prison wardens are unable to make such guarantees, notwithstanding their conducting full-body (and occasionally even body-cavity) searches.

## “Antiterrorism” as a Moral Panic

Passage of the Aviation and Transportation Security Act exemplified policymaking at its worst: frenzied, panicked, and overreactionary. Like floodplain residents who purchase flood insurance only in the immediate aftermath of a flood but let their policies lapse as their memories fade, Congress succumbed to what some psychologists call the “availability heuristic” (Sunstein 2002a, 1126). This leads people, for example, to fear shark attacks, tornadoes, and homicide in response to news reports but to underestimate drastically the risk of death from asthma, diabetes, and emphysema (1119, 1127).

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1. Aviation and Transportation Security Act, P.L. 107-71, November 19, 2001, 115 Stat. 597 (codified at 49 U.S.C. 114)

The term *moral panic*, coined by sociologist Stanley Cohen in 1972, also might be used to describe what happened to Congress in November 2001. A moral panic is the response to a “condition, episode, person or group of persons” that society defines as a threat to societal values and interests (Goode and Ben-Yehuda 1994, 24). Moral panics, such as the various Red scares of the twentieth century and the more recent war on drugs, ride waves of national hysteria as society mobilizes vast resources against the targeted threats (Cohen 1972, 9). A moral panic is “predicated on an exaggerated fear, ‘taking alarm without due cause,’ or, at least, taking more alarm at a supposed threat than is warranted by a sober assessment of the evidence” (Goode and Ben-Yehuda 1994, 111; also, with specific regard to terrorism, see Congleton 2002, 56–66).

The group dynamic generated from such moments of social unity often yields startlingly extreme results. Policymakers tend to reject even the “mean” of their individual opinions and to adopt the most extreme position available to them—a tendency that probably lay behind the deeds of the September 11 terrorists themselves: “shared identity helps fuel movement toward extremes” (Sunstein 2002b, 433).

As Americans have come to expect, the media played a major role in bringing about the federal takeover of U.S. airport security. The media stressed a government solution from the very first day of coverage of the September 11 tragedies. A week after the attacks, *USA Today* proclaimed that “[p]assengers returning warily to the skies [were] looking to the federal government for solid reassurance that they’ll be safe” (“Restore Fliers’ Confidence” 2001, A24). Subsequent news stories centered on only a small number of options, all of which were purely legislative. Free-market solutions, or even their possibility, went unmentioned in the press.

Congress’s steep panic curve in the wake of September 11 can be confirmed easily by counting votes over the life of the screener-takeover legislation. On October 11, one month after the destruction of the World Trade Center, the U.S. Senate voted one hundred to zero to federalize screening. The Senate’s bill then began to lose momentum on the way to the House as its ramifications began to dawn on a small group of Republican stalwarts. Privatization expert Robert Poole launched a last-minute information barrage at members of Congress. He brought to light that thirty-two of the thirty-four largest airports in Europe and Israel outsource passenger screening with acceptable results and that most European countries had tried the top-down, nationalized approach but had moved toward privatization to improve quality of service (Reason Public Policy Institute 2002).<sup>2</sup>

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2. Although many commentators have claimed that other nations produce better airport security than the United States, such claims rarely have been subjected to empirical testing. Mock attacks in the 1990s by the FAA’s Security Division “Red Team” found a 100 percent baggage-security failure rate at one major European airport, compared to slightly better rates at U.S. airports during the same period (Dzakovic 2002). Because actual terrorist attacks on airport-screening operations are rare, it is difficult to gauge the effectiveness of any operation in thwarting terrorist attacks. Thus, making comparisons between nations is difficult. That some national air-security systems have never experienced a terrorist attack may say more about the scarcity of airline terrorism than about the effectiveness of any airline’s security efforts.

Support for the Senate bill deteriorated rapidly during the latter part of October. By November 1, debate in the House had become intense, and a rival, less-extreme bill that mandated only strict federal supervision of private-contract screeners passed by a margin of two to one. A few senators' last-ditch effort to revisit the Senate's original bill ended when President Bush announced he would sign any air-security bill that crossed his desk and Democrats publicly began accusing House Republicans of endangering travelers by stalling. A conference of the two chambers yielded a compromise that provided for a federal takeover of all but five "pilot" airports by the end of 2002 and allowed airports to opt out of federalized screening after three years.

### What Went Wrong?

As proponents of the Aviation and Transportation Security Act insisted, much went wrong in airport security on September 11, 2001. Nineteen men with short-bladed "box-cutter" knives, a couple of them wanted by law enforcement officials for months, boarded four transcontinental flights. Terrorists apparently had selected the four hijacked flights carefully, scouting dozens of flights in furtherance of the plot (Willing and Johnson 2001). According to Federal Bureau of Investigation (FBI) sources, the well-financed terrorists who staged the attacks probably practiced for months by repeatedly riding the flights they later hijacked, learning the flight crews' patterns, counting passenger loads, and testing airline security (Johnson, Locy, and Willing 2001).<sup>3</sup> The hijackers also had scouted other flights as candidates but apparently eliminated them from consideration, perhaps because they regularly carried too many passengers (Johnson, Locy, and Willing 2001).

### What Went Right

Were it not for the horrendous deaths of some three thousand innocent people, it might also be said that much went *right* with airport security on September 11. The FAA, having never dealt with a suicide-hijacking previously, took the unusual step of ordering all air travel halted as of 9:25 A.M., potentially interrupting other would-be hijackings in progress (Locy and Morrison 2001). Airport police cordoned off airport gate areas within minutes and began conducting one of the most wide-scale investigations in world history. Within hours, tens of thousands of law enforcement officers around the world became involved in the investigation of the hijackers (Locy and Morrison 2001).

One of the four suicide terrorist crashes planned for September 11—United Flight 93, which crashed in rural Pennsylvania—was thwarted in part by common pas-

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3. According to a *USA Today* investigation, the hijackers had nearly \$500,000 at their disposal. This funding, channeled through accounts in both Europe and North America, was tapped for everything from flight training to living expenses (Willing and Johnson 2001).



sengers armed with only their bare hands. Moreover, the passengers were few: the aircraft contained only forty-four occupants, including two pilots, probably four hijackers, and five flight attendants. This fact should not be understated. From a passenger pool of only approximately thirty people—without weapons, training, or instruction—sufficient resistance arose to prevent the hijackers from accomplishing their ultimate objective.

Investigations have shown that the airport screening measures in effect prior to September 11, 2001, rather than being too lax, were sufficiently impenetrable to force entire teams of four and five elite terrorists to expend enormous resources to circumvent them. Even with highly advanced reconnaissance, the hijackers were thwarted by only a small handful of unarmed passengers in (at least) one of four suicide-hijacking attempts. Although civilization itself exists at the sufferance of barbarians everywhere, the success of the nineteen terrorists' crimes required the sacrifice of their very lives.

That the September 11 hijackers had to resort to small-bladed box knives itself attests to a tremendous security success. Only thirty years ago, airline hijackers such as D. B. Cooper criss-crossed the nation with guns and bombs in hand, paying cash for airfare and providing no identification.<sup>4</sup> The “success” of Cooper’s 1971 hijacking led to some twenty hijack attempts worldwide in the 1970s, before substantial improvements in airport security—principally metal detectors but also identification requirements and airport surveillance—virtually ended them.<sup>5</sup> Until September 11, Cooper’s “skyjacking” was the only truly successful takeover of a jet airliner in U.S. history. Every other hijacker either was caught or died while jumping from a plane (“Still on the Trail” 2000).

## **The Security Failures of September 11 Were Not Failures of Passenger Screening**

Viewed from the most practical perspective, the September 11 hijackings were caused not by the failure of screeners on the ground but by failures of airline personnel in the air, who were inadequately equipped to defend the cockpits.<sup>6</sup> Since the D. B. Cooper era, American pilots had been trained to relinquish control of their airplanes to hijackers (McCartney, Lunsford, and Armstrong 2001). Federal laws prohibited pilots and

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4. As Vin Suprynowicz has pointed out, adults legally could possess and carry any weapon on “every train and stagecoach in this country from the 1600s right up through the 1930s, and guns could be freely carried on all our aircraft well into the 1960s” (2002a, D2).

5. For a detailed overview of the D. B. Cooper story, along with a promising theory of his identity, see Rhodes 1991 and O’Grady 1999.

6. Of course, certain types of passenger screening might have kept several of the hijackers from boarding the jetliners. News reports have revealed that the FBI listed several of the hijackers as suspicious persons. For a variety of reasons, the FBI’s lists were not completely integrated with passenger-screening methods in place on September 11. Had the names and vital statistics of all boarding passengers been cross-checked against “to watch” lists (as later required), the airlines would have had warning that terrorism investigators were seeking at least some of the nineteen terrorists for questioning (Khan and Strauss 2001).

flight attendants from possessing guns or other weapons of self-defense. Similarly, the attitudes of most American passengers were dictated by their knowledge of past hijackings. Americans expected hijackers either to abandon their hijacked planes (à la D. B. Cooper) or to divert them to a foreign destination (often Cuba) where the hijackers hoped to find refuge. When faced with a new paradigm of hijackings—suicide missions—the passengers on Flight 93 (who learned via cell phone conversations that other planes had crashed into the World Trade Center) quickly stopped their hijackers from flying into their intended target (Johnson and Morrison 2001).

Because of the future impossibility of replicating the blind-sided, unprepared human cargo of September 11, suicide terrorist attacks using commercial airliners are unlikely to succeed again. Any future attempts to take over an airliner probably will be met by intense physical resistance from both passengers and crew.

Both before and after September 11, experts have agreed that a much greater likelihood of airline terrorism arises from the possibility of bombs being placed in checked baggage, such as occurred on Pan Am Flight 103 over Lockerbie, Scotland, in 1988 (Levin 2001). Yet Congress's nationalization of screeners falls short of adequately ameliorating this danger. Although Congress mandated that all baggage must be screened by bomb-detecting equipment by December 2002, the equipment that can scan all baggage properly for bombs is both not readily available and excessively costly—and especially difficult to pay for now that so much security funding has been directed into the paychecks of new federal screeners. Moreover, because government bureaucracies tend to be both excessively labor intensive and inimical to automation and innovation, it is not likely that the TSA will develop independently the technology capable of screening baggage without high labor inputs (Tulloch, Seldon, and Brady 2002).

## Predictions of Federal Screeners

Positing certain specific maxims of public policy in an atmosphere of overwhelming solidarity accomplished the nationalization of screeners. The arguments in favor of nationalization specifically were: (1) that such important duties as screening airport passengers and baggage are “law enforcement” duties that should not be left to “the lowest bidder” (“Too Timid on Air Safety” 2001);<sup>7</sup> (2) that competency in a position requires a certain semblance of good pay and benefits, and thus that privately employed screeners were too poorly paid to pay close attention to their jobs (Levin and Kiely 2001); and (3) that privately employed screeners often miss weapons and

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7. Many editors and policymakers echoed variations of this “importance of screening” argument. Representative Frank Wolf (R.-Va.) stated that “[w]e don’t contract out the FBI. We don’t contract out the Customs Service. We ought not contract this out” (Levin 2001, A10); Representative James Oberstar (D.-Minn.) claimed that “[t]he most basic responsibility of government is to protect its citizens against acts of war” (Chen and Alonso-Zaldivar 2001, A1); the *Los Angeles Times* editor proclaimed that “[d]etecting weapons and intercepting hijackers is a job for a crack force of trained guards, not ragtag crews of low-wage, high-turnover employees” (“Life-and-Death Jobs” 2001, A12).



security breaches that by inference publicly employed screeners would catch (Welch and McQuillan 2001). In other words, proponents predicted that government workers would perform better than privately employed workers.

Performance studies in the economic literature so widely refute many of these arguments that they must be described as, at best, thoroughly contested propositions (see, for example, Elliot 1991; Karpoff 2001; Ng and Seabright 2001; Sowell 2000, 119). Indeed, the TSA was founded on the basis of claims that could be made only in the absence of critical policy analysis.

### *Too Important to Be Left in the Private Sector?*

The argument that airport screening is too important to be left in the hands of private workers is essentially teleological. It relies on subjective values that cannot be measured empirically. Those who view airport passenger screening as an essential government task are also likely to favor an increased government role in the economy overall and to disfavor the free market generally.

The idea that services such as policing and military defense can never be left in the hands of private industry can be refuted by examining America's past. For the most part, private entities historically have performed law enforcement duties. Professional police first appeared in the United States a half-century *after* the country was founded (Roots 2001, 685). Indeed, the framers of the U.S. Constitution originally contemplated law enforcement as primarily the duty of private citizens, along with a few constables and sheriffs when necessary (685). If screening airport passengers and baggage is too important to be left in the hands of private industry, the security of the republic rests on very soft sand. Private security firms protect nuclear power plants, federal and state courthouses, and even many police stations.

### *Quality of Service*

The other propositions used to justify the creation of the TSA—that high pay and good benefits are required to motivate employees to work diligently and that sworn government agents provide service of a higher quality than private workers—are refuted much more easily. Culled from scores of economic studies in recent decades, evidence on the cost and the service quality of government workers as compared to those of private or contract workers casts a dark shadow on the predictions made on behalf of federal workers (Tullock, Seldon, and Brady 2002).

“Almost every single quantitative, empirical study” has confirmed the “significant cost-savings potential of privatization” in the delivery of public services (Fixler and Poole 1987, 165). Private employees tend to work more productively (Moore 1987, 63). “The evidence is so consistent and compelling” that it scarcely needs to be restated (Bennett and DiLorenzo 1987, 14). Studies of municipalities, for example, have found that the privatization of services such as street cleaning, janitorial mainte-

nance, tree trimming, traffic light maintenance, and asphalt paving has saved the studied municipalities some 43, 73, 37, 56, and 96 percent, respectively, on an annual basis (Moore 1987, 63). The U.S. Postal Service (USPS) has found that the costs of private contractors it employs to cover some of its rural routes and to perform letter-sorting services are approximately half of its own costs for doing the same work (Ferrara 1996, 24).

Although cost savings and quality might seem to be related inversely, recent studies indicate that workers with access to the best benefit packages—especially workers with longer tenure on the job—have significantly higher absence rates even when age is controlled for (Barmby, Ercolani, and Treble 2002). Absences from work also are likely to be longer and more frequent as rates of compensation increase (Barmby, Ercolani, and Treble 2002, F315).

A 1984 study for the U.S. Department of Housing and Urban Development found that cities that contracted out various municipal services had “among the highest levels of quality” (Moore 1987, 67). A similar study of privatization of municipal hospital services by the University of California at Berkeley found that in none of the studied cases did quality of service diminish after hospital services were privatized (68). Kentucky officials indicated that quality of service improved substantially when the state contracted out its hospital services for the mentally disabled in the 1980s (substantially 68).

USPS workers are notorious for poor or spotty quality of performance, despite compensation packages that are 20 to 25 percent higher than those of private-sector workers (Hudgins 1996, xix). Inspections at USPS facilities throughout the country have found thousands of pieces of mail piled in the back of trucks or hidden, buried, or destroyed (xix). One investigation found properly addressed mail dumped in trash bins at 76 percent of post offices (Ferrara 1996, 26, citing Bovard 2000). Even though technological improvements in automation and telecommunications have greatly increased the potential for distribution efficiency during the past two decades, USPS delivery times were 15 percent slower in 1987 than they were in 1969 (Ferrara 1996, 24, 25).

Agencies and municipalities that have perfected their privatization strategies have developed very effective means to enforce high-quality standards. Scottsdale, Arizona, for example, requires that contractors of municipal services sign thirty-day cancellation policies for unsatisfactory performance (Moore 1987, 68). Contracts then can be monitored easily for quality assurances (68). If a contractor fails to perform at a specified level of quality, the city can release it from its contract(s) and hire another contractor.

Although I am not suggesting that the private screeners of the pre–September 11 period were performing perfectly, their standards of performance may stand up well in comparison to the future performance of public screeners who are replacing them. Civil service regulations on the books since the 1970s make firing or reprimanding most government workers extremely difficult (Olson 1997). One survey of

municipal commissioners found that the files of workers identified as the very worst employees in city government contained no “unsatisfactory” evaluations. Why? Because “under civil service procedures, employees can challenge negative evaluations, like dismissals—a dispiriting maze few managers wish to enter, given so little hope of relief at the end” (Olson 1997). As a result of such worker-friendly civil service rules, the record of serious errors, corruption, and misconduct among government employees—even sworn police officers—hardly demonstrates excellence in job performance by employees acting under government authority (Roots 2001, 713–21).

### **Difficulty Managing Public Unions**

When Congress turned the airport security industry over to federal employees, it also turned the industry over to federal employee unions. The rate of union membership in the public sector is at least three times the rate in private employment (Mills 1994, 299). Elected officials are often extremely reluctant to oppose unionized government workers not only because of political fallout but because successful policy implementation depends on cooperation by government personnel. As Mills points out, labor negotiations involving public employees sometimes have a very pronounced political aspect (1994, 302). Because government holds a monopoly over its principle functions, competitors do not threaten hiring structures and cannot undermine wage rates. Consequently, government unions enjoy advantages that unions in the private sector cannot match. The employers of government workers are for the most part stuck with them and cannot move overseas or to better labor climates to escape union activism. Moreover, “[s]ettlements that would immediately bankrupt a private firm can be financed indefinitely by taxing the general public” (Ramsey 1987, 97).

Many airport screeners working for private firms before September 11 were unionized, and the transfer of their jobs to the federal government simply means that the same unionized workers will have access to a larger and wealthier (but far less mobile) employer. The union empowerment that will follow inevitably from the nationalization of the airport screeners will make efforts to implement high-quality work standards far more expensive than otherwise would be the case. Whereas wages in the private sector have reflected supplies and demands in the U.S. economy, unions in the public sector have succeeded in gaining greater pay increases. Pay for local and state government employees has risen more than five times faster than pay in the private sector since 1980 (Bovard 2000, 127). Federal employees receive roughly 50 percent more total compensation than private employees performing similar jobs (127). A 1996 report by economists for the Senate Finance Committee estimated that the Consumer Price Index exaggerated inflation by approximately 1 percent each year (128). This miscalculation means that the cost-of-living adjustments for federal employee salaries and benefits provide unjustified windfalls for federal employees each year (128). The difference amounts to tens of billions of taxpayer dollars annually

(128). An average federal worker costs taxpayers approximately \$85,000 per year in wages, benefits, and retirement liability (Gross 2000).

Economist D. Eric Schansberg has found that unionized bureaucrats inevitably end up overcompensated in a form of reverse welfare. USPS workers, for example, are paid too much: “Their ‘quit rates’ are extremely low, and typically, hundreds of people apply for openings when they become available” (1996, 72–73). Current first-class postage rates are as much as 50 percent higher than they would be if competition with the Postal Service were allowed (Ferrara 1996). That Postal Service labor “is a major—perhaps the major—beneficiary of the postal monopoly is well understood” by industry observers (Lenard 1996, 49).

### Lessons from the 1981 Air-Traffic Controller Strike

Airport-security experts should know better than to place so much faith in government employees. Only twenty years ago, on August 3, 1981, approximately 11,500 federally employed air-traffic controllers went on strike despite the existence of federal laws prohibiting them from striking. The strikers gambled that the difficulty of replacing them, combined with a politicized atmosphere, would ensure the continued existence of their jobs. Moreover, the controllers expected to disrupt air travel massively, thereby forcing Washington policymakers to meet their demands—an expectation eerily similar to that of the terrorists who attacked U.S. air travel on September 11. However, President Ronald Reagan immediately announced that any striking controller who failed to report to work within forty-eight hours would be dismissed. Three days later, every nonreturning worker was terminated formally from federal employment.

What should speak most saliently regarding the post–September 11 airport-security crisis are the details of the 1981 air-controller strike. The controllers struck not only for substantially higher wages and benefits<sup>8</sup> but over alleged *authoritarian FAA insistence on high quality of service and heavy-handed discipline* (Northrup and Thornton 1988, 121–22). Moreover, the air-traffic controllers struck knowing full well that by doing so they were disrupting the smooth operation of U.S. air travel on a massive scale *as well as* violating federal law. The same union had been involved in six major disruptions of U.S. air traffic since 1968, each of which arguably had been illegal (Northrup and Thornton 1988, 83).

The *economic* fallout from the 1981 air-traffic controller strike also should have served as a ready lesson. The FAA discovered that “as is often the case when a company operates during a strike,” the control towers previously had been overstaffed (Northrup and Thornton 1988, 98). The FAA also found that where it contracted

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8. Professional Air-Traffic Controllers’ Organization demands included an 11 percent salary increase, in contrast to 4.4 percent for other federal employees. The FAA calculated that this amounted to a \$38,914 increase per controller per annum (Northrup and Thornton 1988, 124–25).

out its air-traffic control operations, costs fell by 25 to 50 percent (Moore 1987, 64–65). The savings were even greater than most privatization experts had predicted. In 1980, for example, the FAA operated the control tower in Farmington, New Mexico, for \$287,000; a year later, when private contractors operated the tower, the cost was \$99,000 (Moore 1987, 65).

Americans were still reaping the benefits of the 1981 union termination years later. In 1993, the number of controllers was still approximately two thousand less than the number on the federal payroll when Reagan fired the controllers, but the smaller workforce was handling 25 percent more flights (Round 1999, 14, 25). The accident rate and the number of deaths in aviation accidents notably declined during the post-1981 period. In 2000, the DOT's Office of Inspector General concluded that contracting out control towers saves the agency approximately \$250,000 per tower annually: “[S]ignificant cost savings have been achieved, air traffic services have been maintained without derogating safety, and the quality of service to the customer has been maintained at a high level” (Stefani 2000, 1).

## Conclusion

The government's response to the airline terrorism of September 11 transformed an air-security system in need of some minor improvements into a drastically more expensive and less-efficient system.<sup>9</sup> Moreover, the job performance of federalized TSA workers ultimately may not be any better than that of the contractor-employed workers who screened passengers previously. Indeed, available performance data regarding public employees suggests that by creating an agency of government screeners, Congress may have weakened rather than strengthened airport security. The damage done to the future of the air-travel industry by Congress's acts may exceed the damage done to the industry by the terrorists themselves. By overreacting to the terrorism threat, the federal government actually has added to the damage, handing those who hate America an even greater victory.

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9. When the hijackings of September 11 are eliminated from air-safety statistics, 2001 was one of the safest years in air-travel history. Fewer major airplane accidents occurred in 2001 than in any year since World War II (“Overall, Air travel Safe in '01” 2002).

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