



United States House of Representatives
Committee on Oversight and Government Reform
Subcommittee on National Security, Homeland Defense, and Foreign Operations

Statement of T.J. Orr
Aviation Director, Charlotte Douglas International Airport

Good morning, Mr. Chairman and Members of the Subcommittee. My name is Jerry Orr and I am the Aviation Director for Charlotte Douglas International Airport in Charlotte, North Carolina. I have more than 36 years experience in airport management and I was a small business owner for 13 years before that. I thank you for the opportunity to testify today on airport perimeter security, especially since I built the Airport's original perimeter fence in 1974.

Charlotte Douglas International Airport (CLT) is owned and operated by the City of Charlotte. We are now the fastest growing airport in the country. We served more than 38 million passengers in 2010 and are ranked seventh in the nation in airport operations and eleventh in passengers. We have seven major carriers, fourteen regional carriers and three foreign flag carriers that together provide 701 daily flights from CLT. We have nonstop service to 138 destinations, including 36 international locations. CLT is also US Airways largest hub.

The airport's role in the transportation system is to provide an infrastructure platform upon which the private sector- airlines, rent-a-car companies, concessionaires, and others- operate their businesses. Those businesses serve 38 million passengers a year, provide 20,000 jobs inside the fence and produces more than \$10 billion in annual economic impact. CLT is vested in this partnership. If those businesses succeed then we succeed. If they fail, then we fail. We want to be successful and security is a part of that success.

The four major problems I see with TSA are inefficiency, inflexible protocols, abuse of power, and a lack of separation of power. With these shortcomings, achieving security can be lost in the shuffle. Everyone knows I have been critical of the performance of the TSA since its inception. My views do not necessarily reflect the views of my employer but I believe they are consistent with most of the aviation industry.

CLT is recognized as a leader throughout the industry. In fact, we recently received one of the most prestigious awards for Airports in the world – The Eagle Award. Presented by the International Airport Transport Association, this award recognizes productivity, transparency and best value for money performance by airports. The winner's positive record on safety, environmental, operational and social issues is also considered. We are one of only five U.S. airports to have ever won this award and consider this a high honor.

This award reflects our goal: to deliver the highest quality product to the customer at the lowest possible cost. And this places us in a position of conflict with the TSA. We all joke about “Thousands Standing Around” but overstaffing is a serious issue. I learned at an early age from my father that if you assign four people to do a one person job you lose efficiency accountability, quality, and create confusion for the worker. This is why the TSA has been known to discover a suspicious bag and then retain the wrong bag and to discover a questionable person and then detain the wrong person.

Security is a burdensome necessity in today’s world. There is no question about that. But our efforts and expenditures should be designed to leverage people and expenditures in other areas. The TSA is so focused on protocols that they often lose sight of what is reasonable or even necessary. There is a tremendous emphasis on doing it the same way every time everywhere. If you drive the same car the same route the same time every day I can eventually figure it out. The only person that benefits from everything being the same is the perpetrator. Security needs are dynamic and a security organization needs to be similarly flexible.

A contentious relationship between the airport operator and the TSA does not benefit the customer. If you cannot even talk to each other you cannot work together to improve security. It is not my intention to bore you with minutiae. However, I do intend to provide you with ample details that will demonstrate why I am concerned about TSA’s efficacy.

The lack of partnership and communication with the TSA was most evident this past year as we struggled to deal with a tragic situation. In November 2010, the body of a young man was found in Milton, Massachusetts. Investigators suspect that this individual breached airport security and fell to his death from an aircraft. The handling of this situation marked the beginning of the end of CLT’s working relationship with the TSA on a local level.

As Aviation Director, I was aware of a developing theory being discussed among Massachusetts investigators, the FAA, airlines and local police regarding this young man missing from his home in Charlotte. Investigators suspected that the youth may have gained access to an aircraft at CLT and stowed away in the wheel well, at which time his body and may have fallen from the aircraft on final approach to Boston Logan International Airport. I learned much of the details of the theory from a press event held by former District Attorney and current Congressman Keating several weeks after the death was discovered. Massachusetts officials had taken steps to notify Homeland Security due to the aviation aspect. I therefore would have expected, but never received, official notification of the presumed CLT connection from Homeland Security through TSA.

As a result of what I heard in the media, I reached out to our Federal Security Director (FSD) to discuss next steps. After considerable conversation, our FSD recommended I engage our local municipal police department to conduct a thorough criminal investigation. I questioned this recommendation. Why wouldn’t the Transportation Security Administration take the lead? What if we learned that

this situation involved multiple airports? Wasn't there a protocol that should be followed?

I tried to correlate this situation to my 30 plus years of industry experience. When there is a threat on board an aircraft – the FBI responds and investigates. When there is an airplane crash – the NTSB responds and investigates. When a pilot makes an error on the airfield – the FAA responds and investigates. If it is believed there is a security breach at a major US airport - why shouldn't the TSA respond and investigate? I made no headway with the conversation and reluctantly agreed to ask our local police department to spearhead an investigation in which the TSA agreed to participate. At this moment, it was clear to me that the dynamic of our relationship had shifted.

It appeared that the TSA was more interested in avoiding responsibility than in genuinely trying to understand if and how security may have been implicated. Because of the lack of leadership, substantial misinformation circulated in the national news which understandably distressed the public. We were unable to respond to all the misstatements and we were suddenly very alone in what was quickly becoming national news.

Our local police department did complete their investigation with the full cooperation and assistance of local TSA. The available evidence could neither prove nor disprove that a security breach had actually occurred at CLT. No real conclusions could be made.

As part of the investigation, TSA and local police reviewed available video surveillance. Please note that I said available video surveillance. We have an elaborate camera system at the airport, some of which was provided through a TSA grant. The camera system infrastructure is owned by the Airport but all video data is owned, monitored and maintained by the TSA. TSA neglected to safeguard their video of passenger security checkpoints and employee access points from the date the young man went missing until after the 30-day archival threshold. While there was some video remaining, other video surveillance was inaccessible at the time TSA finally sought to preserve it.

The final investigative report outlines a theory of what may have occurred, a theory that excludes a breach at any TSA checkpoint. The assumption is plausible and may well be right. However, the report fails to note that there was insufficient evidence to conclusively exclude TSA checkpoints as a possible point of entry. In failing to require that the report explicitly acknowledge the incomplete availability of surveillance video of the checkpoints, it appears that TSA is more interested in avoiding scrutiny than in a fair and impartial review of all possibilities.

I appreciate local law enforcement's efforts to assist us during an unprecedented situation, but I do question some of their findings and recommendations. A municipal police department does not have the expertise to thoroughly conduct an investigation with national security ramifications, nor should they be expected to. For example, it was noted as an "identified concern" that CLT supplements its security and law enforcement personnel with a private security company. Was TSA

truly engaged? Isn't TSA a part of the Department of Homeland Security? Don't they know that the firm in question, GS4 Wackenhut is a well known, international agency that Homeland Security itself contracts with throughout the nation in various capacities, including assisting Customs and Border Protection?

I could continue with multiple examples of where I feel the TSA was disconnected during this analysis but I think you get the gist. True security needs are being lost in the current climate. The aviation industry is the cornerstone of our nation's transportation system. It is ever changing and adjusts to changing conditions as needed. It requires proactive thinking- not the reactive thinking which is the operating mantra of the TSA. Congressman William Keating is absolutely correct. We should not wait for another tragedy like this to occur before acting accordingly.

This presumed stowaway situation put airport perimeter fencing in the spotlight. At CLT, we have 19 miles of perimeter fencing. In many areas of the fence there is redundant fencing – in some cases up to three layers. We spend \$500,000 annually on maintaining the fence and related gates - from our own budget, not from TSA funding. We also spend another \$3.2 million on approximately 75 personnel that are responsible, at least in part, for perimeter security. In addition to dedicated law enforcement and airport operations personnel, each of the approximately 20,000 people working at CLT plays a key role in maintaining airport security. Each person is instructed when they obtain their access privilege badge that they are responsible for maintaining airport security. As a condition of keeping their badge, they are obligated to report anybody who is within the perimeter fence in an unauthorized capacity.

The fence does serve as a deterrent. It keeps wildlife outside of the airport. It provides a visual barrier and/or boundary. It serves as a clear delineation of the Airport perimeter in some cases, and for most people, it serves as a clear message to prevent trespassing. The perimeter fence does not represent total security. The fence alone does not insure perpetrators will stay outside the airport perimeter. Real security comes through a layered approach, of which the fence is one element. I see airport perimeter fencing as a baseline or minimum standard – not a single tool of prevention for those individuals who are truly determined to access an airport.

In CLT, we have a very good record when it comes to safety and security. We pride ourselves on being an industry leader. We also pride ourselves on being a good partner and have multiple examples of successful partnerships that include Fortune 500 companies, domestic and international airlines and numerous branches of the local, state and federal government. This single incident unfairly tarnished the reputation of our organization.

CLT faithfully meets or exceeds all the requirements of the federal regulations. If something goes wrong anyway, it does not mean that we have failed to follow the regulation. That would be like saying that Customs and Border Protection itself was in violation of the law whenever an illegal alien crosses into the United States. An adversarial relationship between airports and the very agency entrusted to help safeguard them is clearly detrimental to the goal of safety and security.

TSA's failure - or refusal - to communicate adversely affects Airport operations. A recent example is that TSA told us to terminate a certain activity. We wanted to know why. If there was a genuine security concern we wanted to understand what it was so we could fix it. We also wanted to know what their authority was to mandate the termination where the activity in question takes place outside the fence and outside the terminal. Other airports engage in the same activity and we wondered why we were being treated differently. We asked TSA these questions but they ignored us. On the contrary, TSA simply reiterated that we should comply without any explanation or even an acknowledgement that we had asked any questions. This kind of "because I told you so" culture does not foster trust, nor does it foster an effective partnership for optimal security.

TSA's lack of responsiveness and failure to communicate has also affected our Airport Security Program. TSA has to approve the Airport Security Program, or "ASP", at all airports. We have been trying to get revisions to ours approved for about a year now. In July 2010, we submitted proposed revisions to our ASP to the TSA's Assistant Federal Security Director for Inspections. He gave us feedback in February 2011 and we resubmitted our revisions based on his guidance in early April 2011. Within about a week of that, he disappeared and an Acting AFSD for Inspections appeared. A month later, in mid-May, the Acting AFSD told my staff that he wanted us to totally rewrite our ASP- but then admitted that he hadn't read it. I say this not to point the finger at an individual, but to point out that the edict seems more about appearances than security. Why would someone who wasn't familiar with our airport and hadn't even read our ASP tell us it had to be totally changed? Was this a directive from above? If so, had whomever issued the edict actually read our ASP?

Since 2003, and approximately eleven times, we have easily and efficiently made necessary updates to our ASP with TSA's assistance and approval. Suddenly, however, our proposed twelfth version has been awaiting approval for almost a year. We still haven't been told what TSA is looking for. Two months ago the Acting AFSD told my staff he would get comments on our ASP back to us, but we have yet to receive them. In the meantime, we have sought to amend specific aspects of how we handle security and we do not know what TSA's position on it is or will be. We don't know who will make the decision. The ASP is our guiding security document. We have been left in a precarious position not of our own making. TSA's lack of responsiveness and bureaucratic confusion undermines CLT's security efforts.

Since the tragedy that led to the understandably significant attention by the media, I feel that CLT has been singled out for disparate treatment- even retribution-by the TSA. I imagine that TSA's attention will not decrease after my speaking out here today. I imagine getting CLT's revised ASP approved may become more, rather than less, difficult.

Despite CLT's particular situation, I am confident, as mentioned earlier, that I am not the only airport operator with significant concerns about the effectiveness of TSA. Where TSA has become an adversary rather than a partner for security, real needs are being lost. So what can be done to improve our ability to focus on the

real needs related to ensuring safety and security at our nation's airports and in the skies?

Congress should continue its support of allowing airports to opt out of using the TSA and ensure that roadblocks are not thrown in our way to do so. Any entity working with airports and airlines to achieve security must be willing to do just that- work with them. Communication, trust, and leadership are required.

When you ask an agency to explain a security concern is and they refuse to do so, they must think they are not your partner in achieving security. When you ask an agency to explain their legal authority for something they have requested of you and they refuse to answer, they must think they are all powerful. Having an agency that interprets the rules, implements the rules, and then judges their effectiveness lends itself to this kind of culture. TSA has both an operational and regulatory function and those conflicting roles are not kept well separated like they are in, for example, the FAA. This may be a contributing factor to TSA's overbearing treatment of airports and airlines.

I also believe Congress should redirect some of the available funding for airport security from TSA directly to airports. One size does not fit all. Every airport is different in many ways: location, geography, numbers of passengers departing or just passing through, etc. Each airport operator is intimately familiar with its vulnerabilities as well as its strengths and can therefore make effective enhancements and improvements.

There can always be more security; the challenge is to provide better security. We need to spend money where it counts, on things that matter. The path forward to optimal security must be reasonable, proactive, and cooperative. Common sense must prevail. If airports are given the resources we need and a true partner for security, the travelling public can only benefit.

Committee on Oversight and Government Reform
Witness Disclosure Requirement – “Truth in Testimony”
Required by House Rule XI, Clause 2(g)(5)

Name: T. J. Orr

1. Please list any federal grants or contracts (including subgrants or subcontracts) you have received since October 1, 2008. Include the source and amount of each grant or contract.

PLEASE SEE ATTACHED LIST

2. Please list any entity you are testifying on behalf of and briefly describe your relationship with these entities.

Charlotte Douglas International Airport, Aviation Director

3. Please list any federal grants or contracts (including subgrants or subcontracts) received since October 1, 2008, by the entity(ies) you listed above. Include the source and amount of each grant or contract.

PLEASE SEE ATTACHED LIST

I certify that the above information is true and correct.

Signature:



Date: July 8, 2011

Charlotte Douglas International Airport
Federal Funding Receipts
January 1, 2008 to June 30, 2011

Funding Date	AMOUNT	NOTES
NON-AIP FUNDING		
25-Feb-08	2,050,000	TSA (Closed Circuit Television Cameras)
08-Sep-08	700,500	FAA (Runway Status Lights)
26-Jan-09	420,000	Military Construction Cooperative Agreement (MCCA) - New ARFF Building
27-Jul-09	6,600,000	Military Construction Cooperative Agreement (MCCA) - New ARFF Building
12-Apr-10	45,431,845	TSA (In-Line Baggage Screening System)
14-Jun-10	1,000,000	Design Line Electric Bus (Federal stimulus money - Triangle J)
	\$ 56,202,345	
AIP FUNDING		
09-Jun-08	4,170,396	FAA (NEW RUNWAY)
09-Jun-08	2,386,275	FAA (NEW RUNWAY)
09-Jun-08	4,578,985	FAA (NEW RUNWAY)
09-Jun-08	8,829,604	FAA (NEW RUNWAY)
	\$ 19,965,260	FAA (NEW RUNWAY)
24-Aug-08	\$ 2,404,198	FAA (NEW RUNWAY)
09-Feb-09	2,477,303	FAA (NEW RUNWAY)
09-Feb-09	4,259,358	FAA (NEW RUNWAY)
09-Feb-09	1,472,500	FAA (NEW RUNWAY)
09-Feb-09	3,979,950	FAA (NEW RUNWAY)
09-Feb-09	565,437	FAA (NEW RUNWAY)
09-Feb-09	722,755	FAA (NEW RUNWAY)
09-Feb-09	863,539	FAA (NEW RUNWAY)
	\$ 14,340,842	FAA (NEW RUNWAY)
27-Jul-09	\$ 1,361,616	FAA (NEW RUNWAY)
27-Jul-09	1,745,912	FAA (NEW RUNWAY)
27-Jul-09	3,797,542	FAA (NEW RUNWAY)
	\$ 6,905,070	FAA (NEW RUNWAY)
14-Sep-09	\$ 562,500	FAA (NEW RUNWAY)
08-Mar-10	\$ 5,302,493	FAA (NEW RUNWAY)
08-Mar-10	12,000,000	FAA (NEW RUNWAY)
	\$ 17,302,493	FAA (NEW RUNWAY)
13-Sep-10	\$ 1,623,345	FAA (NEW RUNWAY)
13-Sep-10	2,048,582	FAA (NEW RUNWAY)
13-Sep-10	587,095	FAA (NEW RUNWAY)
13-Sep-10	987,067	FAA (NEW RUNWAY)

	\$ 5,246,089	FAA (NEW RUNWAY)
08-Mar-10	\$ 3,434,194	FAA (NEW RUNWAY)
11-Apr-11	\$ 9,408,473	FAA (NEW RUNWAY)
11-Apr-11	2,505,993	FAA (NEW RUNWAY)
11-Apr-11	85,534	FAA (NEW RUNWAY)
11-Apr-11	4,804,107	FAA (NEW RUNWAY)
	\$ 16,804,107	FAA (NEW RUNWAY)
TOTAL FEDERAL FUNDING	\$ 143,167,098.00	

T. J. “Jerry” Orr
Aviation Director
Charlotte Douglas International Airport



T. J. “Jerry” Orr is the chief executive of Charlotte Douglas International Airport (CLT). As Aviation Director, Orr is responsible for all aspects of the airport’s operation. Orr’s career spans 36 years at CLT, 22-years of which he has served as Aviation Director. Under his leadership, CLT has grown to become the nation’s 11th busiest airport in number of passengers and seventh busiest in number of operations and is consistently ranked among the nation’s top airports.

Orr is a native of Charlotte and a 1962 graduate of North Carolina State College (renamed North Carolina State University) where he received a Bachelor of Science degree in Civil Engineering and was a North Carolina Registered Professional Engineer and Land Surveyor. From 1962 until 1975, he operated his family-owned land surveying business. In 1975, Orr joined the City of Charlotte’s Aviation Department as a staff engineer and in 1989 was named Aviation Director.

Known for his unique management style and fiscal stewardship, Orr is respected as a visionary by leaders in the aviation industry, the public and private sector and among Fortune 500 CEO’s worldwide. During Orr’s tenure at CLT, he has developed, implemented and refined unique solutions to challenges in an ever changing industry, resulting in an air transportation facility with continued airline growth that is one of the most cost efficient airports in the world. Orr developed the CLT Air Cargo Center and has led the extensive development of corporate aviation, resulting in several Fortune 500 companies headquartering their aviation operations at CLT. In 2009, the airport constructed a third parallel runway, which opened in February 2010. Orr continues to work in partnership with Norfolk Southern toward the future establishment of an airport based intermodal facility, which will connect four modes of transportation – air, rail, sea and truck – in one location. Ground will be broken on the intermodal project in Fall 2011.

Orr has fostered neighborhood relations through the Airport Advisory Committee and assisted in the establishment of the Neighborhood Task Force. These two citizen committees serve as a direct link to surrounding communities. He is a member of industry boards and committees, including the Governor’s Logistics Task Force, the North Carolina Airports Association, the Charlotte Chamber of Commerce Aviation Committee, the Charlotte Regional Visitors Authority (CRVA) Advisory Committee, the Foreign Trade Zone Board, the British American Business Council of North Carolina, Inc. and the Greater Charlotte Hospitality and Tourism Association (HTA). Orr is a former member of Airports Council International (ACI) and American Association of Accredited Executives (AAAE).

Recent honors include the 2010 International Air Transport Association (IATA) Eagle Award for Best Airport, 2010, 2009 Air Carrier Airport Manager of the Year by the Federal Aviation Administration (FAA) Southern Region and the 2009 Outstanding Hospitality Person of the Year by the Greater Charlotte (HTA). Previous recognitions include the 2009 March of Dimes “Celebrating Contribution to Charlotte” award, the 2007 “Jerry Award” presented by the Charlotte Regional Partnership, the 2005 Richard Vinroot International Achievement Award, Captain of First Flight, as presented by the State of North Carolina’s Department of Transportation (NCDOT), the Order of the Long Leaf Pine, the Excellence in Management Award presented by the Business Journal, the Charlotte Chamber, and the Rotary Club of Charlotte, the 1997 Cornerstone Award presented by the Charlotte Region Commercial Board of Realtors, the Lambda Alpha International Community Leadership Award, the NCDOT Continuing Contribution Award, the Patrick Henry Award, and the Charlotte-Mecklenburg Spirit Square Center For the Arts Spirit Award.