

## 2. NEW MEXICO DELEGATION AND TSA UNIONIZATION

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For Immediate Release

### **Former Senator Schmitt Accuses New Mexico Delegation of Putting Politics Ahead Of National Security**

**T**he New Mexico Congressional Delegation now advocates giving union leadership of screeners in the Transportation Security Administration (TSA) the power to control critical decisions in a time of war. They wish to make it possible to hold America hostage to union leadership demands. So reports the Albuquerque Journal of December 31, 2009. What a way to end the year!

Why, all of a sudden, has this issue even arisen? It is politics of the most insidious kind. The events leading up to the failed attempt by an Islamic terrorist to kill 290 people on Christmas Day have nothing to do with TSA or its lack of a confirmed Administrator. Those events have everything to do with a President, Attorney General, and Delegation that refuse to admit that a state of war exists between America and radical Islam. How can the Obama Administration and the New Mexico Delegation say no war exists? Doing so ignores all the terrorist events directed against Americans over the last 50 years and particularly over the last decade.

For the moment, set aside the question of whether or not the Government should be screening ALL air travelers. We know exactly who to profile as po-

tential terrorists with whom we are at war— whether the President and the Delegation wish to call it “war” or not. However we ultimately settle that question, it defies the common sense of most Americans to give the leadership of any group of employees whose activities support national security requirements the power to control national security decisions through work rule demands and through seniority rather than merit-based decisions. Everyone knows that eventually, union leadership will want the power to call strikes to get what they want and this Administration and Congress will be happy to give them that power.

Would we want the power to strike or even to control employee assignments to be held by a union leader representing the Armed Forces, the U.S. Coast Guard, or the Air Traffic Controllers? Clearly, that would be absurd. In this light, even the existing unionization of the Border Patrol and the Customs Service should be revisited.

Why, then, does the Delegation want to give critical national security power to a union leadership of those who protect air travel? In making that argument, the

Delegation ignores the Constitution's edict that the President has primary responsibility for the "common defence". It once again puts the political support of organized labor ahead of the state's and the nation's interests.

The existence of organizations consisting of members of entities like TSA and the Flight Controllers has a strong Constitutional justification in the exercise of the 1<sup>st</sup> Amendment guarantee of the "right of the people peaceably to assemble, and to petition the Government for a redress of grievances". Such organizations can and should provide insights and advice to management from those who know their jobs best. No constitutional right exists, however, to union-led coercion or intimidation. That is not what the 1<sup>st</sup> Amendment's use of the word "petition" means.

The Delegation, apparently, also would not support restricting the intense screening of air, train, and bus travelers

to those that match the obvious profile of the foreign and foreign-influenced terrorists that have attacked America. So far, without exception, this profile shows we are at war with radical Islam. We should vigorously act accordingly or we are doomed to successful future attacks on the homeland and our economy. Most detrimentally, current policy results in major, unnecessary restrictions on the liberty of traveling Americans.

A final note worth remembering: Courageous people who watch who else are traveling, and, yes, "profile", constitute our primary defense against travel terrorism.

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