

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

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: In the matter of: :
: AVIATION SECURITY ADVISORY :
: COMMITTEE MEETING :
: :
: :
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Wednesday, March 26, 1997

Federal Aviation Administration
McCracken Room
10th Floor
800 Independence Avenue, S.W.
Washington, D.C.

The meeting of the AVIATION SECURITY ADVISORY
COMMITTEE commenced at 9:00 a.m., pursuant to notice.

APPEARANCES: ASAC Committee Members:

Rear Admiral Cathal Flynn, Chairman
Aviation Security Advisory Committee
Associate Administrator for Civil Aviation
Security

Dr. Anthony Fainberg, Designated Federal
Official, Aviation Security Advisory
Committee
Director, Office of Civil Aviation Security
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Mr. John Daly
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P R O C E E D I N G S

(9:00 a.m.)

OPENING REMARKS

RADM FLYNN: Welcome. Thank you all for coming to this meeting of the Aviation Security Advisory Committee. I will go through the formal parts of this. The notice of this meeting was printed in the Federal Register and this meeting is being held pursuant to the notice in the Federal Register on March 17, a grand day, 1997.

The agenda for the meeting will be as announced in that notice, with details as set up in the handout which there should be one of at every place here at the table, and there are probably additional copies available for people in the outer row.

The FAA Designated Federal Official, Tony Fainberg, to my left, is responsible for compliance with the Federal Advisory Committee Act. It is his responsibility to see to it that the agenda is adhered to and accurate minutes are kept.

The Designated Federal Official also has the responsibility to adjourn the meeting should he find it necessary to do so in the public interest.

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1 Placards for the member organizations are set out
2 on this main round table. Only one representative from each
3 organization may sit at the table, participate in
4 discussions, and vote on matters put to a vote by the Chair.

5 Other representatives of member organizations should channel
6 any remarks they have through the organization's main table
7 representative, except as requested to do otherwise by the
8 Chair.

9 When addressing the Chair, please identify yourself
10 because that will greatly facilitate the keeping of the
11 minutes.

12 The meeting is open to the public, but members of
13 the public may address the Committee only with the permission
14 of the Chair, which should have been arranged by giving
15 advanced notice concerning the scope and duration of the
16 intended presentation. We have received no such advance
17 notice.

18 The Chair may entertain public comment if, in the
19 Chair's judgment, doing so will not disrupt the orderly
20 progress of the meeting and would not be unfair to any other
21 person. Members of the public are welcome to present written

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1 MS. COUTU: I'm Theresa Coutu with the American
2 Association of Airport Executives.

3 MS. RORK: Susan Rork with the Air Transport
4 Association.

5 MR. PRIDDY: Ron Priddy, National Air Carrier
6 Association.

7 MS. CLARK: Celeste Clark, National Air
8 Transportation Association.

9 MR. MARTIN: Bob Martin, Postal Inspection Service.

10 MR. MONETTI: Bob Monetti, the Victims of Pan Am
11 Flight 103.

12 MR. LUCKEY: Steve Luckey, Airline Pilots
13 Association.

14 MR. WITKOWSKI: Chris Witkowski, Association of
15 Flight Attendants.

16 MR. DIVITO: Robert DiVito, Aviation Consumer
17 Action Projects.

18 MR. MORRIS: Joe Morris, Air Courier Conference of
19 America.

20 MR. VARRELMAN: Dave Varrelman, Airport Law
21 Enforcement Agencies Network.

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1 MR. SALFEN: Marty Salfen, International Airline
2 Passengers Association.

3 MR. O'CONNELL: Andy O'Connell, U.S. Secret
4 Service.

5 MR. KILLIAN: Paul Killian, Federal Bureau of
6 Investigation.

7 MR. DALY: John Daly, Office of the Secretary of
8 Transportation.

9 REVIEW OF MINUTES FROM DECEMBER 12, 1996 MEETING

10 RADM FLYNN: Thank you, again, all for attending.
11 The first order of business is the review of the minutes of
12 the meeting of December 12, 1996. Those minutes should have
13 been sent to every member of the ASAC and let me open it to
14 the members for any discussion of the minutes.

15 Any discussion?

16 (No audible response.)

17 RADM FLYNN: We received one editorial comment from
18 NACA and that will be incorporated.

19 So, let me ask if someone would move the adoption
20 of the minutes of the December 12th meeting.

21 PARTICIPANT: So moved.

22 RADM FLYNN: Second?

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1 PARTICIPANT: Seconded.
2 RADM FLYNN: All in favor of adoption of the
3 minutes?
4 (Show of hands.)
5 RADM FLYNN: The minutes are adopted.

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1 ADMINISTRATOR'S ACCEPTANCE OF ASAC DOMESTIC
2 SECURITY BASELINE REPORT OF DECEMBER 12, 1996

3 We've had much to do in the -- of course, with the
4 ASAC and with the Aviation Security Advisory Committee's
5 Baseline Working Group. One would say that the Baseline
6 Working Group's report sets a direction for aviation security
7 within the United States, which, if followed, will ensure an
8 effective and efficient means of giving the protection that
9 should be given to the aircraft and all who fly in them.

10 It has been our -- the Aviation ASAC report has
11 been sent to the Administrator and the Administrator's
12 acceptance of that report has been noted. There are clearly,
13 in the Baseline Working Group, some matters that go above the
14 Administrator's ability to be able to say on the
15 Administrator's authority that they will come about.

16 A notable one, of course, in that is the
17 recommendation of the Baseline Working Group that the
18 additional -- that the cost of the additional measures be
19 appropriated from Federal funds.

20 Those of you who have read the White House
21 Commission report, their final report, will see that that
22 recommendation there is that there is a recognition that the

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1 problem that we face of terrorism is a national security
2 problem.

3 The funding associated with that in the
4 recommendation is of the order of \$100 million per year, and
5 that \$100 million per year is in the appendix to the '98
6 budget submission as an advance appropriation on fiscal year
7 '99. In other words, the first dollar of that \$100 million
8 becomes available if that is passed along with the '98
9 appropriation; that would become available on the 1st of
10 October of 1998.

11 That is the situation that we have and the White
12 House Commission further recommended that the overall
13 question of how aviation security would be funded and these
14 additional costs which should be addressed by the National
15 Civil Aviation Review Commission, the second Commission, the
16 one established on Congressional initiative which will be
17 addressing the overall question of FAA funding and including
18 within it, then, not only the question of those things that
19 FAA has spent money on; that is to say, the salaries of FAA
20 security staff and the R&D program, for example; but also to
21 address the question of those things that have been funded by
22 the industry.

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1 That would be looked at by the Commission to see
2 whether it makes sense to have some means of collecting funds
3 that would come initially from the users of the industry,
4 let's say the passengers and those who have cargo carried on
5 it in the aircraft, or whether the -- and to have that money
6 come to FAA to be redistributed in some way, or whether it
7 makes more sense for that to be done locally, airport by
8 airport basis, with some discretion by consortia, or whether
9 that money is held by the entities who collect it in the
10 first place, the airlines, and they spend it on the
11 additional cost of security.

12 All of that remains to be seen as to how the
13 Commission does its business and how it comes out on those
14 recommendations.

15 So, I think at this point, one could say that the
16 recommendation of the Baseline Working Group has not been
17 ignored, but it's not within the authority of the
18 Administrator to -- within sole authority, to advocate and
19 propose an F&E budget, for example, of the order of -- and an
20 operations budget, that money that would be sent back to the
21 airports and airlines something of the order of a billion
22 dollars per year.

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1 The Baseline Working Group heard what the Office of
2 Management Budget had to say about that during our
3 deliberations, and you have seen the outcome in the
4 submissions of the Administration's budget.

5 The next topic is the Cargo Security Work Group and
6 other work groups, and will Karl Shrum report on that,
7 please?

8 CARGO SECURITY WORK GROUP AND OTHER WORK GROUPS

9 MR. SHRUM: The White House Commission essentially
10 endorsed the recommendations of the Cargo Work Group -- or
11 Baseline Working Group and specifically endorsed the process.

12 RADM FLYNN: Can you all hear?

13 PARTICIPANT: No.

14 RADM FLYNN: No, let's turn up the volume.

15 MR. SHRUM: Okay, as I was saying, White House
16 Commission endorsed not only the recommendations of the Cargo
17 Working Group, but also the process saying that FAA should
18 place greater emphasis on the work teams such as the ASAC and
19 the Baseline Cargo Working Group to address cargo issues.

20 So, we're proceeding to implement those
21 recommendations. We have a proposed security change program
22 that is nearly final. We hope to have it out very soon. I

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1 know you all have been hearing me say this for some time now,
2 but I'm ready to move this on through so we can get a
3 proposal out there for comment.

4 The Commission also added a couple of items for
5 consideration; requirements to be implemented, requiring
6 trucks delivering cargo for loading on planes to be sealed
7 and locked, and enhanced for -- and stiffer employee
8 screening procedures should be developed. It's clear in
9 context, but what they mean by employee screening procedures
10 is actually some form of background check; the notion being
11 that it's given the technical difficulties of screening
12 cargo, we should come up with some measures that would ensure
13 its integrity as an alternative.

14 So, what we would like to do is reconvene the Cargo
15 Working Group as previously constituted under its Chair,
16 Ed Badolato, who's right over there, pick a meeting date, and
17 get to work on these further issues.

18 RADM FLYNN: Let me pause there and see if there
19 are comments from the members on how we ought to be
20 proceeding with the Cargo Working Group. Is what Karl
21 suggested, do you agree with that or do you have any comments
22 about that?

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1 MS. WILSON: Having served on the original Cargo
2 Working Group under Ed, I think it's a wonderful idea. This
3 is Bonnie Wilson, the Airports Council. I served on the
4 original Cargo Working Group under Ed Badolato and I would
5 like to move that we do exactly what Karl has suggested.

6 MR. PRIDDY: NACA certainly endorses that as well.

7 MR. MONETTI: Bob Monetti, Victims of Pan Am Flight
8 103. I got to go to one of those meetings. I'd like to be
9 part of the Cargo Working Group to have a consumer input into
10 it.

11 RADM FLYNN: I think we can arrange that without an
12 objection. I think we can arrange that.

13 MR. SHRUM: Does anyone have any suggestions as to
14 a good meeting date? With all that's going on here, it's
15 kind of hard to pick a date and find a place to meet.

16 RADM FLYNN: Okay, will APA, NACA, and other
17 associations coordinate a meeting date and get back to Karl
18 with it? That would be helpful.

19 Is that it? How about other working groups? Is
20 there anything on that?

21 MR. SHRUM: There is a handout in front of you.
22 We've identified several recommendations of the Baseline

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1 Group that we think need further discussion; identify
2 specific implementing procedures, actions -- run through them
3 quickly:

4 Consultation -- this actually operates on several
5 levels from emergency consultation, security directed kind of
6 situations to more broad considerations, the obvious concern
7 being, of course, the Advisory Committee Act which we have
8 been able to implement with considerable success, but over an
9 extended period of time.

10 I'd like to get folks together with lawyers and
11 others to discuss what sort of legislation we might draft
12 that would give us the opportunities that we're seeking here.

13 FAA in the Leadership Role -- we have, as you note
14 here, a recommendation from the White House Commission that
15 the Federal Government commit greater resources to improving
16 aviation security and work more cooperatively with the
17 private sector and local authorities in carrying out security
18 responsibilities.

19 Of course, we have the consortia process. We also
20 need to consider something at a national level, as was
21 originally considered by the Commission to deal with things
22 of regulatory nature.

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1 Public Education -- the plan all along was that we
2 would convene a work group and develop the specifics with the
3 public affairs people.

4 (Pause.)

5 MR. SHRUM: As I was saying, the plan all along had
6 been to convene a work group of interested folks to come up
7 with a public education program. We need to get public
8 affairs people involved on that one.

9 Recognition/Utilization of Employees -- there was a
10 recommendation concerning a team approach to security. It
11 treats employees as team members. We need to further define
12 that role.

13 Also, another consideration from the Commission is
14 legislation to protect employees who report safety or
15 security violations, or a whistle-blower protection,
16 essentially.

17 Of course -- actually, this next one, the precise
18 recommendation was that employers would revise existing
19 security training job descriptions to promote communications
20 and security updates, issues and concerns, and procedural
21 changes.

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1 I believe we talked about the specific process,
2 particularly in light of the rule that we just issued on the
3 dissemination of sensitive security information.

4 Further, federal industry development of security
5 training programs keep employees involved in and informed of
6 aviation security, and FAA provided resources and reference
7 materials to assist air carriers and airports in developing
8 training programs. That would be a specific curriculum at
9 some point.

10 What we'd like to do now is identify some work
11 groups, people who might be interested in heading up those
12 work groups, other folks that might be interested. I think
13 the thing to do is simply identify a team leader, so to
14 speak, and then interested persons would contact that team
15 leader if they want to participate.

16 RADM FLYNN: Any questions?

17 (No audible response.)

18 EXPLOSIVES DETECTION TRAINING PROGRAMS

19 RADM FLYNN: I'll ask Karl, then, to give us some
20 information about explosive detection training programs from
21 the recommendation in the White House Commission that the
22 Bureau of Alcohol, Tobacco, and Firearms provide some

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1 training, and there's been some interaction between FAA and
2 ATF on that. Karl could summarize it.

3 MR. SHRUM: Yes, I'm subbing for Quint Johnson,
4 who's been meeting with the ATF. He's home in bed with the
5 flu.

6 Briefly, ATF is in the process of developing three
7 videos. They would like to identify some folks in the law
8 enforcement airline communities to review those videos as far
9 as their content and how effective they are in getting the
10 message across, so on, and so forth.

11 So, we -- again, airline law enforcement people are
12 the intended audience, and those are the folks we'd like to
13 get some feedback from, if we have any volunteers to do that.

14 MR. VARRELMAN: Yes, we will, Airport Law
15 Enforcement. We'll farm them out to our various members if
16 you wish, if you give us enough copies.

17 RADM FLYNN: A note of interest from ATA, from
18 NACA, from the postal service, from the ALPA, and from ALEAN.
19 Others?

20 MR. SHRUM: So, we'll be contacting you folks with
21 a date and time to meet and review the training.

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1 RADM FLYNN: Many of you saw FrontLine last night.
2 You can see the kind of interesting things that ATF could
3 bring to it. I thought it was -- I found it informative.

4 MR. MORRIS: Mr. Chairman, could you add the Air
5 Courier Conference to the reviewer list, please, for those
6 videos?

7 RADM FLYNN: Sure.

8 MR. MORRIS: Thank you.

9 RADM FLYNN: Airport Categorization, and I would
10 ask Pete Falcone to talk to us on that subject.

11

12

13 AIRPORT CATEGORIZATION

14 MR. FALCONE: I'm Peter Falcone. I'm the manager
15 of the Office of Operations, Domestic Airport Division in
16 FAA. My understanding is that the members have expressed
17 interest in airport categorization, a process that is used to
18 determine what level an airport is placed at, and I'm
19 prepared to address that today to the extent that I can.

20 I should say that the actual criteria for
21 determining an airport category is protected as a part of the
22 air carrier security -- approved air carrier security

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1 program. So, oddly, the business of regulating airport
2 categorization is actually found in the approval documents
3 for the air carriers.

4 I can say that we have a process, and I will cover
5 very briefly for the members, our last full census year was
6 1995, and the figures that we derived from that census
7 indicated that there are 19 Category X airports, 56 Category
8 I, 56 Category II, 141 Category III, 171 Category IV, and 17
9 Category V. These are all airports regulated pursuant to
10 Part 107 of the Federal Regulations for security purposes; a
11 total of 460 airports regulated pursuant to Part 107.

12 There is increased interest in airport
13 categorization, not only as a result of the White House
14 Commission recommendations, the establishment of consortia,
15 and deployment of security technology, but there is specific
16 legislation that directs the FAA and the FBI to work jointly
17 to establish liaison at higher risk category airports. So,
18 there is increasing interest in this area.

19 I would say that we're working on that process and
20 we have been meeting -- staff from FBI and FAA have been
21 meeting for several months and in this effort, have
22 established a preliminary agreement, an interagency

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1 agreement, yet to be finalized, but we've made significant
2 progress in that area.

3 The process of categorization is dependent on the
4 numbers of persons who are screened. So, in fact, it's a
5 function of the size and complexity of the airport. We don't
6 address the number of passengers, necessarily. We talked
7 about the total number of persons who are screened by
8 checkpoints.

9 Changes in airport category can occur if the
10 numbers a person screened exceeds 25 percent over a one-year
11 period. So, we set a break-point for each of the five
12 categories of airports.

13 RADM FLYNN: Does that mean that there's a change
14 of the count of 25 percent in one year?

15 MR. FALCONE: That is correct.

16 RADM FLYNN: When would that happen?

17 MR. FALCONE: That would occur if the numbers
18 reported in the previous year increase by 25 percent over
19 the --

20 RADM FLYNN: Over some time.

21 MR. FALCONE: Over the period of one year.

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1 RADM FLYNN: Well, that's not going to happen, is
2 it?

3 MR. FALCONE: It happens in some of the smaller
4 categories, category III's.

5 MR. PRIDDY: You may have seen that -- this is Ron
6 Priddy of NACA -- you may have seen that at Baltimore-
7 Washington after Southwest Airlines moved into there. There
8 was a huge difference in passengers over at that airport.

9 RADM FLYNN: Mr. Monetti?

10 MR. MONETTI: Pete, can I interrupt just for a
11 minute? I understand the FAA is the organization that
12 determines what water is, so you can real quickly explain to
13 me why the airport categorization is effected by the airline
14 agreements and not anything to do with the airports? Is
15 there a reason for that, or just the way it happens to be?

16 MR. FALCONE: What I said was that airport
17 categorization is a criteria for determining categorization
18 resides, exists, in the security program referred to as the
19 Air Carrier Standard Security Program. That's where it's
20 published. It's a regulatory document.

21 The agreement I referenced was one that is mandated
22 under the Reauthorization Act, Section 309, that directs FAA

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1 and FBI to work jointly to establish an interagency agreement
2 to focus attention on higher risk airports.

3 MR. MONETTI: Now, the categorizations we're
4 talking about are just for security purposes.

5 MR. FALCONE: That is correct.

6 MR. MONETTI: So, would it not be a good idea to
7 define what things would effect the security in an airport,
8 rather than just necessarily the number of people screened?
9 That was the criterion. That was in a different year, and
10 now we're in a era where we've been told that the threat
11 level is higher. Should we not go back and look at what the
12 criterion is to determine categories?

13 Now, we have people who get screened and go from
14 terminal to terminal without being rescreened. Does that
15 make things better or worse, or different if an airport is
16 near -- if it's filed at headquarters, does that make it
17 different?

18 I have no idea, but it seemed to me that just
19 quantities of people that are screened may not be the only
20 criterion we want to use.

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1 MR. FALCONE: Well, in fact, there are other
2 factors for determining airport criteria, but again, I cannot
3 speak in this public forum about the criteria.

4 The issue of what should define an airport category
5 has been under study. It's one that we are examining right
6 now, very closely, for all the reasons that you've stated.

7 MR. FAINBERG: For example, suppose there's an
8 airport that has a very large number of international
9 over-water flights, but is lower down in category. Maybe we
10 ought to consider that, for instance.

11 MR. MONETTI: The other purpose, I guess, is what
12 are you going to do with the categories? We had this thing
13 called we're going to do this at Category X Airports, we're
14 going to do this at Category I airports, and maybe if we're
15 using this as an implementation tool, you may want to have
16 different categories.

17 I mean, Category I is enormous. It ranges from
18 Philadelphia all the way down to really small airports.
19 Maybe you want to have a IA or change what you mean by I so
20 that it becomes a manageable number of airports.

21 MR. FALCONE: The world has changed since the
22 airport categorization process was first defined. We are

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1 looking at more accurate ways of gauging the complexity and
2 size of an airport.

3 MR. MONETTI: Are you looking for input outside the
4 FAA?

5 MR. FALCONE: Pardon me?

6 MR. MONETTI: Are you looking for input outside of
7 the government?

8 MR. FALCONE: There are proposals to take in
9 information or data from all sources, including crime
10 statistics as published by the FBI.

11 MR. VARRELMAN: What crime statistics published by
12 the FBI?

13 MR. FALCONE: The uniform crime reports.

14 MR. VARRELMAN: No, UCR doesn't carry airports at
15 all.

16 MR. FALCONE: That's correct.

17 (Simultaneous conversation.)

18 MR. FALCONE: They speak to metropolitan
19 statistical. That is correct.

20 MR. VARRELMAN: So, you're not going to get
21 anything from the Bureau on it. They don't even know what we
22 report, unless they break out a separate group.

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1 RADM FLYNN: A couple of things, please, to help.
2 Please use the microphone. Please get my attention and I
3 will ask you to speak -- I'll give you full opportunity. But
4 then, for the purpose of the minutes, before you speak,
5 please identify yourself.

6 I think perhaps I could summarize about this and
7 say we had determined the allocation of equipment, priorities
8 for allocation of equipment; some things having to do with
9 FAA staffing, some things with regard to expectations of what
10 airports might do with regard to security on the basis of
11 those categories with "X" being the highest priority.

12 It's well to look at those things. It's well to
13 look at them in conjunction with the Federal Bureau of
14 Investigation and without going further into the criteria, I
15 think by saying that, one can infer that the reason for doing
16 it with the Federal Bureau of Investigation is to do it with
17 some view of making fairly subtle, fairly difficult
18 distinction as to the propensity for a tax on civil aviation
19 to happen at place A, rather than place B.

20 This is all one United States of America. We don't
21 have very many controls on internal movement of people, so it

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1 may be that that doesn't lead any place ultimately very
2 interesting. On the other hand, it could.

3 So, that is why it is important as we go on, let us
4 say that the funding is at \$100 million a year for
5 installation of equipment. It helps over time to decide what
6 your priority should be with regard to placement of
7 equipment. It matters to us also with placement of staff.

8 There are other things that are involved, but the
9 people who asked particularly for this are AAAE and ACI-North
10 America, so I would ask you in whatever order you would like
11 to address your concerns.

12 MS. COUTU: It's my understanding that the
13 categorization system was developed to determine staffing
14 levels -- appropriate staff levels at security screening
15 points. Clearly, that situation has changed.

16 So, I first want to address today's categorization
17 system. I think, given the effect that this now has on
18 airports, not just on the air carriers at screening points,
19 we would like to be officially informed by the FAA of what
20 the categorization formulas are, how they're being applied,
21 how they're being changed. We -- actually, that information
22 is not readily available to airports.

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1 Officially, currently what happens is airports are
2 simply advised that they've been changed. We believe that
3 it's time for more information than that to be disseminated
4 and we would like a chance, as an airport community, to
5 review today's categorization immediately so that we can
6 determine if input is needed to the FAA.

7 On the second level of categorization, which is
8 reviewing our system to determine high risk airports for
9 purposes of allocating limited resources, and for the types
10 of considerations that Mr. Monetti has referenced, which is
11 let's look at how we apply these categories today, and
12 whether the factors make sense, and whether we're taking into
13 consideration everything.

14 We would just like to officially go on record
15 saying the airport community would like to be involved in
16 that evaluation also.

17 RADM FLYNN: The Chair speaks. I think a way of
18 doing that, having already given you a long list of working
19 groups, I don't know the better way of doing this than to
20 have a working group of the ASAC with people who have
21 undertaken to safeguard security -- sensitive security

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1 information -- to review that, and we would ask for interest
2 in membership of that working group.

3 Presumably, it would be the Airport and Airline
4 Associations, Mr. Monetti, indeed, were welcome on that;
5 ALEAN, of course, and APA involvement -- yes, I think we can
6 arrange that.

7 So, okay. The Airline Consumer Aviation Project,
8 again, is not addressing this in any invidious way towards
9 anyone in particular. One does need to recognize that there
10 will be sensitive information involved in that, so that when
11 you undertake to join the committee, or working group, you
12 have to undertake to safeguard that information.

13 Okay, that brings me back to a reminder from the
14 Designated Federal Officer that we went over that earlier
15 listing of work groups without doing what?

16 MR. FAINBERG: Yes, this is Tony Fainberg --
17 without handing out assignments, basically, without
18 soliciting volunteers for each of these roles. What Karl
19 Shrum had suggested was to designate a volunteer to be the
20 focal point and to direct action groups of various sorts and
21 then other folks could contact the volunteer.

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1 Karl, do you want to do this? Or, if you want,
2 I'll do it, and go down the list probably by categories, and
3 perhaps we can group a couple of them together so we don't
4 have a plethora of working groups.

5 MS. RORK: Susan Rork, ATA. Karl, just a point of
6 clarification before we establish the working groups. Are
7 you intending on having a working group on each of these, or
8 can we combine them?

9 MR. SHRUM: Precisely. Given everything that's
10 going on, we need to kill as many birds with one stone as we
11 can.

12 MS. RORK: I agree. Thank you.

13 RADM FLYNN: We need a working group on working
14 groups. So, Karl, why don't you proceed then?

15 MR. SHRUM: In terms of combining these, I think
16 public education is going to stand alone, but it would be
17 employee recognition/utilization and role of airline/airport
18 personnel, I think can probably be rolled up in one group.

19 Consultation, I think -- well, possibly combine
20 consultation and the leadership role issues. So, we have
21 essentially three working groups, and if possible, we could
22 meet on the same day and the same place, that kind of thing.

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1 MR. FAINBERG: Karl, this is Tony Fainberg. On
2 consultation, what would the role of the working group be,
3 because what is says is amend the Act?

4 MR. SHRUM: Yes, in other words, first, you define
5 a process by which we could, in real time, discuss
6 implementation issues, impact and proposed contingency
7 measures -- for example, it might appear in security directed
8 airport program amendments -- so that we can make an informed
9 decision at FAA.

10 As it stands, if we seek advice from other than an
11 individual; in other words, the Advisory Committee has
12 basically defined as government and any outside person as a
13 group for the purpose of advising the government, et cetera,
14 et cetera, we run out on the Advisory Committee Act and have
15 to follow the procedures you're all so familiar with.

16 I think the intent of the recommendation is to find
17 some way to consult effected parties prior to issuing some
18 sort of regulatory requirement, so we can make an informed
19 decision as to what the effectiveness and impact of these
20 measures might be.

21 There are a whole lot of different ways of doing
22 that.

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1 MR. FAINBERG: So, the role of the working group
2 would be to formulate a policy statement on this and make it
3 available to Congressional staff and interested parties, is
4 that right?

5 MR. SHRUM: Yes, there needs to be some legal
6 sanction in the process or we're in violation of the Advisory
7 Committee Act. It's as simple as that.

8 MR. FAINBERG: Right.

9 MR. SHRUM: I might point out that for the purposes
10 of the consortia, that the Congress did make a specific
11 exception from the Advisory Committee Act. One question we
12 have to resolve is apparently that's specific to fiscal '97,
13 so we need to get some action from the Congress to extend the
14 consortia process out in the future fiscal years, or again,
15 we're running headlong into FACA.

16 RADM FLYNN: Mr. Monetti.

17 MR. MONETTI: Bob Monetti, Victims of Pan Am 103.
18 Karl, of all the discussions we had about the consultation
19 and the short-term problems that Irish has because he can't
20 talk to any one group without talking to everybody, maybe we
21 could talk about a committee that could look at ways of
22 solving that problem directly today, or maybe there should be

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1 a subcommittee of this group representative of this group
2 that could be in D.C. in 12 hours or 24 hours, if something
3 came up, or even be available for a conference call.

4 So, if you needed short-term consultation, it would
5 be available from this body and, without any legislation,
6 without any other activity. It would be nice to get the
7 legislation, and maybe in a couple of years, that would be a
8 useful thing, but in the meantime, maybe you need a
9 subcommittee that is available, and many of the people are
10 here in D.C. and many can be here.

11 MR. SHRUM: That's certainly one consideration.

12 RADM FLYNN: Well, except that when this ASAC
13 meets, it's a public meeting. It's a little bit difficult to
14 deal with a crisis situation without being able to -- who's
15 in the room.

16 MR. SHRUM: Yes, if it's formally designated as a
17 committee, or subcommittee and we get the 15-day
18 notification, we're having a public meeting, and all this
19 other kind of stuff; if this is some type of a work group
20 that the ASAC sanctions, you know, after we've had whatever
21 dialogue we've had, that's a possibility to consider.

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1 I wouldn't want to, at this point, make any kind of
2 legal determinations.

3 RADM FLYNN: Ms. Rork, of ATA.

4 MS. RORK: Thank you. Once again, we have gone
5 over and over and over this issue of attempting to work
6 together and you know, it becomes very critical when issues
7 come out that effect the airline operation. It would seem to
8 me that we're not going to resolve it here today and let's
9 form a working group and give ourselves a deadline as to how
10 we can develop that policy as Tony suggested.

11 ATA would definitely like to be on that working
12 group since we have supported this for many, many years, that
13 if we don't work together, we end up with difficulties out in
14 our operations. So, I would volunteer to be on that working
15 group and I'd like to see who else would be on it.

16 RADM FLYNN: Yes, okay. Let's see --

17 MR. SHRUM: Did I hear you volunteer to be the team
18 leader, so to speak? What we need to do is if we can get
19 this down to three working groups, I can probably cover all
20 three of them. Otherwise, I would have an industry person,
21 an FAA person designated to each work group, and we probably
22 will assign specific staff.

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1 I reckon I just need some names so we can get the
2 process started.

3 RADM FLYNN: Okay, and we'll include that other
4 working group that we came up and that's to say the
5 categorization of airports.

6 MR. SHRUM: The next one would be public education,
7 which was essentially the brainchild of Dave Enz.

8 RADM FLYNN: David who?

9 (Show of hands.)

10 MR. SHRUM: Dave Enz. I see a couple of hands up.
11 Do we have volunteers?

12 RADM FLYNN: Okay, well look, if we're talking
13 about public education about these matters, who better to run
14 than one of the consumer groups? So, do I have two
15 volunteers? Do we have two volunteers? Do you want to
16 co-direct this?

17 PARTICIPANT: Yes, that's fine.

18 RADM FLYNN: All right. We've got members of the
19 Airline Passengers Association and the Aviation Consumer
20 Action Project who will cause this to happen. Before
21 everybody runs out of this room, they need to approach the
22 directors of these work groups and let them know who you are,

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1 what your telephone number is, who you represent, and what
2 your availability might be.

3 The Chair had said that that seemed like a logical
4 thing to do. Is there any objection to that?

5 MS. RORK: I'll second it for you.

6 RADM FLYNN: I don't think we need to put it to a
7 vote, unless I hear of a disagreement with them.

8 (No audible response.)

9 RADM FLYNN: Okay.

10 MR. SALFEN: Mr. Chairman, one of the things that
11 we'd like to offer, is anything that comes out of any of
12 these meetings -- Marty Salfen, International Airline
13 Passengers Association. If there's anything that comes out
14 of these meetings that the public needs to be informed --
15 just this year alone, we've increased our membership to where
16 we have 7 percent of, for instance, Delta and American
17 Airlines mostly weight-level flyers, so we've really raised
18 our membership.

19 So, if there's anything that needs to be
20 disseminated, we do have a newsletter that gets to 80,000
21 U.S. frequent flyers and 400,000 throughout the world, so
22 we'd be happy to offer that.

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1 RADM FLYNN: We do appreciate that and the
2 commercial.

3 MR. SALFEN: You're welcome.

4 MR. SHRUM: Okay, the next one would be the three
5 recommendations under recognition and utilization of
6 employees.

7 MR. VARRELMAN: We'll volunteer to be on the work
8 group.

9 RADM FLYNN: Fine, that's ALEAN will be on the work
10 group, as will Victims of Pan Am 103, as will the United
11 States Postal Service.

12 MR. SHRUM: Do I have a volunteer to take the lead
13 on this?

14 RADM FLYNN: As will flight attendants?

15 PARTICIPANT: Yes.

16 RADM FLYNN: And AAAE.

17 MS. COUTU: A point of clarification. We've got
18 training referred to vaguely under recognition/utilization
19 and then we've got training referred to specifically under
20 the next, the role of airline/airport security personnel.
21 So, which one of these working groups are we going to do
22 training in?

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1 (Simultaneous conversation.)

2 MS. COUTU: Are we going to put them together as
3 one? Okay, so we're not going to do a separate one for the
4 next header here.

5 MR. SHRUM: Correct. Do I have a volunteer or do
6 we draw straws?

7 RADM FLYNN: Mr. Monetti.

8 MR. MONETTI: Can I volunteer Glen Johnson from our
9 group to Chair that?

10 RADM FLYNN: Any objection to Glen Johnson chairing
11 that group?

12 PARTICIPANT: Who?

13 RADM FLYNN: Glen Johnson of the Victims of Pan Am
14 103 is the recommendation. Now, having to do with training,
15 with great respect, it seems to me that maybe that is
16 something that the airline or airport people might be more
17 involved in direction of that.

18 MR. PRIDDY: Chairman? Ron Priddy at NACA.

19 RADM FLYNN: Right.

20 MR. PRIDDY: On the first page, that
21 recognition/utilization of employees, I remind Jerry from
22 ALPA that that was a plank in ALPA's security program and I

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1 wonder whether or not ALPA might agree to chair that as a
2 result of that. That was a main plank in ALPA's security
3 program.

4 MR. LUCKEY: We can do it.

5 MR. SHRUM: Okay, ALPA volunteers too.

6 MR. FAINBERG: Bob, would you mind terrifically if
7 somebody else chaired it?

8 MR. MONETTI: No.

9 RADM FLYNN: Glen might, wait a second.

10 MR. FAINBERG: Yes, okay, I think that's fine.

11 Now, I'm sorry, I missed a beat. Did ALPA offer to chair it?

12 MR. LUCKEY: Yes.

13 MR. FAINBERG: Okay, great. Now, reviewing these
14 four committees, we have the one on consultation and
15 leadership role that I think Susan has agreed to chair, Susan
16 Rork, is that correct?

17 We have public education that IAPA is going to
18 chair with the Aviation Consumer Action Project, co-chair.

19 The role of security personnel, regarding
20 utilization of employees and role of the personnel
21 themselves, ALPA will chair that. We have names for
22 everybody. We had also names for people on the

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1 categorization, the airport categorization committee, and I
2 don't think we, did we Karl? I don't think we selected a
3 chair.

4 RADM FLYNN: I think we better keep the chair of
5 that one.

6 MR. FAINBERG: Okay. Hearing no objection, FAA
7 will chair that. We will have, of course, FAA participation
8 in all these committees. There will be an appropriate
9 staffer, at least one, maybe more, on each of them, and
10 before we leave today, we should consult off-line and set up
11 meetings, if possible, on the same day to have the first
12 meeting of these working groups.

13 RADM FLYNN: In fact, what I propose to do is at
14 some point in here, have a break in the proceedings, allow
15 the designated heads of these working groups to get the names
16 of people and then following the break, we'll just double
17 check to make sure that all of that has been done, and that
18 people are aware of who's what, and perhaps we could get some
19 administrative support along the lines of quickly xeroxing
20 some handwritten lists of members, so you can walk out of
21 there -- or business cards, or whatever.

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1 That's one way of doing it, passing them -- if you
2 want to be a member, seek out the head of the working group
3 and give him or her your card or head the working group by
4 running some sort of a sign-up sheet.

5 Mr. Monetti.

6 MR. MONETTI: Point of information, the Designated
7 Federal Officer is the nominal head of the Categorization
8 work group, or is Karl?

9 MR. FAINBERG: We haven't decided that.

10 MR. MONETTI: For today. You can change it after
11 today.

12 RADM FLYNN: Karl.

13 MR. MONETTI: Karl, okay.

14 RADM FLYNN: What was that, for Pete Falcone?

15 (Simultaneous conversation.)

16 RADM FLYNN: I don't know what that means. You're
17 the head of this. All right, anymore working groups until we
18 take that break? Why don't we take the break now? We've
19 been at this for an hour. While it's fresh on people's
20 minds, let's do that. It involves a fair amount of -- I want
21 to be able to get these lists of people and get them -- if

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1 you could arrange that so that we get some copies of those
2 lists.

3 So, let's reconvene at 10:15.

4 (Recess.)

5 RADM FLYNN: Before we resume our agenda, just
6 picking up on where we were before the break, I'll ask Tony
7 to go through each one of these working groups and ask the
8 designated director of each working group to report on how it
9 went. Did you get the names and are you set?

10 MR. FAINBERG: Okay, starting with Susan Rork of
11 ATA, do you have a list of volunteers and are you setting a
12 date, and where do things stand?

13 MS. RORK: I have a list of four volunteers and I'm
14 not going to set a date at this meeting. I believe there are
15 some people that are not in attendance at the meeting that
16 will be interested in being on this working group. So, I
17 will contact them and try to have the meeting within the next
18 three weeks.

19 MR. FAINBERG: Okay, and could you keep me in the
20 loop at FAA so we know, and could you vouch safe the names of
21 the volunteers or at least the organizations?

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1 MS. RORK: Yes, Bob Monetti, Chris Witkowski,
2 Joseph Morris. Oh, and Bonnie and Theresa. I think you know
3 their last names.

4 MR. FAINBERG: Okay, thanks. On the public
5 education committee, which was IAPA and the Aviation Consumer
6 Action Project.

7 MR. DIVITO: We have the U.S. Postal Service,
8 (inaudible), DFW Airport, and Victims of Pan Am 103. So,
9 there are five of us total so far.

10 MR. FAINBERG: Are you setting dates?

11 MR. DIVITO: Not yet.

12 MR. FAINBERG: Not yet. Also, please keep us
13 informed. You can use me or maybe you can use Karl as a
14 point of contact for your committee, Karl Shrum?

15 RADM FLYNN: Karl, do you want to give people the
16 telephone number?

17 MR. SHRUM: 267-3946.

18 RADM FLYNN: 267-3946, Karl Shrum, S-h-r-u-m.

19 MR. FAINBERG: Number three, the security personnel
20 issues. Steve, have you got --

21 MR. LUCKEY: I believe you've got my list.

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1 MR. FAINBERG: Oh, okay, and maybe you could use me
2 as a point of contact, 7152 -- 267-7152. And Pete, could
3 people bother you?

4 MR. FALCONE: I'm at 267-7296. The Airport
5 Categorization Committee, Ronald Priddy, National Air Carrier
6 Association, Robert DiVito, Aviation Consumer Action Project,
7 Marty Salfen, International Airline Passengers Association,
8 Bill Carleton, U.S. Postal Service, Bob Monetti, Victims of
9 Pan Am 103, David Varrelman from ALEAN, Bonnie Wilson,
10 Theresa Coutu, and Paul Killian from FBI, and I wasn't sure,
11 okay, Susan Rork from ATA. Thank you.

12 MR. FAINBERG: I think Al Grazer also expressed
13 interest.

14 MR. FALCONE: Okay.

15 MR. FAINBERG: I'd like to be on that, too, if
16 you'll allow me. Thanks. I think that does it. I'll turn
17 the meeting back to the Chairman.

18
19 PROFILING UPDATE - SEIPT

20 RADM FLYNN: The next subject is an update on
21 profiling, and it will be given by Ron Polillo, who is the

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1 leader of the Integrated Product Team. But before he starts,
2 let me say a few things about profiling.

3 Again, the White House Commission sets some
4 challenging deadlines and dates for things to happen. One of
5 them is bag match on flights within the United States by 31
6 December, 1997. The recommendation, which then, at least as
7 far as I and others in the FAA are concerned, becomes a
8 directive when the President of the United States says I
9 adopt the recommendations of the White House Commission
10 report and direct people to go make them happen, it becomes
11 something to get done.

12 Indeed, I don't think this is a situation which
13 there is an adversarial relationship between government and
14 the industry with regard to it.

15 The key to it, of course, is the practicalities of
16 it, that we have the automated profile that has been
17 developed by Northwest Airlines -- has been under development
18 by Northwest Airlines is a more accurate way of saying that.

19 It will be tested before long, and Ron will go into that,
20 system-wide by Northwest.

21 Now, suppose there's a calamity that all of a
22 sudden, as a result of doing this, Northwest loses its entire

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1 database of reservations or the planes stop flying, or no one
2 can get aboard, all the tickets are invalidated, whatever.
3 Clearly, there is at that stage -- people are back to the
4 drawing board, or more likely, back to their programming
5 stations to do that.

6 Then, there's a further process of the migration of
7 that program which belongs to the United States Government
8 and is available fully, all the products of that development
9 by Northwest, to the other airlines, so that the profile can
10 be imported to their systems. But again, it's not a trivial
11 task to take that program and to adapt it to the other
12 systems. It's going to require some work.

13 Fortunately, to ease that, there is some money
14 available and Ron will talk about that, but in order to do
15 bag match, and we'll have a separate report from Lon Siro
16 with regard to that and the test which is coming up of bag
17 match, the automated profile is a necessary condition of
18 that, of the bag match.

19 So, we're going to have to be -- we're going to
20 have to work very purposefully, give it best effort, and I
21 think the airlines are going to work purposefully and give it
22 best effort, and we also have to be realistic. We have to be

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1 realistic in doing it system by system as to when can these
2 things be adapted, and then how we'll discuss further the
3 possible pitfalls of introduction of bag match.

4 Again, we're not -- the 31, December is where we
5 want to be. 31 December is where we aim at, and then we need
6 to look at the management of how to get there.

7 So, with that notation, that there's a cornerstone
8 of our security system for the next decade will be the
9 profile because the equipment that's going in to screen-check
10 baggage is sized to the amount of bags that have to be
11 screened resulting from selection from that profile, and we
12 have to have confidence in it, and the criteria for the
13 profile are, of course, sensitive.

14 You know full well that there's been considerable
15 leakage with regard to the criteria or the security directive
16 criteria, and we don't want to repeat that by having the
17 criteria and the waiting of the criteria become public
18 knowledge.

19 So, to the extent that the ASAC needs to be
20 informed on that, we need to look upon that if there's
21 anything in our security program that are the crowned jewels
22 of it that need protection, that is the -- they are the

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1 criteria of the -- and they're waiting -- of the CAPS system,
2 and we need to be very responsible about that.

3 So, with that, let me ask Ron Polillo, who
4 volunteered and he's had second thoughts about that, but he's
5 still a volunteer, to head the integrated product team in
6 which, let me say, the airlines and the airports have been
7 very constructively involved and increasingly involved
8 because this Integrated Product Team is unlike any others
9 that we have -- or most others at any rate, that the FAA does
10 because the users of the equipment that's being acquired --
11 not FAA, it's the airlines. So, it makes for an interesting
12 Integrated Product Team. Ron.

13 MR. POLILLO: Okay, thank you there, Irish. Good
14 morning. As Irish mentioned, the computer-assisted profiling
15 system, known as CAPS, was initially developed under the R&D
16 program from the technical center and Paul Polski, even the
17 factories program, and during fiscal year '95-'96, the system
18 is now being tested system-wide by Northwest. They've
19 already started that procedure, just started testing the
20 system.

21 Now, in October of '96, the beginning of this
22 fiscal year under the IPT, we funded \$2.1 million out of the

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1 144.2 million that we have to optimize the algorithm that was
2 being used, to revisit that, and to optimize the software
3 code and then to look at some alternative strategies on
4 deploying the profiling system, system-wide, working with the
5 other carriers, and the other reservation systems of Apollo,
6 Saber, and Continental.

7 So, we're currently working with Worldspan and
8 PARS, with a system that's been developed. So, now they've
9 done that, there's been a series of meetings since October
10 with air carriers and the other reservations systems'
11 programmers, looking at the algorithm and what the data
12 elements are, and the waiting factors and what they're called
13 in the PARS/Worldspan system versus what the other
14 reservation systems may call those data elements.

15 So, now we're at the point where we need to start
16 developing the interfaces, or the hooks for the other
17 reservation systems to pull out their data elements and then
18 run it through the standard code that generates the algorithm
19 and generates a score per passenger.

20 By doing this and implementing the system, system-
21 wide, we figure it's about 99.9 percent of all domestic
22 passengers could be profiled. Then, a selective number of

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1 those passengers would then -- their bags and they would be
2 screened by other technologies and procedures.

3 Along with that, we're looking at adding in a
4 random selection of "selectees" into the profiling system, so
5 just for number purposes, if we were to have a flight of 300
6 passengers and if we were to have a 10 percent selectee rate
7 of 30 passengers, then some percentage, 10-20 percent, of the
8 remaining 270 passengers; so if it was 20 percent on the high
9 side, you would then pull 6 other passengers out of the 270
10 as random selectees.

11 So, you would end up with 36 selectees for that
12 flight. Basically, that's the approach that we're looking at
13 taking and the numbers have to be refined and optimized
14 before we come up with what those percentages would really
15 be.

16 So, where we are right now is that Northwest is
17 currently testing the system. They, at this month, in April,
18 they're going to be doing 100 percent of all the P&R records.

19 After they do all their flights, they're going to start
20 doing all the flights of the other carriers that are using
21 the Worldspan/PARS system.

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1 So, by June, they expect to be fully operational
2 from everybody from Northwest and the other carriers that are
3 using Worldspan/PARS. Then, working with the other carriers
4 to bring their parts of Worldspan up, like Delta uses a
5 different part of it, and also working with other carriers,
6 to use that system or come up with their own system based on
7 using the same algorithm.

8 So, as Irish mentioned, there is money available,
9 about \$7.9 million still that the IPT has to work with the
10 other air carriers and the other reservation systems to
11 develop the code, and even provide hardware, if necessary, to
12 make this all happen.

13 Now, estimates from the Northwest Worldspan
14 programmers are that they estimate less than about 1,000
15 hours of programming time to get the system up on each of the
16 other types of reservation systems, and that's going to vary
17 a little bit in complexity.

18 So, even if you look at a half an employee here,
19 and then putting two or three programmers on there, we figure
20 less than six months easily that the automated profiling
21 systems could be running system-wide. So, by the
22 October-November time frame, we should be able to have this

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1 system running and being tested, so that by December 31st of
2 '97, we should have a CAPS system, system-wide.

3 Any questions? Yes?

4 MR. MONETTI: Bob Monetti. We've had this
5 discussion before, but since we've all met, I've heard about
6 12 more civil libertarians rail at the word, "profile." Can
7 we -- even if we refer to it as the CAPS system, it's better.

8 As soon as we use the word, "profile," it's like the hair
9 goes up on the back of everybody's neck who's ever had a
10 liberal cause that they wanted to back, and they start
11 talking about the color of their skin and the country they're
12 from and all of this.

13 Whether or not it actually fits in the CAPS system,
14 is there any -- can we make like a concerted effort, even if
15 we just call it the CAPS system and never use the word,
16 "profiling" again?

17 RADM FLYNN: Because there is so much concern about
18 that question of profiling, one could wish that we had used a
19 different word.

20 MR. PADGETT: We did.

21 RADM FLYNN: James Padgett of FAA.

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1 MR. PADGETT: Actually, Ron Polillo gave a slightly
2 incorrect expansion of CAPS. The full name of the system as
3 Northwest applied it early on was Computer Assisted Passenger
4 Screening, and this is not a retrofit. I have documents
5 going back to the very beginning. That is actually what the
6 term is, and that is a little bit less incendiary a term, if
7 I might say that, than something that has profiling in it.

8 Nonetheless, there are some civil liberties
9 concerns that persist, and Irish may want to address those in
10 some detail here, but we will be following the
11 recommendations that the White House Commission may, with
12 respect to protecting against possible infringement of civil
13 liberties concerns.

14 RADM FLYNN: Thank you. We can take other
15 questions about it, but with regard to the civil liberties
16 thing, I would like to make our position clear about that,
17 but are there aspects, any questions from Ron or comments
18 about the profiling?

19 Clearly, there's a great deal of work to be done
20 and we will not take as silence from many of the airline
21 representatives here that their silence on this subject
22 necessarily means that they have said yes, we're 100 percent

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1 confident that we can do it according to that schedule. What
2 I do take from them from their silence is that they're 100
3 percent committed to give it best effort.

4 Okay, let me talk about the civil liberties aspects
5 of it, then. Thank you, Ron. Anytime that security measures
6 are applied, where bags have to be searched, where people
7 have to be hand-wanded, those aspects of intrusion arise,
8 it's proper -- wholly proper in our society that we don't try
9 to solve a problem of terrorism by taking our civil liberties
10 and throwing them out the window.

11 Everyone knows that. The FAA knows that
12 particularly, because there's a fairly long history
13 associated with this. The airlines and airports know about
14 it, too, because again, there's a -- and I'm sure that the
15 consumer knows about it.

16 Now, what we're about is trying to get security
17 done and give high levels of protection to the aircraft and
18 everybody aboard them. We're securing a system in which
19 millions of people enter per day in the United States. We
20 want to preserve affordable air transportation for everybody
21 and for everybody who uses it and potentially will use it.

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1 We need to take into account that there is a 5
2 percent growth in the use of air transportation in the United
3 States. We need to take account of the fact that that's just
4 the physical, availability of space to apply security
5 measures is far from being unlimited, that there are hard
6 limits on that in the airports of today, which will be the
7 airports of tomorrow.

8 Even despite the great efforts, for example, being
9 done over at National, any change in airport layout for
10 security purposes is a very difficult thing to accomplish.

11 We're not losing sight in all of this of the need
12 for security, but we must be able to look at things
13 system-wide, and where we can determine that they're with
14 good judgment and again, people who are prepared to abide by
15 the requirements of protecting very sensitive security
16 information may look at that and join in the judgment as to
17 should we rely on a profiling, and particularly, on the
18 automated profile.

19 We're prepared within limits to that. We really
20 need to control some need to know on it. For example, the
21 counter people, who are doing this, will not know what those
22 criteria are and what the weights are. There is no necessity

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1 for them to do it, because the computer is doing it and is
2 giving them, in effect, a yes-no, or is giving a printout of
3 a different bar code for a bag.

4 That's the degree to which we need to protect these
5 criteria so that they don't erode as the security director
6 criteria were almost bound to do. It was predictable that
7 their effectiveness would erode as the people become aware of
8 them.

9 But by knowing the passengers and therefore, being
10 able to say with confidence that a majority of passengers are
11 not threat-associated. In fact, if one could know with
12 greater precision, one could say that about 99.9999, several
13 9s percent, but it's difficult to know that.

14 If, in fact, we're picking or saying that we can
15 only determine that with respect to 80, or 90, or 95 percent,
16 it involves a very considerable efficiency and improvement of
17 effectiveness of security, but still will result in a
18 selection rate much greater than the incidents, by factors of
19 thousands, than the actual incidents of threat-associated
20 people.

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1 So, we have a fairly large margin of safety in the
2 personnel or passenger screening process. It's the key to
3 getting things done.

4 At the same time, when that word, "profiling," or
5 passenger screening, indeed -- I would think that might cause
6 some alarm also -- comes up, people will be concerned as to
7 whether that can be discriminatory in invidious ways, in ways
8 that affront the Constitution and laws of the United States.

9 The White House Commission was aware of that.
10 They're aware of the potential for some civil liberty abuse
11 in security measures, and they had an advisory panel for that
12 purpose. The advisory panel gave recommendations which were
13 adopted by the White House Commission and which I see no
14 problem in us abiding by those recommendations -- none at
15 all.

16 With regard to the profiling and to, indeed, the
17 rest of the security measures, a question a oversight arose,
18 and the White House Commission, their recommendation is that
19 the Attorney General, or the Department of Justice -- and I
20 would think that there would be the Civil Liberties Group --
21 Civil Rights group of the Justice Department, but I don't
22 know that for a fact yet, but a highly competent group from

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1 the Justice Department would oversee it, and it's at the
2 discretion of the Department of Justice, of the Attorney
3 General, then to form any independent panel that would be
4 made up of people who have concern with regard to the civil
5 liberties, to help the Department of Justice in that review.

6 We welcome that oversight. We welcome that
7 oversight within the following bounds: that people who say
8 let us see your criteria and how they weigh them will protect
9 those criteria because if they become public, then I think
10 we're going to have some great difficulties.

11 That's where we are. We've come too far, all of
12 us, to achieve the liberties that are in the United States to
13 damage them while we're trying to solve another problem. I
14 don't think we need to do that.

15 MR. DIVITO: Mr. Chairman, Robert DiVito from
16 Aviation Consumer Action Project. I think this just goes to
17 the whole idea of public education. People are afraid of the
18 unknown and as we go forward with our working group, deciding
19 what the public needs to be aware of, I think we can help
20 with this process of getting the passengers to realize that
21 most people will not be chosen as the suspects passengers.

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1 RADM FLYNN: Thank you. Again, if you would make
2 that part of your work, that would be helpful. The other
3 aspect of it is as the technologies come in, and before they
4 come in, as we do bag match, the consequences of being in the
5 selectee group are going to be much less obtrusive.

6 We have to, in order to -- lacking a bag match
7 system and lacking wide deployment of advance baggage
8 security equipment, we've had to rely on hand searches. If
9 the security measure that's imposed as a result of the
10 passenger screening is bag match, that's practically
11 invisible to passengers. It becomes visible to all the other
12 passengers if that passenger doesn't show up before the
13 aircraft and becomes highly visible to the people who are
14 responsible for that aircraft.

15 But it's not a consequence that any of us who fly
16 internationally with 100 percent bag match -- we hardly ever
17 notice it, it's implication, and it is applied with
18 considerable stringencies.

19 Also, when we get into the screening of bags, the
20 consequence for the passenger will be -- if there is an
21 automatic alarm in the baggage screening which cannot be
22 resolved by an operator with the information from that

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1 explosive detection system, then there will be a small
2 percentage of -- an initially small percentage of the
3 selectees plus random who might have to be paged for bag
4 intervention where there's a bag search.

5 I doubt that that's going to result in any great
6 inconvenience for any one passenger. For one of the other
7 things, having been selected once, subsequent flights, the
8 chances of being selected will be all the less.

9 Okay, I just wanted to tell all of you things that
10 I think that you already know, but since the question of
11 civil liberties has been raised, I want to take every
12 opportunity to try to allay the concerns that people might
13 have. Thank you.

14 Bag match. We'd like Lon Siro please to address
15 the group.

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1 BAG MATCH UPDATE

2 MR. SIRO: Thank you, Admiral. Good morning
3 everybody. As the Admiral mentioned before, I have been
4 asked to brief ASAC to give you a status update on the
5 current bag match study which is underway, which was endorsed
6 by the Baseline Working Group back in October of last year.

7 I'd like to do this in a very cursory fashion by
8 basically taking you through what has transpired since the
9 last ASAC meeting, and then giving you a short summary of
10 future plans.

11 At the time of the last ASAC meeting, the bag match
12 study group was in the process of compiling no board,
13 passenger no board, and bag resolution and pull time data,
14 which they received during the initial phase of the study
15 from the carriers. Since that time, in approximately
16 mid-January, we entered phase two of the study.

17 Phase two basically being two stages; the first
18 stage, the acquisition and analysis of historical data and
19 extended no board data, and of course, the second stage being
20 the live bag match testing which will occur during the period
21 May 5 through 19.

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1 With regard to some of the key events which are
2 upcoming, on April 7th, the study group will be briefing the
3 industry at the ATA building on the results of its analysis
4 of historical data and extended no board data.

5 With regard to the historical data, the group will
6 report on things such as the frequency, duration, and overall
7 impact of bag match-related delays for carrier operations on
8 international and domestic flights under which bag match
9 requirements were in place at the time, and that would have
10 been the period August 1, '96 through December 31 that was
11 being studied.

12 With regard to the extended no board data, the
13 industry was asked to categorize no boards by the
14 circumstances which resulted in those no boards, and by
15 analyzing this information, the study group can get a better
16 understanding of how any given no board would -- the
17 probability that that would result in an actual bag pull
18 scenario.

19 The day after the ATA presentation, which would be
20 on April 8th, and probably the 9th as well, a working group
21 comprised of the study group members and the industry will be

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1 getting together to develop the test protocol for the live
2 tests.

3 Between April 9th, which will be the development of
4 the test protocol and May 5th, which as I stated, is when the
5 live tests will commence, the industry and the study group
6 will be diligently working together to refine procedures and
7 methodologies, and basically strategies for deploying the
8 live tests.

9 Once the tests have been completed on the 19th --
10 and I might add that the study group members will also be
11 involved in observing during the time that the live tests are
12 being conducted. Once that information is accumulated by the
13 study group, it will take back and all other information that
14 it has acquired to date through phase one and as the
15 historical data extended, et cetera, and other information
16 that the industry is providing, such as cost information, and
17 will take all that and conduct modeling to assess the overall
18 impact of domestic bag match implementation.

19 That will happen during the period of June 4th
20 through 23rd. Shortly thereafter, a week later -- and I
21 imagine this is going to involve some late nights in the

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1 group getting the reports done -- we will prepare and deliver
2 a report to ACP-1.

3 Once Mr. Fainberg and the other office directors in
4 security, and Admiral Flynn have had a chance to absorb the
5 information, the working group will get together and finalize
6 the report which is tentatively scheduled to be delivered on
7 July 31.

8 That's basically what I have in terms of an
9 overview of where we've been. If there are any questions
10 with regard to where this study has gone thus far and where
11 it's heading, I'd be more than willing to entertain and maybe
12 even try to answer it.

13 RADM FLYNN: Thank you.

14 MR. POLILLO: Okay.

15 RADM FLYNN: Universal Access System Working Group,
16 Karl could do. Karl Shrum, could you report on that, please?

17 STATUS OF UNIVERSAL ACCESS SYSTEM WORKING GROUP

18 MR. SHRUM: Another hallowed tradition of the ASAC,
19 UAS briefing. Let me get these slides up.

20 We completed the test program. We've nearly
21 completed the test program report. Just to remind folks of
22 the scope of this thing, we have the stand-alone system at

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1 Detroit and the integrated system at Miami working of the
2 central database maintained by Delta in Atlanta. We also
3 have, on a voluntary basis, USAir at Charlotte and they're
4 expanding to other locations.

5 The entire Atlanta airport, the Delta folks at
6 least, has been converted to UAS and I heard mention that
7 there are plans to do the same thing for Delta at Dallas,
8 DFW.

9 Given these results, first the formal test by the
10 Volpe folks and then the actual user results, 1,000 swipes at
11 5 readers in Detroit all authorized media accepted, and all
12 unauthorized rejected. This third bullet sent me back into
13 the test program report, that's talking about -- basically,
14 it's three swipes and you're out.

15 If you're an unauthorized user, you don't get a
16 chance to try your luck after the third time, still no --
17 either you don't get the PIN right or it's not reading the
18 card right, it automatically locks you out.

19 We did have some difficulty when we realized that
20 this great system did not recognize expiration dates.
21 Typically, PIN errors due to rejection, the time where the
22 door opened under a second, transaction history is recorded,

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1 but it wasn't printed in real time. For some reason, they
2 didn't have a printer in Detroit. Oddly enough, the system
3 in Miami was exactly the reverse; it prints out real time if
4 you don't record your data.

5 Users -- 139,500 swipes by transient employees,
6 roughly 23,000 a month. Out of those, about 600 denials a
7 month; the reason being the wrong PIN, it wasn't a good
8 swipe, or it wasn't an authorized user, no PIR.

9 Miami --

10 MR. FAINBERG: Karl, do you have the breakdown on
11 how many times it was PIR?

12 MR. SHRUM: I beg your pardon?

13 MR. FAINBERG: Do you know how many times it was an
14 unauthorized user?

15 MR. SHRUM: I'd have to look that up in the test
16 report. It would probably take a while to find it. The
17 report runs well over 100 pages, and the majority of it is
18 test data.

19 Miami, 2,300 swipes at 10 readers by the Volpe
20 team, again, all authorized media accepted and all
21 unauthorized rejected; response time, a little over a second.

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1 That last bullet, again, simply back into the test
2 report, all they're saying here is that communication or
3 power failure, the default is shut the door, so there's no
4 opportunity to exploit the system when it's either down or
5 malfunctioning.

6 12,000 swipes by employees averaging around 2,000 a
7 month, typically denials about 80; again, incorrect PIN
8 numbers. The centralized database in Atlanta now has 51,000
9 records, the breakout; Delta, Northwest, USAir, over 51,243.

10 Typically, about 300 transactions weekly.

11 We got a call a couple of weeks ago from the folks
12 down in Miami that had run an electronic audit of the UAS in
13 their own access control system, and much to our surprise, we
14 found that the entire central database had been downloaded to
15 Miami, all 51,000. We're not really sure how or why that
16 happened, but it does, for those of you who remember some of
17 the discussions of a couple of years ago, raise the question
18 of UAS users having basically to run the scope of the system
19 in any airport.

20 We do have some concerns about that, but I would
21 like to deal with that in a working group because I still

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1 don't have the specifics on how all 51,000 were authorized
2 access in Miami.

3 Overall results, it works; 154,000 swipes at 15
4 readers total. Problems were attributed to PIN numbers, poor
5 swipes, or it just wasn't in the database. The response time
6 was well within the specifications. We got the 52,000,
7 roughly, and that database can be expanded considerably.
8 We're not having any major problems transmitting data to and
9 from the central database to the airports and the console
10 displays accurately presented the transaction data.

11 So, we need to finish up the test program report
12 and convene another meeting of the working group to discuss
13 implementation plans and other issues for later
14 implementation.

15 Any questions about the eight or nine work groups
16 that we've talked about?

17 RADM FLYNN: Ms. Coutu of AAAE.

18 MS. COUTU: One question for you. Has data been
19 collected as to the fix for let's just say the first one, the
20 600 unauthorized incidences? I mean, once somebody stands
21 there and can't get in, something then has to be done,
22 because obviously, they have to get where they're going.

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1 Are we collecting data on what kind of resolution
2 is being done and how much time that's taking and all that
3 sort of thing and/or is somebody investigating why so many
4 people are putting the wrong PIN numbers in, because it seems
5 like this could be a resource-intensive problem?

6 MR. SHRUM: Well, the answer is yes, we have the
7 data, and why don't we just sit down and I can find out a few
8 things in the draft report.

9 MS. COUTU: Okay, but that will come out in the
10 report, too.

11 MR. SHRUM: Oh, yes.

12 MS. COUTU: Great, fabulous. Thank you.

13 RADM FLYNN: Any other questions or comments?

14 MR. VARRELMAN: This unauthorized entry, is there
15 any kind of penalty or sanction against or towards an airline
16 that does not pull a card of an employee that's been removed
17 from duty? I mean, the Los Angeles incident, that employee
18 had a valid card and went aboard an aircraft with a swipe
19 card, and this seems to me that Joe Blow who may have a valid
20 card in Los Angeles and comes to DFW and his card hasn't been
21 pulled because he's been fired from the airline and can
22 access anyplace. Has that issue been discussed?

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1 MR. SHRUM: Oh, yes.

2 MR. VARRELMAN: Because we have problems at
3 individual airports with airlines not telling us when an
4 employee has been fired. Sometimes we get it a week, two
5 weeks late. We pull their identity cards then.

6 RADM FLYNN: It seems like this might be more
7 helpful because the airline only has to notify one system and
8 the person could have an i.d. invalidated throughout the
9 nation. Karl?

10 MR. SHRUM: The answer to your question is that the
11 airlines would have a security program that essentially holds
12 them to the standards as the airport. So, if that happens,
13 we identify it.

14 MR. VARRELMAN: All right.

15 RADM FLYNN: Wouldn't Karl -- isn't the intent that
16 by having a universal access system, you've got also a
17 universal lockout?

18 MR. SHRUM: You're referring to a central database.

19 RADM FLYNN: Yes.

20 MR. SHRUM: Yes, the question is whether or not the
21 most expansive concept -- let's say we had UAS at 100
22 airports. The database of the airlines, or at least the one

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1 that Delta has, has the capability of distinguishing which
2 airport that particular user is authorized in. Obviously,
3 51,000 people don't transit Miami.

4 Northwest, for example, has I think it was seven
5 flights a day. If you had people that went all over -- let's
6 say that your order of your flight schedule is you go to 10
7 different airports. Okay, those 10 airports, not 100
8 airports. That difference is the concern that I'm
9 expressing.

10 Something we did discuss at length a couple of
11 years ago (inaudible) the function requirements of test
12 program standards. I'm not sure why this happened in Miami,
13 but it's obviously (inaudible).

14 We don't want a situation where one access medium
15 will give you access at all airports, and particularly if
16 there are hundreds of thousands of them, which ultimately,
17 the system could be built up to.

18 RADM FLYNN: Any further questions or comments on
19 that subject?

20 Now, I'd like to open this for other business. At
21 the break, Steve Luckey of ALPA said that he would like to
22 remind us all how an item coming up.

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1 MR. LUCKEY: ALPA is sponsoring the International
2 Conference on Descriptive Airline Passengers. It will be at
3 the JW Marriott Hotel in Washington here on the evening of
4 the 29th and all day on the 30th, and I have brochures here
5 if anyone is interested in it; we'll get them out.

6 Some of you may have already received them on the
7 mailing list, but basically, it's going to get a lot of
8 people together from the airlines, the employees, the law
9 enforcement arena, and what we're going to try to do is
10 identify the threat, figure out the resources, the
11 implementation, so that everyone can get together and see if
12 we can solve some of the problems.

13 It's being formatted and aligned, so we've got the
14 brochures available here. If anybody's interested in them, I
15 would be glad to pass them out to you.

16 RADM FLYNN: That, again, the disruptive passengers
17 was mentioned in the White House Commission's report as
18 something that's a concern to us all, and so thank you,
19 Steve, and thank ALPA for focusing additional attention on
20 that.

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1 Is there anything else that people would like to --
2 members of the committee would like to propose or have
3 discussed at this point? Steve?

4 MR. LUCKEY: I have one comment about profiling,
5 especially as it addresses the cargo situation. I think
6 profiling is going to become more and more of an instrumental
7 part of our security system.

8 I think one thing that we may be wanting to think
9 about is the fact that in this particular case, it's not the
10 cargo or the bag, and I think we'll all agree that the
11 terrorist is a problem, and any effective profile, I think,
12 has to be looked at as a living thing. It's got to
13 completely be alive and have the ability to address the
14 threat.

15 An important ingredient of this that's going to
16 make it work is good intelligence information, and I look at
17 intelligence information as being a perishable commodity. In
18 other words, with respect to time, it's only good for a
19 little while; it's only good for a few minutes, but the rest
20 of it's good for maybe days and it's very limited.

21 I think in order to have an effective profile,
22 especially as it addresses the cargo situation and since

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1 we're shifting from -- it's very difficult and we all know
2 we're not going to be x-ray it or screen it practically, so
3 probably, our best bet with respect to economy of present
4 resources and cost considerations is the fact that we can
5 apply a good profile to it.

6 In order to do that, we're going to have to have
7 some facilitation of putting together and collating accurate,
8 timely, intelligent information from the manufacturers and
9 maybe funnel it through the FAA security people so that they
10 can put out periodic updates and I don't mean once a week; I
11 mean probably hourly if necessary, so that we can influence
12 the profile accordingly so it applies effectively to whatever
13 we're going to target.

14 So, I'm just throwing this out for some thought and
15 some consideration of how we could possibly facilitate better
16 use of information, better dissemination of intelligence from
17 the manufacturers to the user. Thank you.

18 MR. WITKOWSKI: Mr. Chairman?

19 RADM FLYNN: Yes, Chris.

20 MR. WITKOWSKI: I have one comment. We did discuss
21 some of the activities that this group would be involved in
22 from the BWG recommendations. There were some other

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1 recommendations from the BWG report that were assumed by FAA
2 to undertake, and one of them had to do with limiting the
3 size, number and type of carry-on bags and providing for
4 enforcement, and I just wanted to ensure that the Chair was
5 committed to following through on implementation of that.

6 RADM FLYNN: Yes, we are, and I don't know who
7 objects to it. I take the airlines don't object to it. I
8 doubt that the airports object to it. I would think airlines
9 propose it.

10 I think that as we do that, again, it's a matter of
11 public education, because it seems to me that paradoxically,
12 that there's less of a screening problem at the screening
13 check points for our flights at Heathrow, where I see where
14 people -- their carry-on is what one would reasonably call
15 carry-on.

16 At the screening check points in the United States,
17 what people call carry-on stops just short of steamer trunks.

18 (Laughter.)

19 RADM FLYNN: There is an expectation, clearly, on
20 the part of -- despite the boxes and one thing or another,
21 that people can lug these horrendous things and there counts

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1 -- this is only one bag. Well, yes, but it's one bag and
2 they're held together by Velcro of three.

3 So, it will improve the ability of screeners to do
4 their jobs if the things they have to screen are a) fewer,
5 and b) smaller. No doubt about it. So, we have a large
6 interest in doing that and I think the only fallout on it
7 will be on the consumer resistance and there, consumers need
8 to understand the reason for it.

9 I think the other part of that, other parts of FAA
10 would join with us in saying that it's also with a safety
11 problem of these large things being brought into the
12 aircraft.

13 Okay, we won't lose sight of it, Chris.

14 MR. WITKOWSKI: Thank you, Mr. Chairman.

15 MR. MONETTI: I believe that the Baseline Working
16 Group actually had a timetable for that and it's about
17 current, right?

18 MR. WITKOWSKI: The timetable was to come up with
19 NPRM in 1997.

20 RADM FLYNN: 1997? NPRM. Tony?

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1 MR. FAINBERG: We have not focused on this until
2 now, and I'm very glad Chris reminded us. He talked to me at
3 the break about it and I intend to get on it later today.

4 MR. PRIDDY: Chairman, Ron Priddy with the National
5 Air Carrier Association. I'm happy that Tony did not
6 apologize in making the very straightforward statement that
7 he did because between the White House Commission, the
8 Baseline Working Group, and what Congress did to us in the
9 Reauthorization Act, there are ANPRMs, and NPRMs, and final
10 regulations, just raining out of the sky like confetti.

11 So, Tony, don't worry about it. There's a lot more
12 to 1997 here.

13 RADM FLYNN: Well, I don't want to minimize the
14 effort that's involved in the NPRM, but this was one place, I
15 sensed, that would be greeted with acclaim all around and
16 that makes it somewhat easier that the comments would tend to
17 be yes, let's do it and that makes the process of commenting
18 on the comments and all of that, somewhat easier.

19 So, it makes sense that we preferred two easy rules
20 than the tough ones. We will take note of that. Thank you,
21 Chris.

22 MR. WITKOWSKI: Okay.

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SCHEDULING OF NEXT MEETING

RADM FLYNN: All right, scheduling of the next meeting, again, we've got an awful lot of meetings and an awful lot of work to be done, and by the way, I want to thank all of you for the tremendous efforts that you're putting into all of ASAC. The amount of time and resources that go into it is really very considerable.

We're thinking toward the end of July for the next meeting. Does that seem too long from now? End of July? We could have meetings every three months. It's a bit longer, but I think we've got lots to do and we'll be staying in touch with each other through a lot of interaction.

So, we'll try to establish a date, then, towards the end of July. Do you all want to look at your calendars now while we're here?

MR. PRIDDY: Mr. Chairman, Ron Priddy from NACA. I'm very happy with July and mostly because it fits in with a lot of things that have been passed today or have been reported on today that will be happening in the end of July, and as far as calendars are concerned, I think that's too far ahead to make a determination.

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1 RADM FLYNN: Okay. All right, well we'll establish
2 a date and put it out. Mr. Monetti?

3 MR. MONETTI: Friday the 25th would be good, or
4 Thursday, the 24th. No? Never mind.

5 PARTICIPANT: Not the 17th.

6 PARTICIPANT: Not the 24th or 31st.

7 RADM FLYNN: Not the 17th, the 24th, not the 31st.

8 (Simultaneous conversation.)

9 RADM FLYNN: The 16th. Everybody look at the 16th.

10 PARTICIPANT: Is that a Monday?

11 PARTICIPANT: No, it's a Wednesday.

12 PARTICIPANT: Works for me.

13 RADM FLYNN: All right, tentatively it will be the
14 16th and we'll try to let you know about that happening in
15 good time.

16 Once again, are there any other matters of
17 business, and that includes people in the outer rows?

18 (No audible response.)

19 RADM FLYNN: Well, thank you all very much. This
20 meeting is adjourned.

21 (Whereupon, at 11:15 a.m., the meeting in the
22 above-entitled matter was adjourned.)

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