

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

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In the matter of: :
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AVIATION SECURITY ADVISORY :
COMMITTEE MEETING :
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Thursday, April 23, 1998

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 9:45 a.m., pursuant to notice.

APPEARANCES: ASAC Committee Members:

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

Mr. Anthony Fainberg
Designated Federal Official

Mr. John Daly
Department of Transportation

Ms. Susan Rork
Air Transport Association of America

Mr. Charles Rasner
Federal Bureau of Investigation

Mr. Kevin P. Cummings
U.S. Customs Service

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APPEARANCES (Cont.)

Mr. Robert Hutnick
Immigration and Naturalization Service

Mr. John Tomlinson
Secret Service

Mr. Edward J. Driscoll
National Air Carrier Association

Mr. Bob Monetti
Victims of PanAm Flight 103

Mr. Alvy Dodson
ACI North America

Mr. Hal Salfen
International Airline Passengers Association

Mr. Steve Alterman
Cargo Airline Association

Mr. Paul Hudson
Aviation Consumer Action Project

Mr. Robert Nicholson
Allied Pilots Association

Mr. Hovav Frenkel
Aviation Security Contractors Association

Ms. Deborah McElroy
Regional Airlines Association

Mr. Andrew V. Cebula
National Air Transportation Association

Mr. Steve Luckey
Airline Pilots Association

Mr. Duane McGray
Airport Law Enforcement Agencies Network

Mr. Robert Martin
U.S. Postal Inspection Service

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APPEARANCES (Cont.)

Also Appearing:

Mr. Craig Ulmer
Secret Service

Mr. Dennis Schafer
Capt. Robert Cox
Airline Pilots Association

Mr. Jay Huber
Maryland Aviation Administration

Mr. Mike Mostow
Mr. Bill Stover
Cardkey Systems

Mr. Douglas R. Laird
BGI

Mr. Glenn P. Johnson, Jr.
Ms. Carole G. Johnson
Victims of PanAm Flight 103

Mr. Todd M. Freyman
Mr. Thomas Smerczynski
TASC, Inc.

Mr. Jerry Wright
Air Line Pilots Association International

Mr. Art Kosatka
Mr. Henry Thomas Rivero
Counter Technology Inc.

Col. Dale Landis
Department of Defense

Mr. Rick Lazarick
Mr. Ron Polillo
Mr. Daniel Boyce
Ms. Rebecca Tuttle
Mr. Don Cotton
Mr. Kris Mason
Mr. Karl Shrum
Federal Aviation Administration

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APPEARANCES (Cont.)

Mr. John J. Wojtowicz
USDOT/Volpe Center

Mr. Frederick F. Muntz
InVision Technologies

Mr. Michael Bollinger
Ms. Cathy Helm
U.S. General Accounting Office

Mr. Al Graser
American Association of Airport Executives

Ms. Sharan Sharp
U.S. Department of Transportation

Ms. Jean Morrison
America West Airline Security

Mr. Dick Doubrava
Delta Air Lines

Mr. Alex Kerr
FedEx

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P R O C E E D I N G S

(9:45 a.m.)

OPENING REMARKS

RADM FLYNN: I would ask the FAA people other than the people right at the center table who are seated, please, to give up your seats to people from outside the FAA who are here who do not have seats. Everyone has got a place to sit? Okay.

Good morning, welcome to you all, to the meeting of the Aviation Security Advisory Committee. Let me remind you that these microphones are purely for the purpose of recording the session. They do not amplify voices. So if you wish to be heard, do just recognize that the acoustics in this room are nearly perfect, but not quite. We don't even have a microphone up here at the podium to help in projecting voices. Oh, we do? Okay, so there is one there. So if you wish to project, and certainly when you're giving presentations, it would be good to use that.

INTRODUCTIONS

RADM FLYNN: I want to make some introductions of some new representatives on the ASAC. Mr. Hovav Frenkel is representing the Aviation Security Contractors Association.

MR. FRENKEL: Right here.

RADM FLYNN: I'm told that Chief Duane McGray has replaced Chief Erolman on ALEAN, is that correct? Good, welcome.

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1 ~~Mr. Paul Hudson has replaced Robert Devito for~~
2 ACAP.

3 Mr. Hal Salfen has replaced his son, Marty
4 Salfen, for the International Airlines Passengers
5 Association. Welcome.

6 Well, I should tell you that Rear Admiral Burt
7 Kinghorn has become the S-60, the job of Director of
8 Intelligence and Security in the Department, replacing Rear
9 Admiral Paul Pluta, who has gone on to a job that in the
10 Coast Guard they think is a very good job, so we
11 congratulate Paul Pluta on doing that. We'll miss him and
12 look forward to working with Admiral Kinghorn.

13 Robert Nicholson from the Allied Pilots
14 Association and Mr. John Tomlinson from the Secret Service,
15 welcome to you all.

16 Now, so that we can record the actual members who
17 are present here, I'd like to go around the table recording
18 the members of the ASAC who are actually in attendance.
19 I'll start with myself. Cathal Flynn, Associate
20 Administrator for Civil Aviation Security, FAA, and
21 Chairman of the ASAC.

22 MR. FAINBERG: Tony Fainberg, Director of the
23 Office of Policy and Planning in Aviation Security, and
24 Designated Federal Official of the ASAC.

25 MR. POLILLO: I'm Ron Polillo. I'm the security
26 equipment integrator of Product Team League, and I'm also
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1 ~~sitting in for Paul Polsky from the Tech Center.~~

2 MR. HUTNICK: I'm Robert Hutnick from the
3 Immigration and Naturalization Service.

4 MR. DODSON: I'm Alvy Dodson. I'm Chairman of
5 the ACI North America Public Safety and Security Committee.

6 MR. GRASER: Al Graser from the Port Authority of
7 New York/New Jersey and representing AAAE as the chairman
8 of the Safety Security and Technical Committee.

9 MS. McELROY: Debbie McElroy, Regional Airline
10 Association.

11 MR. DRISCOLL: Ed Driscoll, National Air Carrier
12 Association.

13 MR. ALTERMAN: Steve Alterman, Cargo Airline
14 Association.

15 MS. RORK: Susan Rork, Air Transport Association.

16 MR. CEBULA: Andy Cebula, National Air
17 Transportation Association.

18 MR. HUDSON: Paul Hudson, Aviation Consumer
19 Action Project.

20 MR. LUCKEY: Steve Luckey, Chairman of the
21 Airline Pilots Association, National Security Committee.

22 MR. MONETTI: I'm Bob Monetti with the Victims of
23 Pan Am Flight 103.

24 MR. FRENKEL: Hovav Frenkel, Aviation Security
25 Contractors Association.

26 MR. MARTIN: Bob Martin, Postal Inspections
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1 Security Group, Postal Inspection Service.

2 MR. SALFEN: I'm Hal Salfen with the
3 International Airline Passengers Association, and former
4 chairman of the Air Traffic Conference.

5 MR. McGRAY: Duane McGray, President of the
6 Airport Law Enforcement Agencies Network.

7 MR. TOMLINSON: John Tomlinson, U.S. Secret
8 Service.

9 MR. RASNER: Charles Rasner, FBI.

10 MR. CUMMINGS: Kevin Cummings, U.S. Customs.

11 MR. DALY: John Daly, Associate Director for
12 Security Policy in the Office of the Secretary of
13 Transportation.

14 RADM FLYNN: I note that there are some missing
15 members. Is there anybody around the outside of the room
16 who represents or is a member of those organizations where
17 the chairs are vacant, over there on my left? If there
18 are, you are welcome to come up and identify yourselves.

19 Let me give the standard announcement. This
20 meeting of the Aviation Security Advisory Committee is
21 being held pursuant to a notice published in the Federal
22 Register on April 7, 1998. The agenda of the meeting will
23 be as announced in that notice, with details as set out in
24 the handout, which is at your places.

25 The FAA Designated Federal Official, Tony
26 Feinberg, is responsible for compliance with the Federal
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1 ~~Advisory Committee Act. It is his responsibility to see to~~
2 it that the agenda is adhered to and that accurate minutes
3 are kept. The Designated Federal Official also has the
4 responsibility to adjourn the meeting should he find it
5 necessary to do so in the public interest. In other words,
6 if there is riotous conduct or anything of the like.

7 Placards for the member organizations are set out
8 on the main table. Only one representative from each
9 organization may sit at the table, participate in
10 discussions and vote on matters put to a vote by the Chair.

11 Other representatives of member organizations should
12 channel any remarks they have through the organization's
13 main table representative, except as requested to do
14 otherwise by the Chair.

15 Let me say that this Chair will interpret that
16 leniently, that if any member around this table should want
17 to have a member of the organization elsewhere present in
18 the room speak, then please just indicate who that person
19 would be and as speaking for your organization.

20 When addressing the Chair, please identify
21 yourself to facilitate keeping accurate minutes.

22 The meeting is open to the public, but members of
23 the public may address the committee only with the
24 permission of the Chair, which should have been arranged by
25 giving advance notice concerning the scope and duration of
26 the intended presentation. The Chair may entertain public

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1 comment if in the Chair's judgment, doing so will not
2 disrupt the orderly progress of the meeting, and would not
3 be unfair to any other person. Members of the public are
4 welcome to present written material to the committee at any
5 time.

6 Now, my understanding is that although we don't
7 have a written request, that we do have a verbal request
8 from the American Arab Anti-Discrimination Committee to
9 make a presentation, a brief presentation. I would suggest
10 that we ask the representative from the American Arab Anti-
11 Discrimination Committee to make such presentation now, if
12 the representative is present.

13 Ms. Letty Mulchani? Okay, that person isn't
14 present. If the person should join the meeting later,
15 we'll take it up at that time in a way that would least
16 inconvenience the progress of the meeting.

17 One other note before we go into this. It is my
18 understanding that this is the birthday of a distinguished
19 representative from the Air Transport Association. Happy
20 Birthday, Susan.

21 MS. RORK: Thank you.

22 (Applause.)

23 REVIEW OF MINUTES

24 RADM FLYNN: We should review the minutes of the
25 last meeting. The last meeting was that long ago, July 23,
26 1997. We haven't had a meeting since then?

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1 The minutes have been, as usual, provided to the
2 members of the Association. Are there any changes to the
3 minutes that were presented that anyone wishes to propose,
4 or are there any comments on the minutes?

5 (No audible response.)

6 RADM FLYNN: Then I would ask for someone to
7 propose the adoption of the minutes of that meeting.

8 PARTICIPANT: So moved.

9 PARTICIPANT: Second.

10 RADM FLYNN: Those in favor?

11 (Chorus of Ayes.)

12 RADM FLYNN: Okay, we have adopted the minutes of
13 the meeting of July 23, 1997 as they were provided to the
14 members of the committee.

15 We are now going to have a series of reports. We
16 would encourage discussion of those reports and questions
17 to the presenters, because these matters are of importance.

18 They follow from the baseline working group or the White
19 House Commission, and so by all means, we welcome
20 involvement of committee members in the discussion.

21 The first one, on vulnerability assessments, will
22 be presented by Mr. Rick Lazarick of the FAA. Rick?

23 VULNERABILITY ASSESSMENTS

24 MR. LAZARICK: Thank you and good morning. I'd
25 probably be loud enough without it.

26 RADM FLYNN: Not quite. You need to speak up a
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1 little bit more.

2 MR. LAZARICK: Thank you very much for the
3 opportunity to address this group. As some of you are
4 aware, and all of you will be, I'm in involved with the
5 White House Commission recommendation on airport
6 vulnerability assessment, which was funded by Congress just
7 about a year ago this month. What I am going to report on
8 to you today is a little bit about how we have gone about
9 doing it and where we are.

10 I know there are several people around the room
11 who are personally involved in the activity. I apologize
12 for the fact that I am repeating a lot of things to you,
13 but several other people in the room have really not had
14 much exposure, and this is a great opportunity for the
15 exchange of information among a wider group of people than
16 I normally get a chance to present to.

17 As I mentioned, this is one of the funded
18 recommendations from the White House Commission. The
19 funding was a two-year funding of five and a half million
20 dollars to go out and do quantitative vulnerability
21 assessment.

22 Now, several people have asked the question,
23 there are vulnerability assessments done by consortiums,
24 there are vulnerability assessments being done by the FBI
25 and FAA combined. Is this one of those? No, it is not.
26 It is a completely independent effort. It is different

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1 from those efforts, in that the direction we were given was
2 to use a quantitative method. They refer to it in the
3 language of the recommendation initially as to use Sandia-
4 like models, which was an assess model, very quantitative,
5 very repeatable.

6 So what we have done is attempted to follow that
7 guidance. Our objective for this two-year effort was to
8 complete vulnerability assessments in as many major
9 airports as we could. We were going to use a variety of
10 different methods, and using contractors from several
11 diverse backgrounds to try to determine what is the best
12 approach to use for a public access facility like an
13 airport. Those vulnerability assessments that have been
14 done in the past have been done for military and Department
15 of Energy facilities, which had a significantly different
16 security approach than airports do. A lot of the tools
17 that have been developed have been developed for those.

18 So we are using some of those tools, and we're
19 also using some processes that have been proven in the
20 public sector, public domain, public access buildings, and
21 trying to see what fits the airport environment the best.

22 We did stipulate at the very beginning that this
23 is not a regulatory inspection. The airports that we are
24 using have all volunteered, and they were all told that
25 this is not a regulatory inspection and we do not intend to
26 institute punitive action as a result of anything that we

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1 find. If we find something, we'll tell you about it and we
2 expect you to fix it, but we don't expect to punish you as
3 a result of this.

4 Just briefly, what I would like to do is capture
5 a couple of terms I'm going to use to make sure that we are
6 all talking the same language.

7 Vulnerability assessment is what we were told to
8 do. That basically says, look at your facility and
9 determine how likely the adversary, the terrorist, would be
10 at success at his particular mission if he attempted to do
11 it. That is a big question, if he attempted to do it. So
12 vulnerability says, he's going to try; therefore, how
13 vulnerable are you?

14 The bigger picture and one that we keep in mind
15 as we are doing this, is the concept of risk assessment or
16 risk management. That says, if the adversary is
17 successful, how much of an asset will he knock out, what is
18 the value of what he is doing, or the loss potential to the
19 airport.

20 Also, there is this likelihood of attempt. Is
21 this particular threat that you are looking at more or less
22 likely to occur in your airport than somewhere else? So
23 all of those ingredients factor into an overall risk
24 assessment, which is what the airport really does every
25 day. They look at their security, they look at their
26 risks, they do things to improve their security and reduce

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1 their risk in a balanced fashion.

2 Now, what I'd like to do is quickly describe what
3 the contractors that I have are doing for me, and then I'll
4 tell you who is doing what and where.

5 Basically, vulnerability assessment takes on four
6 stages of activity. The first one is planning and
7 coordination. We have been very strict about the fact
8 that, when you're going out to do vulnerability assessments
9 at airports, you have to do it by the rules. We'll let you
10 make the rules yourself. Write them down and we'll approve
11 them, but you have to follow them. There has been a high
12 degree of coordination between the FAA, the contractors and
13 the FAA local people at the airports.

14 So once these plans are developed, distributed,
15 we go to the airports and we brief the airport on what is
16 going to be happening when the on-site activity begins. We
17 find that there are several points of coordination and
18 feedback that are very vital.

19 This is the first one, where the airports are
20 given a detailed description and a chance to ask questions
21 about what the process is.

22 The next step and the second major step is on-
23 site assessment, the one everybody thinks of when you hear
24 about vulnerability assessment. Basically, the contractors
25 go out, based on the plan that they have laid down, and
26 generally conduct interviews, do observations, collect

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1 information, and in some instances conduct small-scale
2 tests to evaluate the current counter measures, current
3 security system at the airport. Before they leave, they
4 are bound by our rules to provide an out-briefing on their
5 findings to the airport personnel, which is the second
6 stage of feedback.

7 Then typically we leave for a month or so and
8 take their data and do analysis, using the tools, the
9 automated quantitative tools that they have brought to the
10 table with them. Their output of that is two fundamental
11 things, a vulnerability assessment quantitative value, and
12 a set of either security upgrade elements or sets of
13 elements that are proposed as being effective against the
14 particular scenarios that have been analyzed.

15 These are in the form of -- let's call them
16 recommendations to the airport. They are not
17 recommendations saying you should do it, they are saying
18 recommendations -- if you want to mitigate the risk of this
19 particular scenario, this would be the way to do it.

20 This is also put into a formal written report.
21 These written reports are ones approved by the FAA, are
22 distributed throughout the airport by airport control. The
23 airport security coordinator determines who gets these
24 reports. These are control 191 type of reports.

25 In addition to that after these final reports, we
26 are going to conduct an oral final briefing, so that

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1 everyone who has had a chance to see these reports can ask
2 questions about the results and the proposed
3 countermeasures in an open discussion.

4 So that is what we're doing. The way we started
5 out was, the FAA decided to standardize a series of threat
6 scenarios. There are 16 of them that we defined. In all
7 16 of those cases, the target was restricted to passenger
8 aircraft or passengers in the terminal. We recognize that
9 there are other targets at an airport, but because our
10 scope of responsibility is limited to that region, we have
11 limited our 16 scenarios to those particular targets.

12 We covered a series of threatening actions,
13 bombings, highjackings and armed attacks on the terminal.
14 We had explored many of what you might call common vectors.
15 We are looking at checked baggage, cargo. We are looking
16 at the carry-on, passenger screening process. We are also
17 looking at services, whether it be cleaning or fueling or
18 whatnot of the aircraft. We are looking at perimeter
19 penetrations, and we're also looking at insider threats.
20 There are also some with collusion with a terrorist
21 outsider and an insider.

22 There are several things we did not include.
23 That includes vehicle bombs, chem-bio attacks, standoff
24 weapons, weapons of mass destruction, and cyber attack, all
25 of which are being studied by other organizations outside
26 of this project.

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1 When given the responsibility to go out and
2 conduct these, we organized what we called a three-phased
3 approach. It turned out to be three different contracting
4 methods. I will go ahead and describe to you those three
5 phases, and I will also describe to you the method that we
6 are using to identify the superior practices. We have
7 assembled what we call a blue ribbon panel, actually
8 national laboratory experts, to assist in the evaluation of
9 this process.

10 First of all, the first phase, we had a known
11 contractor, a pair of known contractors, and an existing
12 contract vehicle through ITOP. We directly contracted
13 through directed procurement with Abacus Technologies to do
14 the airports of Detroit and Denver. We also contracted
15 with Seidson Engineering Associates, the co-authors with
16 Sandia of the assess model that was spoken of in the
17 recommendation, and they were assigned to do Orlando and
18 Newark.

19 The current status of that is that on-site
20 activities at Denver and Detroit have been completed, and
21 we are in the data analysis phase with them. The Orlando
22 on-site has also been completed, and a draft analysis
23 report is currently into the FAA for review. And Newark
24 Airport is in progress. The on-site activities have been
25 broken up over several weeks. Some of them have been
26 completed and a few more are still pending.

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1 Switch to phase two now. Phase two was a
2 competitive award out of the tech center. We conducted a
3 competitive contract award. We had altogether I guess 12
4 bidders; five of them were awarded contracts.

5 The companies and the airports that have been
6 assigned. BDM Federal has Atlanta and Boston. Batelle in
7 Columbia, Ohio, has Cincinnati and Louisville. SAIC is
8 performing at Miami and Jacksonville. CTI is performing at
9 San Juan, and Lockwood Green from Oak Ridge is conducting
10 theirs at Colorado Springs.

11 This group of contractors represents a collection
12 of commercial providers with a tremendously varied
13 background in experience, but all have proven methodologies
14 in vulnerability assessment.

15 The status of those five contracts. Atlanta has
16 been completed on-site, and a draft report has been
17 submitted. Similarly for Cincinnati and Louisville, they
18 are at the draft report stage. Miami as well has been
19 completed, the on-site, and the draft report is in for
20 review.

21 Jacksonville, the site plan for that has been
22 completed and approved. The San Juan general plan has been
23 completed and approved, and the site plan is in
24 development. For Colorado Springs, the general and site
25 plans have been completed and approved. So we have made
26 substantial progress on that front.

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1 Shifting to phase three. We had one other
2 federal agency that had the ability to perform like a
3 contractor. The Naval Facilities Engineering Service
4 Center in Fort Wanime, which is the reorganization for the
5 Department of Defense for physical security, has been
6 brought, let's say under contract by way of EMIPR, to do
7 assessments at Seattle and San Francisco.

8 In their case, the Seattle Airport has been
9 completed, and they have submitted an interim findings
10 report. Their analysis is still in progress. San
11 Francisco will begin their on-site on the 27th of April for
12 a four to five week period. That brings you up to date on
13 all 14 airports.

14 Just to summarize quickly, we are expecting five
15 final reports in the month of May. Then in June, July,
16 August and September, we will have all the remaining ones,
17 so by the end of this fiscal year we will have completed
18 the 14 assessments that have been currently assigned.

19 Our intention then is to have an evaluation of
20 these processes performed by the blue ribbon panel that I
21 mentioned earlier. The blue ribbon panel has been
22 assembled. It is chaired by the FAA and its members are
23 from the National Lab, Sandia, New Haven, Argon, Oak Ridge,
24 as well as the Army Corps of Engineers. They represent a
25 series of people with both security backgrounds, modeling
26 backgrounds and a variety of other related disciplines.

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1 They are acting on our behalf as advisors and evaluators.

2 The first step in their activities is, we are
3 developing a series of criteria to, let's say, score or
4 grade the results of the first round of airports. We have
5 a very structured evaluation process that we are agreeing
6 upon in May, and then we will use that during the months
7 from May through September and come up with an
8 effectiveness value.

9 In effectiveness, we are looking at it from a
10 couple of viewpoints, mostly, how useful is the information
11 that is in these reports to the airport planners. In order
12 to gain that insight, we have developed a survey form that
13 we are going to give out to the airport security
14 coordinators, soliciting from them -- it's going to take a
15 half hour or 45 minutes to fill this form out, but we
16 really need the information.

17 It's going to ask them, how difficult was it for
18 you to support the process? How much were they asking for,
19 was it hard information to get? How much information that
20 is in the report is of value to you? Can it help you do
21 your planning process? Just to get a detailed feel for how
22 the airport feels about the results that they were given.

23 That is more important than how we, as academic
24 people, look at, say, the methodology and the
25 sophistication and its elegance. It can be as elegant as
26 possible, but if it doesn't work in the eyes of the end

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1 user, it is useless. So we are very aware of the need to
2 satisfy the end user, and the end user in this case we
3 picture as being both the FAA agents locally and the
4 airport security coordinators, the people that are actually
5 doing the security planning.

6 That form of feedback I have emphasized over and
7 over again. We have promised that we will tell the airport
8 what we did and what we found. In return, we are asking
9 for feedback that says, how did you like it. I think that
10 is the most important feedback that we can get.

11 I'd like to just summarize a few general
12 observations. I can't give you details of, so-and-so did
13 such-and-such. I'm not going to air dirty laundry here;
14 it's not the forum for it. But I'd like to mention that we
15 did solicit volunteer airports. We had 29 airports stand
16 up and say, we would be glad to do this. As a result,
17 maybe by that good fortune, we have had extraordinary
18 cooperation from all the airports that we have gone to.
19 The local FAA people have been excellent and the airports
20 themselves have donated their time willingly and sometimes
21 anxiously, trying to forward the process and learn
22 something from it. So it has been extraordinarily good
23 cooperation, and I think that that has allowed the process
24 to go forward, not only smoothly, but productively.

25 We have put a tremendous amount of emphasis on
26 pre-coordination. We have also emphasized trying to be

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1 non-interfering, getting information requests out and
2 information returned so that you don't ask questions over
3 and over again to people. We have tried to minimize the
4 amount of disruption, and I think that has worked very,
5 very well.

6 I might add that the organizations that have been
7 selected have all acted very professionally, and that has
8 of course improved the process, because the airports have
9 accepted them as doing a good job with the proper emphasis.

10 Just a couple of findings that I can share with
11 you from the eight or nine airports that have been
12 completed on site and the five reports that I have had a
13 chance to see.

14 One overall observation that most of these
15 reports are telling me is that regulatory compliance at
16 these airports is clearly present. These people are doing
17 everything that they are told to do, to the largest extent.

18 There are individual exceptions, where someone might not
19 get challenged immediately if they are on the AOA. The
20 site of rules do vary somewhat from airport to airport, not
21 the rules so much, but the implementation of it, and the
22 challenge practices do become noticeably different at
23 different airports.

24 I think the other thing that stands out is that
25 the scenarios that we picked, some of them are very
26 difficult to stop, because there are no regulations in

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1 place to stop them. For example, someone driving up to the
2 front door of the terminal with several armed folks who
3 walk in and shoot the place up. We don't have a lot of
4 requirements to prevent that or a lot of safeguards against
5 it. Insider threats can be very devious, cargo -- we knew
6 ahead of time, we've been told before where the tough
7 points are.

8 What is happening is, as people go through these
9 processes and they put the numbers in and they turn the
10 crank, true enough, the highest vulnerabilities are the
11 predictably highest vulnerabilities. That is mostly
12 heartwarming, in that it is intuitive, it makes sense, and
13 chances are that is a degree at least of validation that
14 the process is at least in the right ball park.

15 I guess at this point, what I would like most to
16 do is entertain questions. I see some of you have been
17 involved in this process before on both sides. Go ahead.

18 RADM FLYNN: Before you do, FAA people -- it is
19 clear that these people are not going to be attending, so
20 by all means, sit down. There are seats other seats around
21 here. I'm a little concerned that you took what I said
22 initially a little too literally.

23 MR. LAZARICK: Any questions?

24 MS. RORK: Yes. Susan Rork of the Air Transport
25 Association. Rick, I'm familiar with the vulnerability
26 assessments, as most of the airline community and airport

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1 community are.

2 One thing I noticed throughout your talk was that
3 you will be giving feedback to the airport community. I
4 would like to request that the airline community also
5 receive feedback. I don't know that that was an
6 intentional omission on your part, but if it was or was
7 not, I think that we play an integral part in this three-
8 legged stool, with FAA and the airports. So I'd like you
9 to speak to that if you would, please.

10 MR. LAZARICK: Sure, that's absolutely true. For
11 those who have been in attendance at the meetings, the
12 introductory briefings, the out briefings and whatnot, the
13 attendance is very broad. It always includes at least the
14 primary air carriers. It normally includes the contracted
15 security help, as well as the law enforcement and of course
16 the airport management, airport operations and things like
17 that.

18 I unfortunately have used the term airport like a
19 system, and it includes everything that is there. I don't
20 mean to imply that it is the airport authority. I was
21 speaking of airport kind of in whole.

22 The scenarios that we spelled out kind of cross
23 the boundaries. They are 107 and 108 style, and in fact,
24 some of them combine responsibilities. Part of the path
25 that an adversary might take would be a 107 responsibility,
26 and then it crosses over into 108. So we haven't attempted

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1 to isolate the two organizations. We have tried to treat
2 security as a whole, treat the airport as a system, and
3 involve all the interested and affected parties.

4 So I'm sorry that my terminology might have
5 misled you, but I really didn't mean to imply that. I
6 meant to treat the airport as a system, because that is
7 really the way we are analyzing. We are analyzing the
8 entirety, how it works together, rather than looking at any
9 of the individual component parts.

10 But thank you for asking that question, because
11 it is important for everyone to understand. Yes, sir.

12 MR. HUDSON: Paul Hudson, Aviation Consumer
13 Action Project. Can you say what proportion of the major
14 airports are covered in your assessments?

15 MR. LAZARICK: Yes, sir. We are doing nine
16 Category X airports and five Category 1 airports with the
17 current FY 97-98 funding that we received. We have
18 intentions, and have money earmarked in the '99 budget, and
19 hopefully continuing to move forward with additional
20 airports, with the selected contractor or contractors who
21 prove to have the most cost effective process. Of course,
22 that decision will be made with the assistance of a blue
23 ribbon panel, and that decision won't be made until October
24 or beyond, but that's our intention.

25 Now, the next good question is, how many more are
26 you going to be able to do. The answer to that really

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1 depends upon what process we pick. There is a tremendously
2 wide range of prices to go with these wide range of
3 methodologies, almost a factor of five, from lowest to
4 highest.

5 So the answer to the question is, somewhere
6 between five and 15 airports that we're going to do with
7 the next round of money. But we are focusing on X's and
8 1's, if that helps to answer the question.

9 MR. HUDSON: Also, are you including any foreign
10 airports that have many passengers going to the U.S.?

11 MR. LAZARICK: No, sir, this is exclusively a
12 domestic analysis at this point. Yes, sir.

13 MR. DODSON: Alvy Dodson, ACI North America.
14 Rick, I'd like to ask a question regarding -- many of us
15 have been through a lot of these surveys and assessments
16 over the years. How do you see this as being different
17 from what we have done in the past? What is the direction
18 that this is taking? Is it going to replace some of the
19 various agencies throughout the years that would come in
20 and do two or three surveys a year? Where do you see this
21 going?

22 MR. LAZARICK: That's a really good question. In
23 fact, I meant to mention something along that line.

24 I think the distinction that this particular
25 analysis brings is that it is a more scientific, it is a
26 more quantitative, it's a more analytical, it's a more

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1 automated process. As a result, it should be more
2 repeatable.

3 Assessments that are done by expert judgment,
4 every time you do them, will be dramatically different,
5 based upon which expert's judgment you're using. This
6 being a little bit more analytical is likely to be -- maybe
7 not purely repeatable, but certainly more highly repeatable
8 than purely opinion based methods.

9 Then the next point that needs to be made is, it
10 is our intention to use the information we gain from this
11 review and analysis of the tools that are being used -- our
12 long-term objective is to find a tool or develop what needs
13 to be developed to have a tool that would appropriately be
14 used in the hands of the FAA agents and the airport
15 security coordinators locally on site, their hands on, and
16 to get that out into the field for their use on a
17 continuous basis.

18 That would eliminate the need for other agencies
19 to have to come in and do it, and in fact, has the
20 potential if the consortium adopted that style and the tool
21 was provided, could merge certainly any consortium local
22 activities with this one.

23 Also, we are looking for the potential -- and I'm
24 not going to say it has to happen -- we are looking at the
25 potential that the FBI-FAA joint vulnerability assessment
26 and this one could merge somewhere downstream, if we can

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1 prove that they are accomplishing the same objective.

2 At this point, it is not entirely clear that that
3 will happen, but we are keeping a close eye on the
4 opportunity, because we realize that multiple -- and
5 sometimes almost simultaneous vulnerability assessments can
6 be confusing and it can be time consuming, and we don't
7 wish to continue to proceed in that direction.

8 I can't assure you right now that we will find a
9 point of merger in the very near future, but we are
10 certainly focusing on trying to do that.

11 RADM FLYNN: Mr. Monetti.

12 MR. MONETTI: Bob Monetti from the Victims of Pan
13 Am Flight 103. I know I misheard what you said, Rick,
14 because it sounded like the vulnerabilities that seem to be
15 consistent are the ones we haven't made laws against. We
16 haven't made rules that say the airports and airlines have
17 to deal with certain threats. Are you saying that we are
18 fighting terrorism by regulation?

19 MR. LAZARICK: I'm not sure I would put it in
20 quite those terms. I think that we have certainly
21 emphasized certain vectors in our regulations, and our
22 largest activity investment and our largest degree of
23 control would be in those areas.

24 Therefore, if one postulates a scenario that
25 bypasses those particular activities, the likelihood of it
26 being analyzed as more vulnerable is clear and intuitive.

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1 That was what I was trying to say. Any implications beyond
2 that are too political for me, and I prefer not to go
3 there. But I think it is clear that there are vectors that
4 are identified even in the commission report as being say
5 less secure than others.

6 That was what my message was there. This
7 quantitative method actually seems to be verifying some of
8 those intuitive reasonings that have been published in the
9 past.

10 Are there any other questions?

11 (No audible response.)

12 MR. LAZARICK: If not, I thank you very much.
13 You can always reach me at the FAA Technical Center, if
14 there are any questions. I'd be glad to discuss it with
15 you in the future. Thank you very much.

16 RADM FLYNN: Thank you, Rick.

17 The next item on the agenda is the status of ASAC
18 working groups. We have six working group reports. The
19 first is on the cargo baseline working group, and Becky
20 Tuttle of our Office of Policy and Planning will give a
21 status report on the progress of that group.

22 STATUS OF ASAC WORKING GROUPS

23 CARGO

24 MS. TUTTLE: The cargo baseline working group is
25 chaired by Ed Badaloto. The group has not met since the
26 last ASAC meeting. The plan is to convene that group once

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1 the proposed changes are issued. That encompasses four
2 programs that are being amended. I spoke to the program
3 manager and we are expecting those to be out for comment in
4 approximately two weeks.

5 Also, the Public Education Working Group, they
6 have met twice since the last meeting, and we discussed
7 more air carrier presence at that time. I'd like to thank
8 Susan from ATA and Debbie from RAA for participating in
9 that, and we're going to be meeting this afternoon. I just
10 wanted to point out that we have two new chairs for that,
11 Mr. Hudson and Mr. Salfen.

12 RADM FLYNN: Questions about the cargo working
13 group or the ACSSP and indirect air carrier program
14 changes? The foreign air carrier program? Any questions
15 about that? I'll let the -- Tony, do you intend to put
16 those up for comment?

17 MR. FEINBERG: Well, as Becky said, within two
18 weeks. The thing is supposed to be being passed around
19 now.

20 RADM FLYNN: Okay. Consultation working group,
21 Susan Rork.

22 CONSULTATION

23 MS. RORK: Thank you. The mission of the
24 Consultation Working Group of the Aviation Security
25 Advisory Committee was to evaluate and determine if the
26 Federal Advisory Committee Act, FACA, could be amended to
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1 permit airlines to meet with the FAA to provide technical
2 information prior to FAA issuing security directives.

3 After extensive deliberations that lasted one
4 year, the working group determined that legislation to
5 amend FACA was not a valid option at this time. The
6 conclusion was reached after studying a proposal to form a
7 technical operations steering group, which FAA would
8 convene when needed to provide the agency with technical
9 and operational information.

10 The FAA stated that this type of group could not
11 meet without public notice in the Federal Register, which
12 we all know requires a minimum of three days advance notice
13 and 15 days to get into the Register. Given the
14 unpredictable nature of security threats, such a system
15 would not provide any benefit to the FAA or the industry.

16 An exemption to FACA for national security
17 reasons similar to the exemption granted to the Central
18 Intelligence Agency was also studied. However, again, it
19 was concluded that this exemption would be extremely
20 difficult to obtain.

21 A third proposal considered by the working group
22 was to seek a similar exemption, as provided in the Omnibus
23 Consolidation Appropriations Act of 1997, which allows for
24 consortias of government and industry representatives to
25 meet to provide advice on matters relating to aviation
26 security. However, after consultation with the Department

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1 of Transportation's legal staff, it was concluded that the
2 exemption would not apply to security directives.

3 Thus, the Consultation Working Group continues to
4 support improved communications between the FAA and the
5 industry, and we do recommend that the ASAC authorize us to
6 develop a list of common aviation security terms and
7 definitions. This list would be used in rulemakings,
8 airport and airline security programs, security directives
9 and information circulars. The working group believes that
10 such a list would enhance the comprehension level for all
11 aviation security policy for both the FAA, the industry and
12 its contractors, and we are requesting ASAC's authority to
13 continue meeting to develop that list.

14 RADM FLYNN: Any comments or questions?

15 (No audible response.)

16 RADM FLYNN: Thank you very much, Susan.

17 PARTICIPANT: Do we vote on that?

18 RADM FLYNN: To adopt the report of that working
19 group?

20 PARTICIPANT: To allow them to continue to meet
21 to develop the list of common terms.

22 RADM FLYNN: All right. The motion is to
23 continue the Consultation Working Group chaired by Ms.
24 Susan Rork to continue the work in developing a glossary of
25 terms to be used in regulation, including emergency
26 regulation.

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1 Would someone propose that?

2 MR. ALTERMAN: So moved.

3 MR. DRISCOLL: I second.

4 RADM FLYNN: I'm sorry, was there any discussion
5 about that before I --

6 (No audible response.)

7 RADM FLYNN: Okay. Moved, second. Those in
8 favor?

9 (Chorus of Ayes.)

10 RADM FLYNN: Those against?

11 (No audible response.)

12 RADM FLYNN: Okay, your group continues. Did we
13 need that on the Cargo Baseline Working Group, anything on
14 that? I think that we have already said that what we need
15 to do is give everyone an opportunity to look at these
16 changes when they come out for comment and meet at that
17 time.

18 The next, Captain Steve Luckey, Chair of the
19 ASAC's Employee Recognition and Utilization Working Group,
20 will give an update on the progress of that group.

21 EMPLOYEE RECOGNITION AND UTILIZATION

22 CAPT. LUCKEY: Thank you. The purpose of our
23 group primarily is to recognize that employees are indeed
24 an asset. So much of the efforts being made in the
25 aviation security arena at this time are becoming very
26 costly, and what we have managed to do by hardening the

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1 target is to index; the threat goes up and then all the
2 technology needed to confront it goes up, and we've gotten
3 ourselves into a position right now obviously of being
4 very, very cost conscious and very expensive in our efforts
5 in combatting terrorism and providing airport security.

6 So what was proposed was the fact that we could
7 take employees and, realizing that every individual that is
8 on an airport is actually a human sensory detector device
9 -- represents an aggregate sensory perception of all the
10 things that you see and hear and touch and smell -- they
11 are all out there, and a lot of people see all these
12 things, but they really haven't in the past done anything
13 about them. Of course, this is also from a cost conscious
14 perspective, a very reasonable approach to aviation
15 security.

16 So what we have done is -- and I believe we met a
17 couple or three times, we're going to meet again tomorrow,
18 hopefully we can tie this thing up for the most part
19 tomorrow. After being chartered March 26, 1997, we have
20 taken the categories and we have roughly broken them down
21 and identified 20 different potential categories of
22 employees at the airports in the country.

23 We have grouped them approximately according to
24 either their areas of responsibility or their where they
25 work, what they see, who they answer to, et cetera.
26 There's a lot of overlap, obviously, in these employee

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1 groups; they are not all going to be an autonomous
2 individual.

3 So what we've done is we've taken these groups,
4 we have assigned it to the individuals on the committee,
5 and we will be reporting back tomorrow with respect to what
6 areas of responsibility there are, their resources, the
7 areas they have access to and what they see, and methods of
8 training them, formatting them. In other words, what we're
9 trying to do here is get a culture shift and a paradigm
10 change.

11 This is quite a challenge. We've been trying to
12 do this in this industry for a long time. I think it can
13 be done. I think it's just a matter of getting the team
14 concept out there and getting people motivated
15 appropriately.

16 So we have been interrogating and interviewing
17 people throughout the country in the various areas. It is
18 one of the assets of being a pilot or a flight attendant:
19 you can get around and do many of the things that are very
20 expensive to do otherwise, and it's right there, so we take
21 the time to do it.

22 It has been interesting. Some of the more
23 acutely aware things that are frequently overlooked is the
24 fact that people don't challenge frequently. They see
25 people out there and they just don't do it. We have asked
26 them why they don't, and surprisingly enough, they are

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1 afraid to do it. They just are flat afraid to go up and
2 talk to somebody.

3 This is as much of a problem as it is in
4 conditioning these people. Their fears are based on the
5 unknown, primarily, but I think with a little formatting
6 and training, we can overcome some of these fears. Even if
7 you can't, they can have an alternate method to exercise
8 their sensory detection capabilities. That is, just simply
9 have a point of contact. If they don't want to make the
10 challenge, they can get somebody that will.

11 Although pilots being in a supervisory or command
12 position, we don't look at challenging as being much of a
13 challenge, for want of a better word, but it's just
14 something that you ordinarily do in your daily job
15 description. But that is not the case for people who are
16 working on the ramp. It's easy to overlook their fears.

17 So what we have done is we're coming up with
18 recommendations for forms of communication. Some of them
19 may be just a simple thing of having a runner, just telling
20 another employee, all the way up to the point of having
21 some kind of a device, either a cell phone or a radio. All
22 these guys run around now with radios on the ramp, et
23 cetera, or have a telephone around, or they can contact
24 someone in the supervisory arena or whatever. I'm not
25 going to get into the details of it.

26 The other thing we are looking at is, how do we
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1 motivate these people, how can we get them going, how can
2 we utilize them, how can we best motivate them to do the
3 job. Rather than get into the details of the report, this
4 is kind of a progress update on what we're doing.

5 I think in the interviews that we have had we've
6 been very successful in finding out that people really are
7 eager to do what we want them to do.

8 A point in fact, not to take up too much time,
9 but I fly a 747-400 aircraft with over 400 passengers on it
10 internationally. We have a system of inspecting aircraft
11 when they come in, and of course, being a \$150, \$160
12 million airplane, they don't let it sit on the ground very
13 long. So it comes in from one flight, and they have a
14 group of people, probably numerically about 20 people,
15 young people who get on the aircraft, and they literally
16 tear it apart. They go from one end of the aircraft to the
17 other. They take every seat cushion out, they look under
18 it, they look where the life vests are, they look overhead.

19 They crawl all over the airplane, opening every door,
20 looking in every nook and cranny, and they actually do a
21 good job.

22 I took the opportunity here a couple of months
23 ago, I was in Detroit and got on the aircraft early, and
24 got on the PA while these people were making their search
25 and I said, when you get done, I'd like you to come up
26 front in the first class section and I'd like to talk to

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1 you for a little bit. And of course, this had never been
2 done. Most of these people are very temporary, very short-
3 lived and very unmotivated people for the most part. They
4 don't get very much recognition.

5 So I had them sit in the seats when they were all
6 done, and we had time to do this. I addressed them, and I
7 said, you know, I just want to take the opportunity to
8 thank you for what you're doing because I want you to
9 realize that you are the last line of defense here. This
10 is where the rubber meets the road; this is where the
11 threat actually is. Although you people may not think your
12 job is really important, we feel that it is very important,
13 and I just want to take the time to thank you for it.

14 I had a picture from the Hughes Tech Center with
15 some of the explosives testing that we do on hardened
16 containers, and I passed that around to them. When I came
17 to work the next time, their supervisor met me when I came
18 in to go on the next flight to Tokyo, and she said, I can't
19 tell you what you did. She said, that little five-minute
20 or 10-minute presentation that you made to these people
21 just completely changed their whole attitude. They just
22 were full of questions, and they were just eager. She
23 said, it just did a tremendous turnaround of their mindset
24 or their paradigm.

25 It didn't take anything, it certainly didn't cost
26 anything. This is where I'm coming from. This is an

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1 actual example that just happened a couple of weeks ago.

2 If we can get this awareness out there, this is the purpose
3 of this committee, is to utilize these people. They are
4 there, they are already in place, they don't cost anything.

5 By categorizing them and getting the pride and the
6 recognition in there that they need to do, I think we're
7 going to have something here that is really beneficial to
8 what we're all trying to do in this room. It is not
9 restricted by compliance; we have a lot of flexibility and
10 a lot of latitude to employ this resource directly at the
11 threat.

12 I think from the time that a car pulls up in
13 front of the airport to the guy that checks the bags, he
14 gets to look in the trunk, he gets to look in the car, but
15 really, he's not formatted, he's not aware.

16 This isn't an expensive thing. I'm not talking
17 about taking these people and putting them in a room and
18 making them watch a video for three or four hours, or do
19 something. All I'm talking about is making them aware and
20 having them provided with the tools and resources and the
21 awareness training and the direction and the guidance to
22 consummate their visual capabilities and let them know that
23 they are a key factor in the overall mosaic that we're
24 trying to have here at the airport security program.

25 Thank you.

26 RADM FLYNN: Could you stay just in case we have
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1 some questions?

2 CAPT. LUCKEY: Sure.

3 RADM FLYNN: Questions?

4 MR. McGRAY: A comment. Duane McGray, Airport
5 Law Enforcement Agencies Network.

6 A number of airports are now involved in
7 community oriented policing, and the community is the
8 airport for us. A number of airports now have implemented
9 airport watch programs, similar to neighborhood watch
10 programs. They meet monthly and do recognition for people
11 who have done the things that you just talked about. Many
12 of them are implementing programs where they do similar
13 inspections as the FAA does, where they go out on the ramp,
14 tuck their badge away, and the first person to challenge
15 them. the next meeting of the airport watch meeting that
16 employee is recognized, given maybe a gift certificate for
17 a meal at a restaurant, and given a plaque and recognized
18 publicly at the meeting and everything. Those programs are
19 being very successful in a number of airports.

20 I just throw that out for consideration, if you
21 were not aware of it.

22 CAPT. LUCKEY: Yes, that's true. We have looked
23 at several of these. Minneapolis has a \$50 reward, and
24 they give it out and they post the guy's picture in the
25 airport rag.

26 We are actually going down after this meeting,
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1 Bob Koch and I are going down to the ALEAN convention in
2 Tampa. We're going to be down there working with those
3 people for about three days in very similar programs.

4 Thank you.

5 Any other comments or questions that anyone has
6 about the program?

7 RADM FLYNN: Could you cover the membership of
8 the working group, Steve?

9 CAPT. LUCKEY: The roster, I don't know, let's
10 see.

11 RADM FLYNN: That's okay.

12 CAPT. LUCKEY: I have it back in my -- Debbie and
13 Susan and several of the others are on the working group.
14 We're going to meet tomorrow about 10 o'clock, by the way.

15 RADM FLYNN: Well, to all of you who are involved
16 in this, may I express appreciation, because it is very
17 important work and on the part of many of you it falls
18 within the category of other duties, not assigned, that you
19 pick this up and do it. It is very much at the heart of
20 improving security.

21 I would like to congratulate you, Steve, for your
22 chairmanship of this group, and all the members of the
23 group for doing good work on it.

24 CAPT. LUCKEY: Thank you very much, sir. In
25 answer to your previous request, Jerry Wright, our staff
26 engineer, staff coordinator at ALPA; Mr. Craig Williams,
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1 ~~Mr. Ron Priddy; Ms. Rebecca Tuttle; Mr. Karl Shrum; Mr.~~
2 Glen Johnson, Candice Kolander and Debbie McElroy is on it,
3 Susan Rork. Have I missed anyone?

4 RADM FLYNN: Well, thanks to you all. Thank you,
5 Steve.

6 Pete Falcone of FAA is the chair of the Airport
7 Categorization Working Group, and he'll give a report on
8 this effort.

9 AIRPORT CATEGORIZATION

10 MR. FALCONE: Thank you, Admiral Flynn. Good
11 morning, ladies and gentlemen. I'm circulating to the
12 members of the ASAC the briefing package that I prepared on
13 the subject. I think there's enough for the members in
14 attendance, maybe several extras.

15 I'm Peter Falcone. As chair of the ASAC working
16 group, I'd like to present an update on the status and the
17 activities of the working group.

18 This ASAC subcommittee was constituted last year
19 to examine what is an internal FAA security policy that
20 addresses the security classification of U.S. airports.
21 The actual details of the current aviation security
22 classification are contained in the air carriers security
23 program. I can say that as such that it is sensitive
24 security information.

25 I can say however that the purpose of aviation
26 security classification derives from the fact that in the
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1 early '70s the issue of law enforcement support to
2 screening checkpoints required that FAA develop a method
3 for categorizing based on volume of persons and passengers
4 passing through checkpoints a method of classifying the
5 airports on the basis of size and size of operations. So
6 that is the background.

7 This issue arose because members of the ASAC had
8 approached FAA a year ago -- we have passed the one-year
9 anniversary of this issue -- because airports were being
10 changed, the categorization was being changed, apparently
11 to the dissatisfaction of both the airport and the air
12 carriers who were affected.

13 We have come together and we have looked at the
14 issue as a group. We have had several meetings. The
15 perceived benefits of recategorization I'll review with you
16 as discussed and debated by the working group.

17 If we re-order our current methodology based on a
18 system that is quantitative, as you have heard Rick
19 Lazarick refer earlier, we want to use quantitative
20 methods, we can introduce more objectivity. We will
21 eliminate what is now in place at most airports, where a
22 factor which varies from two to seven is -- a multiplier is
23 applied to the numbers of air carrier enplanements. For
24 example, the air carriers report, their actual
25 enplanements, and then the airport operator applies a
26 factor of two or seven times that number, which gives us a

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1 tremendous range, and it is very subjective and confusing,
2 I might add, to many people.

3 One of the issues that we have debated is that
4 there could be a reduction and thus a simplification of our
5 current system -- reduction of the number of security
6 categories.

7 We have placed greater emphasis in our meetings
8 on the necessity of dealing with threat to civil aviation
9 security. Today the current system is based largely on
10 numbers, with the exception of the category X airport
11 classification, which requires additional special
12 consideration.

13 We have also taken into account the need to
14 develop a method by which the airport operators and the air
15 carriers and the FAA can debate at a local level issues and
16 resolve challenges to proposed changes in airport
17 classification. That does not necessarily exist today. As
18 I mentioned at the outset, it is an internal FAA policy
19 that we operate. It has not been more than 20 years old,
20 and as such it has not been one that is rooted in the
21 current genre of partnership, a nice way of saying that it
22 is almost a one-way operation out there. We want to change
23 that.

24 We also would like to factor in greater
25 contributions by the local airport community and especially
26 the airport security consortia.

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1 The general goal of this work group is to
2 increase responsiveness to changing conditions. We have
3 talked about the changing airport and air carrier industry.

4 We need to make sure that we are responsive to those
5 changes in our internal polices as well. And also to
6 provide for better allocation and management of security
7 resources, both ours in FAA and the industry's.

8 The working group has met quite a number of times
9 since last July. Our last meeting was April 1; it was a
10 full day session hosted by the Airports Council
11 International, a very productive meeting.

12 The group has also been given an options paper or
13 staff paper produced by FAA, and has developed a
14 preliminary recommendation. We are by no means prepared to
15 present today a new method for classifying airports. The
16 group would like to meet further. So I would suggest if
17 there is a motion, that this group will need an extension
18 of its charter in order to accomplish its goal.

19 Although the group has not articulated the actual
20 process, there is a basic formula that has been concluded.

21 The formula includes serious consideration of the threat
22 issue. It is prominent. A number, a weighted factor of 55
23 percent at minimum has been suggested as the number that
24 should be the significance of this.

25 Next, the operational aspect, passenger
26 enplanements, plus or minus 35 percent, and then plus or

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1 minus 10 percent for local input to include FAA Associate
2 Administrator Flynn.

3 Factors for enplanement, what we have agreed upon
4 in terms of definition, enplanement includes international,
5 domestic. We would also consider the differences between
6 originating and online transfer of passengers and basically
7 how one airport's volume would relate to the overall
8 national enplanement figures. As an example, what
9 percentage would JFK represent out of the total U.S.
10 picture.

11 Factors, definitions under threat consideration.
12 The threat would be as determined by the FBI and the U.S.
13 intelligence community. The mix of the fleet, of the
14 aircraft fleet actually serving the airports, the
15 geographic location of the airport and whether it is a port
16 of entry having international operations and other
17 geopolitical considerations.

18 So we have not come to the point where we have a
19 technical document for consideration, but this is the work
20 thus far. I would invite other members of the group to add
21 or detract from these comments, or questions.

22 RADM FLYNN: Mr. Graser.

23 MR. GRASER: As a member of the group - Al
24 Graser, American Association of Airport Executives -- one
25 of the things I think that Pete focused on is the group
26 from its initial meeting and especially at the last two
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1 meetings, focused on one of the major ingredients -- and it
2 probably would be higher if we had a way of really focusing
3 on it -- is the basis of the threat information and what
4 the specific threat might be.

5 One of the things that I think this group and
6 working with the intelligence community and everything that
7 is going to be essential in the future is to as best we can
8 start defining down from an international to a national to
9 a local threat, to give us more of a basis of establishing
10 finite definitions of what the categories would be.

11 So I think that is why we weighted it at 55
12 percent. If we had more comfort in what the specific
13 threats might be, I think our percentage might even be
14 larger.

15 RADM FLYNN: My reaction to that is that it seems
16 to me that it might be possible on the basis of such things
17 as the aircraft mix, the nationality of aircraft operating
18 at the international airports, and then some factors having
19 to do with the presence of certain entities in the
20 immediate locality of the airport, that might be able to
21 make some differentiation with regard to a handful of
22 airports, a relative handful of airports, that might be
23 able to say that with regard to certain cities and then the
24 makeup of the traffic at certain airports, that might be
25 able to say that there are some 20 or 30 of the 450
26 regulated airports that stand out in some way.

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1 I wonder if that wouldn't lead us back to where
2 we are with category X. Then, having gone from that number
3 of airports, I wonder if the FBI and the rest of the
4 intelligence community is going to be able to be helpful in
5 making distinctions with regard to the rest of the
6 airports. I would invite Mr. Rasner of the FBI to comment.

7 MR. RASNER: I think we have spoken at a
8 categorization meeting, and I still think this is a little
9 higher than it should be. There are a lot of factors that
10 go into these categorizations.

11 I've been reading over the previous
12 categorization, and felt that there wasn't a whole lot
13 wrong with the old system. We probably need to in our next
14 categorization meeting readdress this issue.

15 RADM FLYNN: I have no particular argument with
16 55 percent, 45 percent, whatever number people come up with
17 in the group. But I would urge you all, and urge the
18 Chair, Pete Falcone, to come to some understanding with
19 regard to categorization soon.

20 I think this is one where you just have to apply
21 your best judgment to it, that there isn't a nice sort of
22 table that you can go into and find numbers on it.

23 I'm quite willing to concede that four categories
24 of airports may be one category too many. If you want to
25 group the airports differently, that's fine. But I really
26 feel this working group needs to be encouraged and trusted

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1 by the rest of us to come up with something, with the
2 assurance that we are not going to pick over your judgments
3 too much on it.

4 Give it the best shot you can, because it really
5 is a matter of what you think you know about this country,
6 what you think you know about this industry, and what you
7 think you know about the possible thinking of terrorist
8 groups.

9 All of that is pretty imponderable when you add
10 it all up together. So try to come to a decision that the
11 rest of us in the ASAC can look at and adjust our
12 categories and move on with it.

13 MS. McELROY: Debbie McElroy with the REA. As
14 someone who has participated on this, and also as
15 representing many of the airlines that are serving some of
16 the airports where the change in categorization became a
17 point of great contention, we did -- as Pete mentioned, the
18 day-long meeting had a quite thorough discussion of all the
19 issues. Unfortunately, the FBI could not attend that day,
20 and we didn't have the benefit of their information.

21 But we firmly believe, as the Gore Commission
22 brought up and as has been discussed here, that threat has
23 to be the primary factor. We recognize that the FBI has
24 some limits, but we also recognize that there is a civic
25 significant amount of government money and federal
26 resources going into vulnerability assessments and threat

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1 assessments. We think that as we get more information on
2 that and more analytical tools are developed, that perhaps
3 we will be able to do this from a more analytical
4 perspective in terms of the categorization.

5 So we look forward to having the FBI's
6 participation at the next meeting. I very much appreciated
7 the earlier presentation from the Tech Center, because I
8 had not been aware of many of these studies. I think
9 through all of the efforts that your staff and others are
10 doing, that we will be able to accomplish what you're
11 looking for.

12 RADM FLYNN: Thank you, Debbie. For the FBI, by
13 all means, the rest of you disagree with this, but I don't
14 think we're going to put your findings with regard to
15 threat under an electron microscope. I mean, we recognize
16 that there is, again, a fair amount of uncertainty with
17 regard to estimating the intentions and capabilities of
18 possible attackers.

19 So again, we would encourage the FBI to give it
20 the best shot you can, and recognize that this it is going
21 to have pluses or minuses on it, and we're going to work
22 within a range of comfort with regard to the designation of
23 these airports.

24 MR. RASNER: I guess the problem I have is when
25 you start trying to derive specific percentages, I think
26 that is a mistake. I think the threat is a large factor,

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1 there is no doubt about it. But as we heard from one of
2 the earlier speakers today, the unpredictable nature of the
3 security threat is present. It is a very fluid and very
4 mobile threat. We have to be aware of that in the
5 categorization of these airports.

6 RADM FLYNN: Yes, but FBI needs to either say,
7 look, the threat is uniform and ubiquitous, or it is
8 somewhat different in some places than in others. I think
9 there is something to be said for the latter proposition,
10 that there is more of a threat at some places than others,
11 and give the working group the benefit of your best
12 judgment with regard to that, with the assurance that
13 nobody else knows anything more about it than you guys do.

14 MR. DODSON: Alvy Dodson from --

15 RADM FLYNN: With the possible exception of Alvy
16 Dodson.

17 (Laughter.)

18 MR. DODSON: I would just like to -- I notice in
19 Pete's report, Pete, it's mentioned throughout this the
20 security consortia. I would just ask that your group be
21 aware that there are different levels of involvement of
22 security consortia at the various airports.

23 There are some airports that do not even have a
24 security consortium. To prominently say that they are
25 going to lead or direct some of these things, I just think
26 that that ought to be kept in mind, because some of them

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1 are very, very active, but some of them are not at all.

2 So I don't know where that puts things in
3 relation to what you're working on, but I think the
4 committee ought to keep that in mind.

5 MS. McELROY: And I think we tried to do that
6 too, Alvy, but we really thought it was important that
7 since so much emphasis by the Gore Commission and the FAA
8 has been on the importance of local consortia where they
9 exist, we really wanted to highlight their input because
10 they do provide critical information.

11 MR. GRASER: I think we tried to focus on -- and
12 maybe it is just a change of words -- where it says local
13 input. I think that is what we were focusing on. It would
14 be local inputs such as consortia, APA committees,
15 whatever, whatever the local input would be, to flavor
16 whatever the categorization decision would be.

17 RADM FLYNN: And I think we're almost at the
18 point of having the advisory circular out that will help
19 the formation of additional consortia.

20 May I say for the ASAC that we urge this
21 committee to come to closure on this categorization before
22 our next meeting? Because there are a lot of things that
23 are very hard to do; this one isn't particularly easy, but
24 it seems to me that it is one where the working group ought
25 to be able to close this up and come with their
26 recommendation as to how to group airports by the next

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1 meeting, particularly if the next meeting is as distant
2 from this one as this was from the last.

3 I would suggest that we take a break. Frequently
4 there is value in these meetings and the meetings at the
5 sidelines. Let's return at 11:15.

6 (Recess.)

7 RADM FLYNN: Our next topic is the universal
8 access system, and Karl Shrum has been chairing that group.

9 I call on Karl to give us an update on the working group's
10 progress.

11 UNIVERSAL ACCESS SYSTEM

12 MR. SHRUM: The universal access system task
13 force has been at it four years now. The way I kind of
14 summed things up at the meeting yesterday was that either
15 there is light at the end of the tunnel, or I'm due for a
16 neurological exam.

17 The technical part of it is done. Congress
18 appropriated the two million. We built it. It works. We
19 have learned some things along the way. There were some
20 additional considerations in translating the test program
21 at a few airports into a true system-wide implementation.

22 The result of all this has been a series of
23 documents. The initial standards we set for the test
24 program, the test program report, and most recently we have
25 developed a concept of operations and a set of functional
26 requirements for a central database.

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1 The cannon, so to speak, for the U.S. test
2 program has been completed. We are at the stage where we
3 can reproduce and disseminate these documents as
4 information, and intend to do so, to airport operators,
5 their carriers. But these aren't true standards in the
6 sense that a couple of years back we developed a series of
7 standards for automated access control systems through RTCA
8 Special Committee 183.

9 At the time that we wrapped that work, we left a
10 placeholder in the document, intending at this stage to go
11 back and insert as an appendix -- at any rate, that is the
12 format it is in now -- standards for a universal access
13 system in the RTCA document. One of the conditions we
14 stipulated in development of the RTCA standards is that
15 they would be compatible with the universal access system.

16 So we intend to reactivate that work group, add
17 to the standards as necessary, complete them to incorporate
18 the necessary standards for a universal access system.

19 The second half of our charter, apart from the
20 test program, was to develop an overall implementation
21 plan. The bulk of yesterday's meeting was a discussion of
22 a proposal, which at this stage is still conceptual, to
23 actually implement UAS on a true system scale. Tentatively
24 we are talking about perhaps the 25 largest hubs, and
25 involving about 80 air carriers. But there is a
26 significant difference between a test program on a few

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1 airports and a true system implementation. If the
2 implementation is less than systemic, we haven't really
3 achieved our goal.

4 The key question in all of this, of course, is
5 funding. This whole project was undertaken because the
6 initial industry attempt to develop a transient crew
7 security system went under during the recession for lack of
8 airline resources. It is quite apparent in today's climate
9 that the funding again will not materialize within the
10 industry. Even if funding is appropriated at the federal
11 level, if this funding is within the existing
12 appropriations for aviation, we would have competing
13 interests. For example, UAS would have to compete for AID
14 money with runways, or UAS would have to compete with F&E
15 money for new control dollars, these kinds of
16 considerations.

17 So the proposal was for the industry to seek an
18 appropriation from Congress for the initial cost, in other
19 words, to install it, to establish the central database.
20 Thereafter we would identify -- or, having identified, I
21 should say, an operator of the central database, there
22 would be -- the proposed implementation would be for
23 industry to seek an appropriation from Congress.

24 Of course, in the year of the balanced budget,
25 there really is no such thing as new spending. You've got
26 to take something from one rice bowl and put it in another.

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1 But the intent is that, for example, we would appropriate
2 the necessary funds by deleting, to use one example,
3 Bosnian war relief, as opposed to funds earmarked for the
4 aviation system. Some of you may recognize that quite
5 recently there was a huge chunk of AIP funds that were
6 earmarked for Bosnian war relief, until that situation was
7 corrected.

8 Thereafter, having identified the central
9 database, that database would be maintained through a
10 system of user fees charged to the airlines. This, as I
11 said, was a conceptual proposal. Before anybody, for
12 example, seeks an appropriation, we need to get more
13 precise and better vetted cost estimates.

14 This is difficult. There is a wide range of
15 variability between various airports, types of systems,
16 vendors and ultimately, of course, the actual price of the
17 system is negotiable. But what we need is the most
18 defensible estimates and some reasonable assurance that the
19 funding requested is (a) adequate, and (b) is not on the
20 other hand excessive.

21 Further, before we present this implementation
22 plan to prospective participants, we would have to make
23 some determinations as regulatory policy. For example, the
24 question of ramp movement would affect, for example, who
25 would participate in the system or how many access points
26 you might need.

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1 We formed a subgroup to address those questions,
2 principally regulated parties, airports, air carriers and
3 of course, including pilot representatives. This situation
4 is somewhat complicated by the fact that we are in the
5 midst of rulemaking on 4107 for the fundamental airport
6 security regulations.

7 On the one hand, the rewrite would explicitly
8 address UAS and alternative access. On the other hand,
9 some of the finer policy determinations are subject to
10 change.

11 Having refined and fleshed out this proposal
12 somewhat, we would be prepared to actually draft some
13 correspondence to the airport and airlines, soliciting
14 their participation in the UAS. We need to have some
15 fairly specific information before they can reasonably be
16 asked to make a commitment to participate. It is kind of a
17 chicken and egg problem, because it is difficult to come up
18 with some of the parameters of the system if you don't know
19 who might be participating. But we'll deal with that.

20 The final consideration is the work group needs
21 to develop some formal recommendations for the full ASAC to
22 consider, approve, and pass to the Administrator for
23 eventual acceptance.

24 Questions, comments?

25 (No audible response.)

26 MR. SHRUM: As I say, it has taken a long time,
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1 but we're getting there. Hearing none --

2 RADM FLYNN: Thank you, Karl. Perhaps, Karl,
3 since you are there, we could ask you to address the status
4 of rulemakings.

5 RULEMAKINGS

6 MR. SHRUM: Starting from the top, screening of
7 checked baggage on flights within the United States, aka,
8 CAPS. Mort Downey was briefed on April 16. We are in the
9 final stages of coordination in the Office of the
10 Secretary. The notice of proposed rulemaking would then
11 proceed to the Office of Management and Budget, which must
12 act on it within 60 days.

13 RADM FLYNN: That rule is the rule that will
14 regulate the security of checked baggage in flights within
15 the United States. As you recall, the direction from the
16 White House Commission was to screen bags initially on the
17 basis of a profile -- the profile is CAPS -- and until such
18 time as sufficient explosive detection systems are in
19 place, to match the bags with the passengers as the
20 security control on checked baggage, again on the basis of
21 the profile CAPS.

22 So we have now, as of today, a system that is
23 moving to screening passengers with CAPS which will come
24 into effect by the end of this year, with the predominant
25 measure for securing of checked bags at the moment being
26 bag match. That will phase out as the equipment for

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1 screening checked bags is deployed.

2 The regulation is intended to provide the
3 regulatory framework and the actual requirements for
4 regulated parties to make that happen.

5 MR. ALTERMAN: CAPS would be?

6 RADM FLYNN: Sorry, Computer Assisted Passenger
7 Screening.

8 MR. ALTERMAN: I wonder if I could ask the status
9 of it again because you went by it quick. Could you do
10 that one more time?

11 MR. SHRUM: Yes. The process is, of course,
12 there is a Notice of Proposed Rulemaking which is issued
13 for comment, which we have drafted. It is coordinated
14 within FAA, then it goes over to the Department and is
15 coordinated within the Department. Ultimately the
16 Secretary approves. It then has to go to the Office of
17 Management and Budget. Principally they will look at the
18 cost benefit analysis. It is issued for comment. We
19 consider the comments, modify accordingly, and then it
20 would be issued as a final rule, perhaps sometime late in
21 the year.

22 MR. ALTERMAN: At this stage it is at OMB for
23 their --

24 MR. SHRUM: No, it hasn't cleared the Department
25 yet. We have briefed the Secretary. The folks over there
26 have no significant objections. Like any legal document,

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1 there is infinite drafting that goes on, edits, comments,
2 that kind of thing. But it should be over at OMB very
3 shortly.

4 RADM FLYNN: Mr. Hudson.

5 MR. HUDSON: Do I understand that CAPS is not
6 active now, or are you just speaking of a rule for checked
7 baggage?

8 MR. SHRUM: CAPS has been implemented on a
9 voluntary basis by the airlines rather expeditiously. It
10 is actually in use now. Other airlines are bringing it on
11 line. Some are in beta test, some will be fully up and
12 running later this year.

13 MR. HUDSON: Can you give us any overall sense of
14 what the status of it is? It is something we are often
15 asked. Like how many airlines are doing it?

16 MR. SHRUM: The last I checked, we had three
17 major airlines fully implemented, one in beta test, one is
18 initiating implementation. This is out of the seven
19 majors.

20 RADM FLYNN: It is really a question of the
21 reservation systems because if you look at it from the
22 point of view of the aspect of the major airline involved,
23 it also involves a great number of other users of that
24 reservation system.

25 MR. HUDSON: I think we anticipate all majors to
26 have it online by November, I think, and all but one by

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1 September.

2 MR. SHRUM: There is one major airline that is in
3 the process of changing their reservation system. So it
4 will be delayed somewhat until they have completely changed
5 over.

6 MR. DRISCOLL: Driscoll. It is my understanding,
7 based on the prior discussions we've had, that that will
8 not be applicable to chartered transportation.

9 MR. SHRUM: I really can't go into the specifics
10 of the rule, but when the Notice of Proposed Rulemaking is
11 published, the treatment of public charters will be
12 addressed in that rule.

13 MR. DRISCOLL: In line with what we had
14 discussed, I assume.

15 MR. SHRUM: I don't think that what will be in
16 the rule will be a particular surprise to anybody within
17 the industry.

18 MR. DRISCOLL: All right.

19 MR. ALTERMAN: Along those lines, and again,
20 without revealing some of the regulations, we expect that
21 air couriers who use the checked baggage function as a part
22 of their business, will that be addressed in this
23 regulation?

24 MR. SHRUM: Courier consignments are actually
25 addressed in the security program amendments we mentioned
26 earlier.

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1 MR. ALTERMAN: So that they won't be included in
2 this?

3 RADM FLYNN: To the extent that something is a
4 checked bag, then it applies.

5 MR. ALTERMAN: And sometimes it is with on-board
6 couriers.

7 RADM FLYNN: When it is not, when it is cargo,
8 something else applies.

9 Okay, the rest of the rules, Karl.

10 MR. SHRUM: Okay. The rewrite of FAR Part 107,
11 airport security, and FAR Part 108, air carrier security.
12 The Notice of Proposed Rulemakings were issued for
13 comments. We've got about 250 or so in hand total.

14 There were many requests that we consider a
15 Supplemental Notice of Proposed Rulemaking. What we have
16 done is reopened the comment period and planned a couple
17 more listening sessions, one here in Washington on May 21,
18 another in Nashville on June 4, the day after the AAAE
19 convention down there. Of course, we would have most of
20 the interested parties in one place at one time.

21 The comments to us indicate that the proposal was
22 not well understood. What we thought to be reasonable and
23 well considered, generated a lot of profound concern.

24 What we are going to try to do is, through these
25 listening sessions create a better understanding of FAA's
26 intention. For example, in some cases we've got a very

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1 serious concern generated by what in fact is status quo in
2 terms of what is already in security programs and has been
3 for many years. Ultimately, we still may agree to
4 disagree, but at least we will completely understand the
5 intent of the proposal.

6 Debbie?

7 MS. McELROY: Karl, in order to completely inform
8 many of us who work for associations to inform our members
9 about the structure of this, there had been some concern in
10 the past about listening sessions and the structure, so
11 that they didn't necessarily facilitate that understanding
12 of what you had written.

13 Is it your intent to go over each proposed
14 section or, given what you have understood from the
15 comments, are there certain areas that you are going to
16 provide discussion on as to, this is what we at the FAA
17 meant with this section? How do you plan to do it?

18 MR. SHRUM: Within the rulemaking process, I can
19 do whatever I can to better explain the intent of the
20 proposal. It would not be appropriate to respond to or
21 attempt to rebut the comments. On the other hand, with the
22 comments at hand, I know what areas need to be addressed.
23 But the session itself would probably be much like the one
24 we conducted in Fort Worth, where I was able to talk fairly
25 freely within the bounds of the actual notice published in
26 the Federal Register. If I get too far afield from that,

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1 expand and amplify, then we get into ex parte
2 considerations, which simply is that anyone affected should
3 receive adequate notice.

4 MR. CEBULA: Andy Cebula, NATA. The issues that
5 you discussed in Fort Worth and in these subsequent
6 meetings, are they made a part of the docket? Because
7 there are those like me who didn't go to Fort Worth, and it
8 would be --

9 MR. SHRUM: Oh, yes, we actually got a court
10 recorder, just like we have here, and the whole thing is
11 put verbatim into the docket.

12 MR. CEBULA: So it is in the docket?

13 MR. SHRUM: Yes.

14 MR. McGRAY: Karl, the two additional meetings
15 then are just an extension of what we have already been
16 through.

17 MR. SHRUM: We're going to reopen the comment
18 period.

19 MR. McGRAY: Yes, so there are no changes that we
20 are going to -- that they are briefing us on. There won't
21 be any changes until after these sessions are done, right?

22 MR. SHRUM: Yes, we're still dealing with the
23 NPRM as it was issued.

24 RADM FLYNN: Okay, next.

25 MR. SHRUM: Identical security measures for
26 foreign air trades. FAA went over to the Department for

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1 review over a year ago. The current status is that the
2 counsel's office and the Department is drafting a summary
3 of transmittal up to the Secretary to be cleared out of the
4 building to go over to OMB.

5 Certification of screening companies. We issued
6 an Advanced Notice of Proposed Rulemaking, had drafted a
7 Notice of Proposed Rulemaking. In briefing and
8 coordinating the notice, essentially we came to realize
9 that what we had was a rule regarding the certification
10 process, more than an actual substantive improvements to
11 screening, many of which are currently in the development
12 and deployment stage. A lot of the work relating to human
13 factors, threat image projections, SPEERS in general and
14 computer-based training, was not fully incorporated into
15 the notice.

16 We decided that if this rule is going to be
17 everything that it should be, those things should be
18 incorporated as they are still under development. We are
19 going to hold off for a time until these things have been
20 demonstrated, because they are the basis for establishing
21 the standards that ultimately would result in certification
22 or decertification. So we don't feel at this point that we
23 are prepared to go to propose the ultimate rulemaking that
24 would result from this whole initiative. It is still work
25 in progress.

26 Criminal history records checks, principally for
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1 screening personnel. We issued a Notice of Proposed
2 Rulemaking. We have analyzed the comments and are now in
3 the process of drafting a final rule, which would be due
4 out in September if we are to meet the legislative deadline
5 to issue a final rule within 16 months of close of comments
6 on the notice.

7 One other. We have recently issued criteria for
8 the certificate of EDS, specifically a standard based on
9 detection of detonators. This is work that has been in
10 progress for a long time, finally cleared through the
11 building, and is now out in final.

12 Questions? Comments?

13 RADM FLYNN: With regard to the identical
14 measures rulemaking, as long ago as two years ago, we said
15 that while the rulemaking was progressing, we would engage
16 with the civil aviation security authorities of other
17 nations in a revalidation of the security programs of U.S.
18 carriers at overseas stations, and do that in effect on an
19 airport by airport basis, taking into account the
20 introduction of improved technologies and procedures at
21 those airports in the amendment of the U.S. carrier
22 programs that would result from that process of
23 revalidation.

24 That work on revalidation is progressing in a
25 number of countries, and we are unwilling to say which ones
26 because on a number of those issues the countries concerned

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1 have asked that we not speculate publicly about the process
2 of revalidation of the programs. But it is underway.

3 Any other questions about the process of
4 rulemaking? Mr. Hudson.

5 MR. HUDSON: Do you have in progress anything to
6 mandate installation of explosive detection systems as part
7 of rulemaking for this year?

8 RADM FLYNN: The checked baggage screening rule
9 includes the means for screening checked baggage. So it is
10 more than touched on there. The checked baggage screening
11 is an integral part of that rulemaking.

12 Any other questions?

13 (No audible response.)

14 RADM FLYNN: I'd ask Mr. Ron Polillo, leader of
15 the Security Equipment Integrated Product Team, to give a
16 status report on the IPT.

17 SECURITY INITIATIVES

18 STATUS OF THE SECURITY EQUIPMENT

19 INTEGRATED PRODUCT TEAM

20 MR. POLILLO: Good morning. I'll wait a couple
21 of seconds here to pass around the handouts.

22 RADM FLYNN: Oh, I'm sorry.

23 MR. POLILLO: The first topic I'm going to cover
24 under the IPT deployment is CAPS, one of the questions we
25 just recently asked. Some information provided is that
26 there are seven major computer reservation systems, and

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1 identified on the list there are the lead carriers. We
2 have multi-host carriers on some of the systems, like
3 Continental, there's five other carriers. With American
4 Airlines and Saber there's 13 other multi-host carriers.

5 The FAA has presented each of the lead carriers
6 with an agreement. It's basically a cooperative agreement.

7 It is a different way of doing business in the FAA.
8 Normally we would either have a grant or contract, but
9 under the CAPS implementation, the FAA does not have enough
10 funds to fully fund CAPS implementation. Therefore, it is
11 a partnership, a true partnership, with the airlines in the
12 implementation of CAPS. So we have what is called a
13 cooperative agreement.

14 On February 11th this was presented to all the
15 lead carriers, and Southwest is the only airline so far who
16 has fully signed off and has implemented the agreement. We
17 are in negotiations back and forth with the carriers and
18 their legal staff and the FAA legal staff on the
19 agreements.

20 Northwest was the air carrier who we developed
21 through grants from the Tech Center the initial CAPS
22 program. They were fully implemented on January 12th
23 system wide. We have also tasked through a contract with
24 Northwest to provide consultation services with the FAA to
25 the other lead carriers in bringing CAPS up on the other
26 six reservation systems.

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1 United is fully up and running on February 5th,
2 and TWA also uses Worldspan, is up. American has their
3 beta version up and testing and expanding, and we hope to
4 have all seven of the computer reservations systems up in
5 September, and with multiple users on their systems.

6 On the deployment of the computer CTX 5000 SP,
7 the only certified EDS system, we procured 54 units on
8 Christmas Eve of '96, with a max of 100 units over a two-
9 year period. So the initial buy was for 54. As of the end
10 of March, we factory accepted and tested, and FAA approved
11 and accepted now 44 of those units. So by the end of May
12 or the first week in June or so, we will also have received
13 the last 10 units.

14 Eighteen of those units are installed at 8
15 airports for 11 air carriers' use. And then we upgraded
16 three, two in Atlanta and one in San Francisco for United
17 that were initially out under the R&B demonstration
18 project. We have upgraded them now with all the same
19 software and everything as the other 44 units that we have
20 procured. So we now have 21 units at nine airports for 12
21 air carriers.

22 We also have one that was shipped to the Tech
23 Center. It is being used for configuration management and
24 training, and we also use it to develop our images for
25 libraries. We have 12 volumes of TIP, trace image
26 projection images, on the CTX now that we are developing,

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1 of 250 images per volume, so this way the screeners can't
2 get used to looking at a TIP image. The random selection
3 of these various images and the volumes are loaded by
4 month, so you get a whole new set of images each month.

5 We have nine units that have been shipped to
6 locations around airports ready for installations coming
7 up. We have 16 units in storage in California, waiting to
8 be shipped out.

9 Over the next quarter, April through June, we
10 will be installing 21 units, and the last quarter we will
11 be putting the remainder 14 units. These are going into
12 the more complex integrated baggage areas. We are waiting
13 for construction to be done, and new baggage systems
14 installed and so forth.

15 Some of the initial delays or issues that we had
16 of, first of all, getting some of the units in was, on the
17 envision side, it was a small R&D company that was
18 accelerating into a production company. We had to
19 institutionalize a quality assurance program within their
20 company. This has come a long way, and it is a very good
21 program today. In March we tested five units. All five
22 units passed, so we really increased the quality control
23 program and development of these systems.

24 The other one is, in order to make sure that
25 systems are running on a daily basis, we had to have a
26 calibration tool. We call it an image quality test bag,
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1 where when the units are shipped, a specific bag goes with
2 each unit that has been tested at the facility and is a
3 calibration bag that is then rotated in different positions
4 through the unit each morning when it is fired up, to make
5 sure that it is functioning properly. So that had to be
6 developed.

7 Then the other thing we ran into was site
8 surveys. In the beginning of our criteria for deployment,
9 that has changed a little bit from the day we started, on
10 how we were going to deploy the CTX 5000's and how the air
11 carriers were going to be using them. Also, the physical
12 location, whether they are going to be in the lobby or they
13 are going to be integrated into the baggage system.

14 A lot of it was a hold-off on waiting to see how
15 well CAPS was going to be performing, what was the
16 selection rate really going to be, was it multi-digit,
17 single digits, and how could they handle that much bag
18 flow.

19 So after January, this thing with CAPS, when the
20 air carriers start bringing CAPS on board and starting to
21 realize a real figure for what the select area was going to
22 be, we then started moving out with a more firm location in
23 the airports on where we were installing these equipments.

24 So the resolution. As I mentioned, we have a
25 much better quality control program. Also, what we did is
26 we accelerated the communications between our integration

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1 contractors working with air carriers directly on trying to
2 speed up the process of signing off on site survey reports
3 and also site installation plans. Once we determine where
4 the physical site is going to be for the equipment, then we
5 go into the detailed A&E drawings and then submit for air
6 carrier approval then in more detail, and then we go in for
7 the permits with the airport authority and the cities, and
8 go through that process.

9 So it takes quite a while to get a system in
10 place and get all the approvals, and each city is
11 different. We have them coming up with wanting UL approval
12 and wanting all kinds of other safety things, so it takes a
13 while to go through all the hoops to get all the signoffs
14 for all the permits.

15 I must say, though, that the air carriers have
16 really been proactive in working with the FAA to get the
17 equipment in there. I have air carriers that raise their
18 hand every time there is another piece of equipment that is
19 available to go in. In fact, I've got a list of cities
20 from some of the air carriers where they would like to see
21 more of them in place now.

22 On the trace detection equipment, where we are
23 putting them out into checkpoints, we have 253 units out
24 there today at 39 airports for 23 air carriers' use. By
25 the end of June, we'll have 387 out there at all
26 checkpoints at 55 airports. Then by the end of September,

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1 we should have a total of 489 trace systems employed, not
2 only at the checkpoints, but also co-located with all of
3 the checked baggage screening technology.

4 On the advanced technologies, these dual energy
5 X-ray type systems and a quantum magnetics UR system. We
6 have procured 10 of the EG&G scans, eight VIVITs, two Hyman
7 systems and two quantum magnetics. All those procurements
8 are in place. We have tested the EG&G. Those units are now
9 built. We have tested some VIVIT systems. As we speak,
10 the Hyman is at the Tech Center, two Hyman systems are
11 being tested over this week and next week. And the quantum
12 magnetics systems will be at the Tech Center in May for
13 testing. The installations of these units will be in June
14 through September. Most of these systems are going to be
15 integrated into the baggage system.

16 SPEERS, this is the computer-based training of X-
17 ray screeners. We have signed off with the Safe Passage
18 International now on the contract, and we are in process of
19 a public release and notification to Congressmen and
20 Senators, so we're getting very close now to making a
21 public announcement of an award of this system.

22 It is for a minimum of 15 computer-based training
23 platforms and up to 60 to go into the category one
24 airports. It is Windows DOS-based systems. It will have
25 anywhere from two work stations up to 10 work stations,
26 depending on the number of screeners at the airport. The

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1 15 is based on a category one airport, of having at least
2 100 screeners. All 60, based on having enough funding,
3 will be deployed by September.

4 Any questions? Yes.

5 MR. McGRAY: Duane McGray from ALEAN. Just a
6 question on the ETD systems. Those seem to be way behind
7 schedule from what we originally had thought we were going
8 to -- the original schedule. Can you elaborate on that?

9 MR. POLILLO: Yes, the trace detection systems,
10 what the IPT did there, they were all tested first at the
11 Tech Center and assessed as effective from a laboratory
12 environment to see if they could detect various types of
13 explosive material.

14 These systems, most of them, have been built for
15 forensic purposes, laboratory use; have not really been
16 rigorously operated in an airport environment. So the IPT,
17 the air carriers and FAA, decided to do some operational
18 evaluation and put a number of these units out at the
19 checkpoints, and collect data from both an ongoing
20 performance to see if they drift over a period of time, and
21 what would be the calibration process to bring them back in
22 line, or if they would burn up from the daily use at a
23 checkpoint and that type of a throughput.

24 From that, the evaluation team on the IPT then
25 presented a report to the IPT on what equipment did meet
26 FAA and IPT requirements from both technical and

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1 operational requirements. Then that information was used
2 to then start buying some more units.

3 So that period of time, the holdup was really
4 that operational evaluation and analysis to see which units
5 would really hold up in an airport environment. So now we
6 are moving out, deployment has been well under way, and as
7 I said, we have 39 airports already in place.

8 Any more questions?

9 (No audible response.)

10 RADM FLYNN: All right, thank you, Ron.

11 I missed the Carriage of Weapons Task Force
12 report. Could we have that report, please? Don Cotton.

13 CARRIAGE OF WEAPONS TASK FORCE

14 MR. COTTON: Good morning. I was not here for
15 the initial introductions this morning. I'm Don Cotton. I
16 work for Karl Shrum in the Office of Policy and Planning.

17 My comments today are more in line of a special
18 request, as opposed to a truly status report. But let me
19 give you just a few background comments for those of you
20 who may be new to ASAC.

21 Karl mentioned earlier this morning about UAS and
22 going for four years. Don't you just hate those committees
23 and work groups that go on for so long? ASAC's Carriage of
24 Weapons Task Force was formally chartered and held its
25 first meeting in January, '92, so we are well beyond the
26 four-year mark. However, there has been some progress,

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1 several areas of progress made in the last few years.

2 One of the things that you who are new to the
3 ASAC should know is that the Carriage of Weapons Task Force
4 was formed to deal with a variety of issues relative to
5 weapons on board the aircraft, specifically law enforcement
6 officers flying armed.

7 Membership of the task force includes
8 representation from pilots' unions, directors of corporate
9 security from the major air carriers, Air Transport
10 Association, Regional Airlines Association, and a variety
11 of agencies and organizations from the law enforcement
12 community.

13 The task force, after many months of meetings
14 during the '92-93 timeframe, made recommendations for
15 changes that would be incorporated in the rewrite of Part
16 108. Additionally, the Carriage of Weapons Task Force
17 developed a training package that was intended to be
18 required for all officers flying armed. The training
19 package has been developed, disseminated, and it has been
20 implemented by many, many agencies at all levels throughout
21 the country.

22 The task force continues to meet to review and
23 resolve issues within its charter. After the initial
24 comment period closed December 1, 1997 for the MPRM 107-
25 108, there were nearly 100 comments received from the law
26 enforcement community.

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1 Many of these comments, to include letters from
2 heads of agencies, took exception to some of the language
3 in the MPRM that was drafted five years ago. So today, by
4 way of a status report, the real purpose of my appearing on
5 your agenda today and being here right now, is a request
6 from the ASAC. The Carriage of Weapons Task Force requests
7 the approval of the ASAC to convene a special task force
8 meeting during the new comment period to review pending
9 issues that are documented by formal comments during the
10 initial comment period. This will help us to ensure a
11 better product and one that is more likely accepted by all
12 parties involved in this issue.

13 So Mr. Chairman, members of the ASAC, the task
14 force requests your permission to convene this special
15 meeting of the task force during the comment period to
16 review and resolve some of those pending issues.

17 RADM FLYNN: Have you gotten counsel's approval
18 on that?

19 MR. SHRUM: Let me simply say that what would be
20 impermissible under the rulemaking process as an ex parte
21 contact between industry and affected parties is perfectly
22 okay under the advisory committee process and whatever
23 recommendations that may result would be included in the
24 document. So for once, process will help us rather than
25 hinder us.

26 RADM FLYNN: On that basis, can I say without
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1 objection that we would have that meeting happen? Any
2 objection?

3 MR. McGRAY: I just have a question. Duane
4 McGray from ALEAN. It is my understanding that many of the
5 comments that came up in the two public sessions were from
6 people who were employees of agencies who were represented
7 in the committee in the first place, who made the
8 recommendations for their agencies. Is that not correct?

9 MR. COTTON: That is correct.

10 RADM FLYNN: Yes, there is a certain amount of
11 dissonance in this, for sure. I think that the meeting
12 that is proposed can resolve some of that.

13 MR. COTTON: Any other questions?

14 MR. TOMLINSON: I have a question, if you could
15 educate me. The last --

16 RADM FLYNN: The Secret Service?

17 MR. TOMLINSON: I'm sorry, yes, John Tomlinson,
18 Secret Service.

19 Not too long ago, I guess it was in the fall,
20 there was a period where agencies and individuals could
21 comment. As Mr. Cotton explained, that took place. Why is
22 a second period for comment needed?

23 RADM FLYNN: It is an extension of the period of
24 comment because it seems clear to us that there are aspects
25 of the regulation as was proposed that are not sufficiently
26 understood, and by having additional listening sessions and

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1 this session on this particular topic of the working group,
2 those misunderstandings can be resolved before we go
3 forward to draft the final rule.

4 MR. TOMLINSON: I certainly wouldn't take
5 exception to sitting down and working out differences. I
6 guess I was just concerned why, if you are given a period
7 of time in which to comment, and you exercise that
8 opportunity or where you don't exercise that opportunity,
9 you make a decision, and then individuals, whether in this
10 forum or a working group, sit down and work out what
11 comments were received, as opposed to individuals getting a
12 second --

13 MR. FEINBERG: Maybe I can address that. The
14 driving force behind this is mainly a concern from the
15 airports and air carriers about their parts of those two
16 rules, not on the issue of carriage of weapons.

17 As you heard earlier, there were and still are a
18 lot of folks in those communities who would very much like
19 to have had a supplementary NPRM. After talking with them,
20 we thought we would give it another try, because we thought
21 many things had not been explained well enough to them.

22 This is the forum that we are doing that. We are
23 having another couple of listening sessions. In order to
24 have another couple of listening sessions, we have to
25 reopen the comment period. That's why.

26 MR. TOMLINSON: I understand. Thank you.

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1 MR. DRISCOLL: So there is going to be a
2 supplemental --

3 MR. FEINBERG: No. As of now, no.

4 RADM FLYNN: Mr. Laird.

5 MR. LAIRD: It is particularly bothersome, just
6 sitting around this table -- Doug Laird, just speaking as
7 an individual.

8 It is particularly bothersome, having sat around
9 this table with Susan Rork and many others for a lot more
10 than five years, dealing with this issue of people carrying
11 weapons on aircraft. I think many people may have
12 forgotten in time or lost track of the fact that one of the
13 real instigators of this was the lack of uniformity among
14 carriers on the issues of who could carry weapons and how
15 the rules were interpreted.

16 It was literally driving everybody crazy, because
17 Airline A would do one thing, Airline B another, Airline C
18 -- it was just chaos. It created all kinds of
19 unprofessional situations for people.

20 We sat through meetings for year after year, and
21 I saw until a couple of years ago when I no longer
22 participated, that there was consensus around the table
23 from all the agencies that are seated around this table,
24 some of which are new faces, that an agreement was reached,
25 and Don Cotton and the crew did a wonderful job of putting
26 together a training program which was distributed.

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1 And now if I'm hearing this correctly, there have
2 been a few people who have some dissension that may be
3 different from what their agencies have already agreed to,
4 and we're starting the process all over again. I'm just
5 bothered by it beyond belief.

6 MR. McGRAY: Well, again -- Duane McGray from
7 ALEAN -- I just want to echo what was just said by Doug. I
8 think that -- you know, I was in Fort Worth, and I reviewed
9 the document, and I think that what is in the revised -- or
10 the rewrite is based on what your committee had come up
11 with from people that represented these agencies.

12 I guess I don't have a problem with us doing it
13 one more time to soothe some ruffled feathers. But on the
14 other hand, I think that the committee did a good job, and
15 the rule is a solid rule, and the agency representatives
16 made recommendations that went into the rule.

17 What we've got is we are reacting to some
18 dissonant employees, and I guess I have a little bit of a
19 problem with that.

20 RADM FLYNN: There may be -- it is within the
21 realm of possibility that there is something in those
22 comments that all of you might say is worth adopting in the
23 final rule. So we have asked for everyone's patience one
24 more time. I ask particularly for Don Cotton's patience in
25 doing this, because we in FAA think that the regulations,
26 as rewritten in the NPRM, indeed did capture accurately the
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1 consensus of people who worked diligently on this over a
2 number of years.

3 But we have a responsibility to ensure full
4 consideration of the factors that are brought to our
5 attention before we proceed to the final rule.

6 MR. CUMMINGS: Kevin Cummings, U.S. Customs.
7 Might I suggest that if we are to convene this group, which
8 I would agree with, that the primary ASAC person from the
9 agency be let know that there are comments on that area
10 from their agency? Because they probably were not filtered
11 through the agency itself in many cases, so that you get a
12 truer position of the agency, and you can go back and get
13 the agency as opposed to an individual.

14 RADM FLYNN: It isn't just agencies; it is
15 associations. So it is associations that --

16 MR. CUMMINGS: Well, I mean each one, every one
17 involved, where there are comments, that you have more of a
18 focused response from the group.

19 RADM FLYNN: Can we do that, Karl?

20 MR. SHRUM: All the comments are in public docket
21 available to anybody, although we could pass them out as a
22 basis for discussion.

23 RADM FLYNN: Okay.

24 MR. COTTON: Any other questions or comments?

25 (No audible response.)

26 MR. COTTON: Just to reiterate what has already

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1 been said, this meeting that has just been requested and
2 approved is not specifically because of comments received
3 -- the decision was made to reopen the comment period, and
4 we would like to take advantage of that to have another
5 meeting. Thank you.

6 RADM FLYNN: Well said, I think. Thank you very
7 much, Don. Yes, Steve.

8 MR. ALTERMAN: Steve Alterman, Cargo Airline
9 Association. Just a quick comment on the 107-108, since we
10 seem to be going back to that, and these public meetings
11 and the listening sessions that are being held.

12 I guess what concerns me a little bit is that
13 there were words written on a piece of paper that were the
14 proposed rules, and there were comments filed on the basis
15 of what was contained in those rules. What I am hearing
16 now is we're having these listening sessions so that the
17 FAA can tell us what they think those words really said
18 because we all misunderstood what the intent was.

19 That is not going to change the words on the
20 page. So aren't we just extending this process beyond
21 belief, because it doesn't matter what the FAA says; if
22 that was the intent, shouldn't the words be changed before
23 we get another shot at it?

24 RADM FLYNN: Karl?

25 MR. SHRUM: The comments didn't resemble the
26 proposal, very simply. In other words, we're getting

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1 comments to assumptions, apprehensions, that don't resemble
2 the intent. We want comments on what we really meant
3 before we try and modify a proposal. We don't want to
4 modify a proposal based on a misconception.

5 MR. ALTERMAN: I guess my problem is, if all the
6 people around this table who are supposedly the security
7 experts in the world thought they meant one thing, how come
8 we're all so confused? And if we are so confused,
9 shouldn't we get another shot at this somehow?

10 RADM FLYNN: I think that we do need to, for the
11 sake of having clarity in regulations, keep open the idea
12 of a Supplemental Notice of Proposed Rulemaking. I rather
13 think, however, that -- and indeed, that is what is
14 involved in this is a change of words. The question is,
15 should that change of words be in a supplemental or should
16 be just in the final rule.

17 Our working hypothesis at this moment is that we
18 believe that there can be sufficient good faith
19 understanding of what ought to be changed in the words of
20 that rule through the process of the listening sessions,
21 sufficient explanation and noting again of the positions of
22 affected parties and others, that we can have confidence
23 that the final rule will be that which -- that people have
24 fully understood the intent of that final rule, and that it
25 shouldn't come as an undue surprise to any of the affected
26 parties.

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1 MR. FEINBERG: I just would like to add
2 something, too. The reason we have administration law
3 courts is because there are questions even when rules are
4 finally promulgated with a great deal of care, presumably,
5 about interpretation. In this case, the comments to us
6 reflected very clearly that people were not thinking we
7 meant what we meant.

8 Now, this happens not only with FAA and this
9 particular rule, but it happens all over the place. I say,
10 that is why there are administrative law judges. And we
11 are going to try to circumvent that to the degree we can by
12 having a further explanatory session.

13 MR. DRISCOLL: Driscoll. In addition to the
14 listening sessions and going through those, are you going
15 to accept additional written comments?

16 RADM FLYNN: Yes.

17 MR. COTTON: Absolutely.

18 MR. DRISCOLL: Okay.

19 MR. SHRUM: Perhaps if I gave a concrete example
20 of the disconnect, you could appreciate where we're coming
21 from.

22 In our proposal, we would make it a violation of
23 the FARs to have a deadly or dangerous weapon in a secure
24 area, i.e., the ramp in the vicinity of an aircraft, just
25 like it would be a violation to have a weapon in a sterile
26 area downstream of the checkpoint.

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1 A lot of the comments came back that, you people
2 have to be out of you minds, we can't screen everybody
3 entering a secured area. That never entered our minds.

4 MS. McELROY: Debbie McElroy with RAA. As
5 someone whose comments reflected that concern, I think that
6 I would somewhat echo was Steve said.

7 I have carriers who operate in 49 of the 50
8 states, and we have many different inspectors who perhaps
9 have different views. As was recommended by the Gore
10 Commission, I think all of us would like to see regulations
11 put in clearer language.

12 So I understand what you're trying to do from the
13 listening sessions, and I applaud you for that, but I would
14 put in a plea that that kind of language is what leads to
15 problems between air carriers and airports and inspectors.

16 So we need to be very careful to ensure that your intent
17 is really clearly reflected in the verbiage that is put
18 out.

19 RADM FLYNN: That sounds very reasonable, and the
20 sort of thing that we ought to be doing in these listening
21 sessions. We undertake to you that this is not sort of a
22 palliative exercise of some kind, that we really are going
23 to amend the words of those regulations to make them accord
24 with that sort of common sense and reasonable comment.

25 MS. McELROY: Thank you.

26 MS. SHARP: I have one thing.

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1 ~~RADM FLYNN: Sorry, Sharon, please identify~~
2 yourself.

3 MS. SHARP: Sharon Sharp, DOT. I think there
4 might be the impression here that at these two additional
5 public meetings FAA might open or self-initiate a
6 discussion of the issues to provide this clarification or
7 explanation.

8 I'm not sure that is how the public meeting will
9 go. I thought that you would probably only respond
10 subsequent to a presentation, is that correct?

11 MR. SHRUM: It isn't typical, but there is ample
12 precedent, for example, for me to open the session with
13 some kind of explanatory briefing. Again, I have to stay
14 within the parameters of what is addressed in the preamble.
15 I can't come up with is that aren't in the public notice.

16 On the other hand, for example, as I did in Fort
17 Worth, I can certainly explain what we meant, for example,
18 in terms of reconfiguring access controls to only those
19 areas of the airport where large passenger aircraft are
20 present. That was the first misconception that I wanted to
21 dispense with, is that we are not -- in fact, again, the
22 comments were exactly the opposite of what was intended,
23 that this was going to create turmoil for general aviation
24 and other parties that we were explicitly trying to
25 exclude.

26 Having made that statement, I got much more
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1 sensible comments about what we really intended, and
2 comments that we can actually use. As I say, comments on
3 something that we didn't propose, didn't intend to propose,
4 aren't much use to us. We want to make the process work.

5 RADM FLYNN: Let's give it a shot by these things
6 and see what degree of confidence we have in the product
7 that is likely to emerge from that. We'll keep open the
8 possibility of an SNPRM, but recognize that that is going
9 to leave us without an updated 107-108 considerably longer
10 than this process of amendment following the listening
11 sessions can -- what is my verb? -- can achieve.

12 MR. FEINBERG: It is also possible that by these
13 listening sessions we can eliminate a great number of the
14 issues among the community. If we had an SNPRM, that could
15 then be restricted to a much smaller set of issues, and
16 minus those sessions, the rest of the rule could go
17 forward. That is another possible option.

18 RADM FLYNN: We have come to the end of the items
19 on the agenda, and I'll now open the meeting for anything
20 that the members would like to draw to the attention of the
21 committee.

22 (No audible response.)

23 SCHEDULING THE NEXT MEETING

24 RADM FLYNN: The scheduling of the next meeting.
25 DFO, what do you have to say about that?

26 MR. FEINBERG: Well, 10 months is a long time.

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1 Shall we try for six?

2 RADM FLYNN: Okay. This being April, that would
3 be October, a meeting in October. We will put out the
4 usual notice on that.

5 Thank you all very, very much for your time.

6 (Whereupon, the meeting in the above-entitled
7 matter was concluded.)

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