

ORIGINAL



MINISTRY OF FOREIGN AFFAIRS
P. O. BOX N-3746
NASSAU, THE BAHAMAS

52587

No **MFA/8/1/5**
IN REPLYING PLEASE
QUOTE THIS NUMBER

: F.A.A. - 98-4758-22 5 March, 1999

Dear Sir or Madam:

NOTICE OF PROPOSED RULEMAKING ON
"IDENTICAL SECURITY MEASURES"

DEPT. OF TRANSPORTATION
99 MAR 19 AM 11:24

I am directed to forward the attached memorandum received from the Ministry of Consumer Welfare and Aviation expressing the views of the Department of Civil Aviation with respect to the proposed rulemaking.

You will note that there are two main areas of concern, these being:

1. The possible effect on Family Island Airports which cater to commercial air carriers operating into the United States
2. The effects of the measure which would limit air carriers to accepting baggage inside the Terminals

The Ministry would be grateful to receive your comments with regard to the concerns of the Bahamian Department of Civil Aviation so that the same can be forwarded to that Office.

Yours Sincerely,

Tiffany Edgecombe (Mrs.)
(for) Permanent Secretary

U. S. Department of Transportation Dockets
Docket Number FAA-1998-4758
400 Seventh Street, S. W.
Room Plaza 401
Washington, D. C. 20590

TE/ssd

MINISTRY OF CONSUMER WELFARE & AVIATION

MEMORANDUM



To: Permanent Secretary,
Ministry of Foreign Affairs,
Nassau, Bahamas.

Your ref:

Our ref:

Date:

MCWA/CAD/35/141

February 18, 1999

ATT: MRS. TIFFANY EDGECOMBE

**PROPOSED RULES FOR SECURITY PROGRAMMES
FOR FOREIGN AIR CARRIERS**

Reference is made to your MFA/8/1/5 of 29th December, 1998 on the captioned subject.

Attached for your consideration are some comments and observations on this matter by the Department of civil Aviation.

Roosevelt Butler
Permanent Secretary

RB/vlj

Attach:

To Permanent Secretary
Ministry Of Consumer Welfare
& Aviation
Nassau Bahamas

Your reference
Our reference
Date
CAD/1620/31/A
January 29, 1999

RE: PROPOSED RATES FOR SECURITY PROGRAMMES FOR FOREIGN
AIR CARRIERS

Having carefully studied the document, there are two (2) main areas of concern.

1. The possible effect reference Family Island Airports which cater to commercial air carriers operating into the United States.
2. The effects of the measure which would limit air carriers to accepting baggage inside the Terminal.

Family Island Airports referred to in 1 are:-

Marsh Harbour International Airport, Abaco
Treasure Cay International Airport, Abaco
North Eleuthera International Airport, Eleuthera
Governor's Harbour International Airport, Eleuthera
Rock Sound International Airport, Eleuthera
Moss Town International Airport, Exuma
San Salvador International Airport, San Salvador.

(The proposed "Identical Security Measures" are in reference to commercial air carriers only).

Concerns relative to the "Identical Security Measures" at Family Island Airports are:-

- (a) Existing National International and Federal Aviation regulations are such that all International Commercial Air Carriers, prior to departing for an International Airport must conduct "pre-boarding screening".
- (b) The existing Family Island International Airport terminals do not allow compliance of pre-boarding screening within the confines of the terminals.
- (c) Screening equipment must be purchased and appropriate training provided to the relevant personnel.

Ultimately, the responsibility for ensuring pre-boarding rest with the airline. However, airport facilities must be configured and conducive to the provision of such an exercise with aviation authorities in place to monitor and ensure the adherence to prescribed standards.

(For our purpose and local discussion, Civil Aviation's security personnel have already developed plans which can be implemented to meet prescribed standards and regulations, at minimum costs).

Upon the introduction of "Identical Security Measures", commercial air carriers (United States) operating from Family Island Airports into the United States may refuse to continue such operations unless it can be demonstrated that minimum standards and regulations can be achieved.

(Refusal to operate into and from Family Island Airports would be predicated upon possible fines and sanctions being levied upon operators by the Federal Aviation Authorities for operating from airports not providing the minimum requirements).

In relation to our second concern, several local tours and travel agencies have entered into agreements whereby a number of cruise ship passengers arriving in Nassau disembark and continue their travel arrangements via commercial charter and scheduled airlines and vice-versa.

In an effort to accomplish a smooth "transfer" passengers luggage, once collected and protected under existing procedures and regulations, are allowed to be transported directly from the cruise liner to the aircraft and vice-versa.

With the introduction of "Identical Security Measures" such transfers of luggage would not be allowed.

"Identical Security Measures" in relation to Nassau, Freeport and Paradise Island International Airports present no real concerns as a result of the following:-

- A. Both The Bahamas and the United States Of America are members of the International Civil Aviation Organization (ICAO) and as members, have agreed to accept the implementation of the minimum standards in aviation regulations as prescribed by ICAG.

(With the approval of The Bahamas Government, regular airport security inspections/audits are conducted by the Federal Aviation Authorities, who according to past reports, indicated their satisfaction with the overall airport security standards at these airports).

- B. Bahamasair, and to some extent, Paradise Island Airlines are the only local commercial air carriers operating into the United States and in order to obtain approvals for such operations they must comply with the relevant Federal Aviation Administration regulations.
- C. All other commercial airline carriers operating between Nassau, Freeport, Paradise Island and the United States are of U.S. origin and registration and therefore, are already in compliance with the FAA security regulations.

Any changes, therefore, or additions to existing regulations require only minor adjustments.

Adherence to our bilateral preclearance agreement with the United States as it relates to security procedures further support "B".

- D. Existing provisions also ensure that any special or specific security requirements reference specific threat to an airline can be implemented upon request.

Civil Aviation supports the position put by the European aviation community whereby airlines with "Higher" security measures in comparison to the "Identical Security Measures" must be acceptable.

Civil Aviation recommends:-

that any future major changes affecting the minimum standards and recommended practices of ICAO should be processed through that body.

(All member states of ICAO pledge to abide by and accept the minimum recommended standards and practices of the organization. Any differences should be communicated to the organization).

That provisions should be made for attendance of relevant Civil Aviation personnel at the Public Meeting to be held in Washington on February 24, 1999 for discussions on the implementation, effects and possible costs to certain states and airline companies of "Identical Security Measures".

Please do not hesitate to contact us in the event we may be of further assistance.



Joseph B. Reckley
(for) Director

JBR/ms

c.c. Director