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DEPARTMENT OF TRANSPORTATION

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OFFICE OF THE  
CHIEF COUNSEL  
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U.S. Department of Transportation Dockets  
Docket No. FAA-1998-4758-~~44~~  
400 Seventh Street, SW  
Room Plaza 401  
Washington, DC 20590

Subject: Notice of Proposed Rulemaking on FAR Part 129, Security Programs of Foreign Air Carriers

Dear Sir/Madam:

The Air Line Pilots Association (ALPA), representing 52,000 pilots who fly for 51 U.S. and Canadian air carriers, has reviewed the subject NPRM. ALPA is a strong proponent of enhancements to security measures. Our members have a personal interest in ensuring that each and every flight is conducted without undue risk to the well being of their passengers, themselves and their aircraft. We also support the concept of creating a "level playing field" so that U.S. air carriers are not placed at a competitive disadvantage with their non-U.S. counterparts resulting from compliance with the FAA's security requirements.

However, we are concerned that there will be several unintended consequences arising from institution of the subject NPRM that bode poorly for our members. We are of the informed belief that there will be strong retaliation against U.S. code share members by non-U.S. code share countries which will, among other things, take the form of fewer intercontinental routes flown by ALPA pilots. Another such consequence might well be the exportation of security checkpoint screening for pilots in Canada. Our Canadian members would be adamantly opposed to implementation of such a requirement, which has proven to be a source of constant problems for our U.S. members.

The proposed language, which would require non-U.S. air carriers to implement identical security measures, would be agreeable to ALPA if the word "identical" were replaced with "equivalent." Such a change would mirror the language used by the U.S. and other countries in the development of international harmonization agreements pertaining to numerous safety issues.

It may be judicious to create an *ad hoc* working group comprised of regulators, airlines, labor and affected others to discuss this issue with the objective of reaching consensus on how best to achieve better security and a level playing field without the disruptions that appear certain to accompany the proposed language. ALPA commits its resources to such a working group if it is created.

Thank you for the opportunity to comment.

Sincerely,

Jerry Wright  
Staff Coordinator  
National Security Committee