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U.S. DEPARTMENT OF JUSTICE

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May 2, 2000

DK# FAA-1999-667345

Mr. Steve Jenkins
Principal Security Inspector
Federal Aviation Administration
ACO-500, Room 315
800 Independence Avenue, S.W.
Washington, D.C. 20591

Dear Mr. Jenkins:

Attached are United Airlines' comments in response to the FAA's Certification of Screening Companies Notice of Proposed Rulemaking.

Sincerely,

John McDonald
Sr. Staff Representative
Security

Ann P. Leigh
Staff Representative
Security

Cc: Rich Davis

**NRPM on changes to FAR 108
(FAR 111)**

Section IV.C (page 58 /FAR Part 108.201(j))

United Airlines recommends that the data collected from TIPS and its subsequent analysis be protected under 191. We also recommend priority levels of access control to this specific data, be established for vendors, stations, and carriers.

Section IV.E (page 582/FAR Part 108.201 (k))

United Airlines opposes this proposal and recommends one standard SSSP as the base for all screening companies to be included in the ACSSP, with use of the amendment process to customize to their individual needs as warranted. United Airlines seeks clarification of who (Air Carrier or Screening company) will be held accountable should penalties be assessed, thereby eliminating the potential for "double jeopardy".

Section IV.F (FAR Part 108.201 (1))

United Airlines opposes this proposal of notification to the public of additional security measures being implemented, as it would advertise our "weak link", cause a media frenzy, and adversely affect carrier and passenger relationships. The FAA should audit the additional requirements mandated to ensure compliance.

Section IV.G (FAR Part 108.205)

United Airlines opposes this proposal and recommends only - 1 - entity be responsible for any government fees, licensing requirements, or radiation cabinet leakage tests (State or Municipal regulation). We also recommend that TIP statistical data collected, be used for training purposes and trend analysis, and not for individual enforcement action. We further recommend that all individual TIP performance data be retained with respective training files, for ninety (90) days, as well as total statistical TIP data to be password protected.

United Airlines opposes the requirement for dosimeter usage and request it be removed, establishing it as a Federal mandate, relieving us from state, municipal or other government regulations.

Section IV.I (page 583)

United Airlines opposes this proposal requiring an administer/monitor for each screener-training test, as it would be cost and geographically prohibitive. Should this requirement remain part of 111 & 108, we request it to read: "Administer and monitor ***each screener initial training test.***" United Airlines seeks definition of the statement "carrier could designate any qualified carrier employee as test monitor" and an outline of the exact qualifications of said test monitor. United Airlines recommends FAA Field Agents be tasked with the responsibility of "test monitor" to provide relief of manpower strain among carriers.

United Airlines opposes (page 584/FAR Part 108.301(b)(1) - GSC required to conduct a review of all security-related functions for effectiveness and compliance w/ACSSP. There are no guidelines established to address how often, what data will be stored and forwarded, and how long it is to be maintained. Additionally, will this be viewed as self-disclosure? If so, what actions would be taken to ensure both carrier and vendor are not subjected to "double jeopardy"?

Section VI (page 586/FAR Part 108.33(c)(I -4)/FAR 111.221

Although United Airlines supports the authorized release of individual employee records to other companies we strongly recommend these files be 191 protected. We oppose the release of copied individual screening employee records to the actual employee as the individual is not "certified", it is the company that is certified, and therefore the screener should not be in possession of his/her records.

Section VII (page 587/FAR Part 111.07)

We oppose any requirement to record and retain briefings rendered to screening company employees.