

January 16, 2002

Docket Management System  
U.S. Department of Transportation  
Room Plaza 401  
400 Seventh Street, SW  
Washington, DC 20590

Dear Sir:

The Regulatory Policies and Procedures of the Department of Transportation (44 FR 1134; Feb. 26, 1979) provides the opportunity for public comment on regulations issued without prior notice. Washington Dulles International and Ronald Reagan Washington National Airports submit the attached comments on Part V 14 CFR Parts 107 and 108, *Criminal History Records Checks; Final Rule*, December 6, 2001, Regulatory Docket Number FAA-2001-10999, Amendment Numbers 107-14 and 108-19.

Sincerely,

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Airport Security Coordinator  
Washington Dulles International Airport

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Airport Security Coordinator  
Ronald Reagan Washington National Airport

January 16, 2002

**Washington Dulles International and Ronald Reagan Washington National  
Airports  
Joint Comments on Part V 14 CFR Parts 107 and 108  
*Criminal History Records Checks; Final Rule***

Regulatory Docket Number FAA-2001-10999  
Amendment Numbers 107-14 and 108-19

Section 107.209 (e) Fingerprint application and processing

Comments:

It is recommended that the information required for the fingerprint application be included on the airport ID badge application. The fingerprint application, as specified in the rule, is of little use. At a minimum, the form should include the information needed to process the individual's fingerprints, such as social security number, birth date, aliases, sex, race, eye color, hair color, height, weight, place of birth, address, employer address, and check boxes or indicators for verification of two forms of identification. The current applications already include this information, as well as the disqualifying crimes. The three additional required statements could be added with little effort.

Section 107.209 (g) Determination of arrest status

(2) CHRC discloses an arrest without a disposition

Comments:

It is recommended that the unescorted access authority be immediately suspended for individuals whose CHRC discloses an arrest for any disqualifying criminal offense without indicating a disposition. The individual's unescorted access authority should remain suspended until the airport operator determines, after investigation, that the arrest did not result in a disqualifying criminal offense.

Section 107.209 (m) Exceptions

(2) a crewmember of a foreign air carrier

Comments:

It is recommended that crewmembers of foreign air carriers covered by an alternate security arrangement in the foreign air carrier's approved security program not be exempted from the criminal history records check (CHRC) requirement. These crewmembers should be fingerprinted to introduce their fingerprints into the FBI database.

(3) and (4) an individual who has been continuously employed

Comments:

It is recommended that the “continuous employment” exemption be eliminated. All new hires seeking unescorted security identification display area (SIDA) access authority should be fingerprinted regardless of whether they have been fingerprinted and have had unescorted SIDA access at another airport. The continuous employment exemption is confusing and too easily allows for individuals to avoid undergoing a CHRC.