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Docket Management System
U.S. Department of Transportation
Docket No. TSA-2002-11602 -9
Room PL401
400 Seventh Street, SW
Washington, DC 20590-0001

Dear Sir or Madame:

Thank you for the opportunity to provide comments on the final rule of 49 CFR Part 1540 – Civil Aviation Security: General Rules (Docket No. TSA-2002-11602.)

The Airports Council International – North America (ACI-NA) is a membership organization representing approximately 150 State, regional and local governing bodies that own and operate the principal airports served by scheduled air carriers in the United States and Canada. ACI-NA member airports handle approximately **98** percent of the domestic and virtually all of the international air passenger traffic and cargo traffic in North America. The Association also represents a wide variety of businesses that provide products and services to the air transportation industry.

We offer the following comment for the Transportation Security Administration's (TSA) consideration and would appreciate the opportunity to work with **TSA** on the requests outlined below.

1540.103 Fraud and Intentional Falsification of Records.

This section prohibits person(s) from making fraudulent or intentionally false statements; fraudulent or intentionally false entry in any record or report; and reproduce or alter for fraudulent purpose any report, security program, access medium, or identification medium issued under this subchapter. ACI-NA appreciates this definition but asks for clarification as to the responsible party if fraud or falsification is proven. As an example, an airport accepts certification of an air carrier of its employee's criminal history records

check and the airport issues the individual unescorted access authority. The individual provided false information on application, and after issuance of access authority the fraud is discovered. Are the individual, the air carrier, and the airport all responsible? ACI-NA asserts that the individual only should be held liable and responsible for the fraud and/or falsification and requests **TSA** to address this in an amendment or future rulemaking of 49 CFR Part 1540.

We appreciate the opportunity to comment of 49 CFR 1540, Civil Aviation Security: General Rules, and welcome the opportunity to work with the TSA on this initiative and future endeavors.

Sincerely,



Dawn E. Lucini
Manager, Regulatory Affairs
Airports Council International – North America