

MINETA EXCLUSIVE

in conversation with the secretary



One year and one day after the worst breach of security in aviation history, **Philip Baum** travelled to Washington to meet with United States Secretary of Transportation, **Norman Y. Mineta**. In this exclusive interview, Mineta recalls 911 from a personal perspective and then expounds on some of the significant achievements of the past year in respect of aviation security in the United States.



Where were you on September 11th last year?

I was right here (in the DOT) in the conference room having breakfast with the Deputy Prime Minister of Belgium, Mrs. Isabel Durant, who is also the Belgian Minister of Transport, and Jane Garvey, the Head of FAA. My Chief of Staff came in and said, 'Mr. Secretary, may I see you?' I came back into my office and, on the television, I see the World Trade Centre with this black smoke billowing out. I said, 'what the heck is that?' And he said, 'we don't know. We've heard explosions, we've heard general aviation aircraft, but we really don't know.' I looked at the set for a little while before saying 'I'm going back into the meeting. Keep me posted'. About five or six minutes later my Chief of Staff came back in and said, 'Mr. Secretary may I see you?' I excused myself again. He said, 'it's been confirmed, it's a commercial airliner that went into the World Trade Centre'. I walked over towards the television set and sit in a daze, sort of hypnotised by the black smoke. Then I see, from the right side of the screen, some grey object and it sort of disappeared. All of a sudden, on the left side of the screen, this white yellow orange cloud appears, and I'm going, 'what the hell was that?' I ran back into the conference room and said 'you'll have to excuse me, I've got to attend to what's going on in New York. It appears that another airplane went into the World Trade Centre. Jane you've got to get back to the headquarters'. By the time I got back to my office, the White House was calling saying, 'get over here right away'.

So I head over to the White House with a red light and siren. On West Executive Drive people were pouring out of the White House, pouring out of the Executive Office Building and here we are driving in and I said to my driver, 'is there something wrong with this picture, we're driving in and everyone else is running out'?

Where did you go when you reached the White House?

I went to the Situation Room and got briefed by Dick Clarke for about four or five

minutes and he said, 'you've got to be in the PEOC with the Vice President'. And I said, 'what the heck is the PEOC?' He said, 'that's the Presidential Emergency Operation Centre'. I said, 'Dick, I don't have the slightest clue as to where that is', and there was a secret service agent standing there and he said, 'I'll take you over there'. So we went running over to this PEOC, which is a bunker under the White House, and I joined the Vice President down there. I guess I got down there about 9.25.

When did you become aware of the third hijacked plane?

I was sitting across the table from the Vice President with a set of telephones providing us with a direct line to FAA. Someone came in and said, 'Mr. Vice President there's a plane 50 miles out'. I was on the phone with the Deputy Administrator of FAA, Monte Belger, and he said, 'we have a target but the transponder's turned off, so we have no identification, no ident, on the aircraft'. I said, 'Can you tell in relationship to the ground where it is?' He said, 'no that's difficult to do but I would imagine it's somewhere between Great Falls and National Airport coming in'. It seemed it was on what they call the DRA – the down river approach.

'Mr. Vice President, the airplane's 30 miles out, but I can't tell you the altitude and can't tell you speed, but from the sweep of the radar we know it's moving pretty fast', was the next update. And then, 'it's 10 miles out'. So I said (to Belger), 'my Vice President has just been told it's 10 miles out'. Monte said, 'it could be anywhere from the USA Today Building all the way to National Airport.

The person who was updating us in the room said, 'Do the orders still stand?' And the Vice President turned around, looked at him and said, 'Of course the order still stands, have you heard anything to the contrary?' I didn't think about that comment at all at the time.

Monte suddenly said, 'Oof, we've just lost the target'. Then someone came in and said, 'Mr. Vice President there's been an explosion at the Pentagon'. And I said, 'Monte, the Vice President was just told

there was an explosion at the Pentagon, can you pinpoint it to the Pentagon'. He said, 'no, but it could be in that region'. Then someone broke into our telephone conversation and said 'Mr. Secretary we've just had a telephone call from an Arlington County Police Officer who confirms that he saw the American Airlines plane go into the Pentagon'.

So it's like a lot things, when you see one of something happen – it's an accident; when you see two of the same thing happening it's a trend or a pattern, but when you see three of the same thing happening – it's a plan or a programme. So I said to Monte, 'bring all the planes down'.

So that was your decision?

When I said 'bring all the planes down', it was about 9.45 or 9.50 – somewhere in that time period. Monte said, 'we'll bring all the planes down per pilot discretion'. Well I didn't want a plane that was flying over Kansas City with a pilot thinking, 'I want to get home to Los Angeles, so I'll continue on to L.A. because I'd rather sleep at home than sleep in a hotel in Kansas'. So I said to Monte, 'to hell with pilot discretion, get all the planes down'. At that point we still had maybe seven to ten unaccounted for aircraft. We had a rumour of a plane that was down on the Ohio/Kentucky border and we still didn't know about Shanksville plane (UA93).

A lot of the inadequacies of American domestic aviation security were well known and well reported prior to September 11th last year. How much responsibility do you think the government should bear for its failure that day?

Well first of all aviation security, as it relates to passenger screening and baggage screening, was the responsibility of the airports or the airlines and generally at each of the commercial airports there would be a designated airline that would contract a screening company, usually on the basis of a low bid competitive contract.

But it was well known to the government that that was not enough?

Yes, but even at that point I think the nature of the freedom of mobility, the issue of responsibility for security being the airline's, the airline adhering to certain standards and then letting those contracts out - I don't think it was really considered a federal responsibility. I don't think it really became a federal responsibility until the passage of the Aviation and Transportation Security Act that specifically said that this was now a federal responsibility.

At the time of September 11th, we were thinking about how to raise the standards against which the airlines, and the screening companies, had to do their work. There were a number of companies - one especially - who I thought were just not doing the job well enough and, prior to my coming on the job, they had been fined.

Argenbright?

Argenbright, yes, had been fined. The first

time was Chicago and the second time was Philadelphia. As I recall the first fine was something like \$1.3 million and the fine for Philadelphia was something like \$3.5 million for the same thing - improper background checks. Obviously these people were just paying the fine at the cost of doing business, but that was totally unacceptable to me and I got madder than hell at the time.

How much though do you think we, as an industry, not only in the United States, have tended to be reactive rather than proactive in aviation security? For example, in the aftermath of TWA 800 (albeit seemingly not an aviation security incident), security standards were raised only on international flights and, after the Richard Reid incident in December, we suddenly started to look at people's shoes. And, even after September 11th, we've had a knee-jerk reaction as

demonstrated by the ban on metal cutlery and ban on penknives.

Part of our job is to make sure that we provide world-class security and world-class customer service. In doing that I don't want our checkpoints to become choke points in terms of the operation of the airport, or the airline. You also have passenger convenience - we've got to make sure that the flow is going to be smooth because the bottom line is still the economy and we don't want to do anything to impact on the economy.

Frankly from an airline perspective, security, as much as they might say otherwise, is not really at the top of their agenda. Before September 11 it was customer service - in terms of schedule, fares or the kind of food served. My wife, having been a flight attendant for 35 years, would see what the airlines were doing - security was not at the top of the list.

Major Provisions of The Aviation and Transportation Security Act

Date of Enactment Mon, Nov 19, 2001	ASAP	15 Days Tue, Dec 4, 2001	30 Days Wed, Dec 19, 2001	60 Days Fri, Jan 18, 2002	90 Days Sun, Feb 17, 2002	120 Days Tue, Mar 19, 2002	150 Days Thurs, Apr 18, 2002	180 Days Sat, May 18, 2002	330 Days Tue, Oct 15, 2002	365 Days Tue, Nov 19, 2002
Creation of TSA; Secretary or designee to perform functions of Under Secretary for Transportation Security (USTS) Oversight Board Chaired by Secretary established Authorization to deploy federal employees or LEOs at airports to meet security needs USTS authorized to accept transfers of unobligated/unexpended balances USTS authorized to issue regulations (without notice/comment for emergency regs) Retired LEO, military, or furloughed airline employees over 40 may be hired as FAMS if qualified Secretary may use personnel from other agencies to augment FAM force, on nonreimbursable basis Airport operators may request exemption from airport parking restrictions (i.e., 300 foot rule) Aircraft operator may request rescission of GA restrictions in Enhanced Class B airspace Secretary may approve an agreement between intrastate carriers, upon declaration by state governor	FAA must issue order to: 1. prohibit access to flight deck; 2. Require strengthened/locked cabin doors; 3. Require that doors remain locked; 4. Prohibit possession of key for all but flight deck crew Provide for screening of all goods, persons & vehicles in secure areas Phase-in of background checks for employees in sterile areas Assume ownership of screening equipment; may assume contract Procedures established for notifying FAA Administrator, State and Local LEO's, airport/airline security officers of known threats Establish procedures for airlines to identify passengers who pose potential security threat; notify appropriate LEOs FAA develop & implement methods for using cabin video monitors, continuous operation of transponders, notification of flight deck crew of hijacking Establish requirements ensuring same level of security in secure areas as for passengers/baggage. Establish procedures to ensure security of all persons providing services to aircraft; all aircraft supplies; aircraft supply vendor security System in place to ensure security of all cargo FAA Administrator establish scientific advisory panel as subset of RE&D panel on security technology Ensure continuous operation of installed explosives detection systems	If exemption from parking restriction was requested, Secretary must notify non-hubs if parking restrictions will remain in place Beginning of FY02 - AIP funding available to airports to cover security costs, payment on debt service, operational activities if w/in Enhanced Class B airspace. USTS report to authorizing committees on airspace security measures to improve GA security. Secretary must submit notice of reinstatement of restrictions in Enhanced Class B airspace (if rescission requested.) If exemption from parking restriction was requested, Secretary must notify small hubs if parking restrictions will remain in place.	New Screener qualification standards issued Secretary shall publish Notice of Procedures for airport operators, parking lots, and direct vendors to seek part of \$1.5 billion authorized to cover direct costs of security measures USTS report to authorizing committees on airspace security measures to improve GA security. Secretary must submit notice of reinstatement of restrictions in Enhanced Class B airspace (if rescission requested.) If exemption from parking restriction was requested, Secretary must notify small hubs if parking restrictions will remain in place.	FAA issue detailed guidance for carriers to develop flight/cabin crew training program for threat situations System in operation to screen (manual, bag match, canine or other approved technology) all checked bags Publish notice of amount of fees to be imposed per ticket and on airlines Foreign & domestic carriers must provide electronic passenger manifests to Customs If exemption from parking restriction was requested, Secretary must notify medium hubs if parking restrictions will remain in place. USTS must have plan for training of security screeners.	USTS must assume all Aviation Security Functions USTS must assume screening contracts (ASAP or 90 days...180 days, w 90 day extension) National Institutes of Justice report to Secretary on use of "less than lethal weaponry" for flight deck crew Secretary may authorize carriage for charter carriers USTS shall begin awarding aviation security R&D Grants Administrator shall review composition of Scientific Advisory panel to ensure appropriate expertise held by members, and every two years thereafter	Air Carriers Develop plans for threatening situations If exemption from parking restriction was requested, Secretary must notify large hubs if parking restrictions will remain in place.	USTS approves Carrier plans for threatening situations Report to Congress on series of optional aviation security measures USTS authorized to take, with how many adopted and why not. USTS may establish performance standards for aviation security. Provide Congress with action plan to implement. USTS recommend to airport operators commercially available means to prevent access to secure areas, reviewing effectiveness of a number of specified actions/technologies. Includes 12 month deployment strategy for technology at Category X airports. USTS shall report to authorizers on baggage screening deployment (installation & operation schedule)	Carrier must complete training of all flight cabin crews on FAA-approved threatening situation plan All TSA screener personnel must be deployed Report on security requirements Aircraft under seats, with recommendations for changes. USTS must report to Congress that TSA screener personnel are in	Private Security Company Pilot Program may be established by USTS. Two-year duration. All TSA screener personnel must be deployed Report on security requirements Aircraft under seats, with recommendations for changes. USTS must report to Congress that TSA screener personnel are in	

But if the goal is to make checkpoints smoother, why doesn't the government look away from some of the technologies and start to use behavioural analysis in the screening process. Also, I'm sure we stop far too many people for screening by random search which prompts criticism about 84-year old grandmothers and 2 year old children being screened unnecessarily.

Sure. But part of that again is, as you pointed out, not forward thinking. A lot of this is cost and the airlines don't want to absorb it.

Behavioural analysis is in many respects one of the most economical solutions.

We had CAPPS - the computer

assisted passenger pre-screening system. I can talk about two of things that they look for - one is whether you paid for the ticket in cash or with a credit card. Another is whether you bought a one-way ticket or a round trip. If you bought a ticket with cash, that'll make you a selectee. If you bought a one-way ticket, that'll make you a selectee. Now why do 84-year old, blue-haired, grandmothers get cited most? Because most seniors don't have credit cards - a high percentage don't - and so they pay for the travel with cash.

Because of this, we're trying to build a new CAPPS with an algorithm that will eliminate these kind of folks and, as you say, the behavioural aspect will be much more of a factor. CAPPS II is still under development - it's an enormous job. I've

Security Act

02	Tue, Dec 31, 2002	540 Days Mon, May 19, 2003	Three Years Fri, Nov 19, 2004	Directives Without Specified Deadlines	Ongoing
	EDS systems in place to screen all checked baggage	Secretary shall review reduction in unauthorized access to secure areas at Category X airports	Airport operator may elect to continue with private screening company	Secretary prescribe circumstances constituting "emergency" for USTS Control USTS enter MOU w/other agencies for intelligence sharing Authorization to train, deploy, require carriers to provide seating for on and off-duty FAMS; establish procedures ensuring FAMS are aware of LEDs on board Authorization to designate TSA employees as law enforcement Authority to appoint Federal Security Manager at each airport FAA shall consider how to ensure security of cockpit on aircraft without cockpit doors USTS shall develop plan to provide technical support and financial assistance to small airports for costs of security FAA establishes 20 airport perimeter security pilot program USTS require air carriers to develop security awareness programs for all airport employees & employees on airport premises USTS shall establish uniform ID verification program for state and local LEDs who carry weapons in secure areas. USTS may require 911 emergency call capability for planes and trains USTS may establish requirements for trusted passenger program. USTS, with FDA Administrator, may establish alternative security procedures for medical product transport. Apply CAPPS to all passengers USTS and FAA Administrator may consider if all pilot licenses should include a picture and biometric imprint. Provide for voice stress/biometric technology to evaluate potential threats. Provide for use of technology to provide communications from plane to ground. All security screeners shall be supervised by uniformed TSA personnel USTS may provide for the use of technology to enable private and secure reporting of threats. USTS shall require flight training schools to conduct security awareness program for employees Carriers to use technology to ensure security of their computer reservation systems.	Annually, Secretary and USTS agree on 5 year performance plan for aviation security Annually, USTS reports to Congress evaluation of how well goals/objectives for year were met. Annual DOT budget submission shall include cost & strategy for deploying new technologies recommended upon completion of grants. President's budget for FY-03 and beyond shall include the TSA USTS shall assess, on ongoing basis, compliance with access control requirements & report findings of assessments and effectiveness of penalties. USTS shall work with airport operators to strengthen access control points, & consider deployment of biometrics/technology to improve access security. FAA Administrator shall update the airline threat awareness plan for new security threats. USTS shall evaluate methods of detecting and neutralizing non-explosive weapons Annual screening personnel evaluation shall be conducted and documented USTS shall provide ongoing operational testing for screeners USTS shall assess dual-use items (seem harmless, are dangerous and should be screened out...) and inform screening personnel. USTS shall periodically review threats to civil aviation, including chem/biological weapons. R&D manager shall submit annual report on security technology to Research, Engineering & Development Advisory committee USTS may modify passenger fee from time to time with notice and comment USTS shall reassess per-carrier limitation on fee assessed to cover security costs, from FY 2005 on

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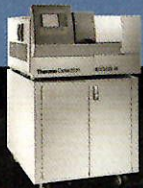


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always wondered, what is it that allows a Philip Baum to go into a Van Cleef & Arpel outlet in Paris or London and walk out with a \$50,000 gold and diamond bracelet? What it is that has allowed Van Cleef, as well as Visa, to say, 'yes, we trust Philip'. What is it that they know about Philip that we ought to be able to use? I hope that, in the building of CAPPs II, we will get at that very thing that you're talking about.

But we're still looking for a technology based solution, rather than empowering a screener to actually make a decision when he has that gut feeling that something is wrong.

That's why we got rid of those questions: Did you pack the luggage yourself? Has it always been under your control? The people who put on the baggage tags whilst asking you the questions never look at you.

We were doing what we call the 'stupid rules review' and that was one of the things we looked at. Maybe these questions, and others, were significant and they were the right questions to ask at that time. But, in today's marketplace, where you've got suicide bombers, it doesn't make any difference because they'll say, 'yes I packed my own bags and yes, they've been under my control the whole time'.

There's been a lot of very good work achieved, particularly in the United States, in the course of the past year. I travel frequently through the US airports and I am very impressed at the much higher level of security. Probably the most important factor is that people actually believe that there is a threat. Yet, there are more deadlines to meet. Do you feel that some of deadlines were over ambitious?

I have a chart (see pages 8 and 9)

showing the Aviation and Transportation Security Act deadlines (from November 19th 2001) that we've had to meet. We've met every one of those deadlines legislatively imposed on us.

Having been in Congress for 21 years, I think it is the most prescriptive piece of legislation I've ever seen because it told us what to do, how to do it and when to do it. The two biggest deadlines are coming up – November 19th for passenger screening to be carried out by federal employees and the baggage screening requirement by December 31st.

In both instances we will have the people in place. We'll have the 30,000 to 33,000 passenger screeners for November 19th and we'll have the 20 or 21,000 baggage screeners in place on December 31st. The big problem on December 31 is whether we have EDS on board.

A lot of it's going to be in the terminal lobby areas rather than integrated into the baggage make-up system?

What's happening right now is that Boeing Siemens is looking at all the airports in terms of serving them and trying to figure out how do we do it. There are 429 commercial airports and they've all been designed by different people – there is nothing uniform about them. Boeing Siemens is working out where to put all the CBS equipment – some of it will have to be in the lobby area. Hopefully, from an efficiency and productivity perspective, it will be put in-line with the regular baggage system. In any event, by December 31st maybe we will not fit all 429. Hopefully we can keep it to 20 or 30 that will, unfortunately, not be able to hit the deadline in terms of the machines.

As an example, at DFW, they are supposed to get about 46 EDSs.

Maybe by December 31st they'll have 29 and be 17 short. The legislation says all baggage will be checked by EDS, so it just means that instead of, based on 46, being able to do everything on 10-20 minute basis, with only 29 machines let's say it will be a 40-60 minutes process. All that then means is that people get delayed on the flights. I still want to make sure that we are pushing hard on the manufactures of the equipment and the people who will be doing the installation. I was in Boston where they're putting up the \$140 million construction cost themselves. They'll get reimbursed by us, but in order to speed it up and to get it completed by December 31st, they decided 'we're going to go ahead and do it on our own'.

The EDS systems and the check-point screening programmes are not necessarily going to prevent another September 11th-style hijacking. What do we need on board aircraft? Should we be allowing pilots to carry guns? And what should be done about hijack management training for aircrew?

In terms of that whole training requirement, some time in August the airlines had to submit all their training plans to TSA on crew training for the issue of anti-hijacking and the whole security area for both flight deck as well as the cabin. So that part of it is underway.

In terms of gun legislation, the legislation that passed the House said that all commercial pilots (that volunteer) will be issued weapons and that we will be doing the training and we will do the recurrent (training). Just in terms of the issuance and the training for 85,000 commercial pilots, TSA figure that that would be \$884 million first year cost and the recurring cost would be \$250-260 million to do the quarterly recurrent training on firearms. When the bill passed the House 310

to 113, we figured we're having money trouble trying to get the money for TSA for basic security work and, if Congress isn't willing to be that readily responsive to our doing security work, how responsive are they going to be to this kind of money request?

But what about the security implications?

Maybe you don't have to give a gun to each commercial pilot. Suppose you put them in the aeroplanes instead. That way you only have to have 7,000 weapons. If you put them in a safe on the aircraft, as each crew member comes on board, they open up the safe, check the weapon and put it on their lap or whatever they do with it. At least that way you're reducing the number of weapons you're introducing into society.

Or even into the airside areas at airports where there's the potential of a pilot being mugged for his gun.

I'll tell you what. I've got two sons who are pilots and one of the things they say is, 'look, when I'm wearing my uniform, carrying my crew bag, I'm a target'.

How much development has gone into the federal sky marshals programme in the course of the last year?

Tremendous. When you think about the original sky marshal programme that was announced on September 11th 1970 by President Nixon - it was built up to about 3,200 air marshals, yet on September 11th 2001 we only had 32. Since then, we have built that force up (again). The number is classified, but we have built that force up.

So how long is their training programme?

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The training programme itself is 14 weeks. We had some criticism about whether or not we had short-changed people in terms of the 14 weeks. Admittedly we did some accelerated training, but a lot of the people that were coming on were already federal law enforcement officials, so some of the training that a green recruit would have to have going through 14 weeks, wasn't necessary for the federal LEOs. Maybe they did 8 weeks, but they still did the other 6 weeks additional training (later).

I'd much rather have them on board than a pilot with a gun.

Absolutely. I mean can you imagine even if we put the gun into the safe, what are they going to do?

It's a bit of a macho response. If you're going to arm anybody I'd rather arm the cabin crew and stop the hijackers getting into the cockpit in the first case.

Yes. We're hoping that, even with the legislation that passed in the Senate, we will find some kind of amelioration of that legislation because the cost of it.

There's been a lot of emphasis on passenger screening but no real change when it comes to cargo security which is regarded as the big Achilles heel of the aviation industry at the moment. Are we going to wait for an event to happen?

No, no. When you look at the Aviation

Transportation Act, the emphasis, the focus was on passenger security and even though the transportation security administration was given the federal responsibility for all modes, the focus of attention was on aviation – passenger aviation. That's where all the dates were. Every date we had was this. For all other modes they just said do it as soon as practicable.

But there is a lot of cargo on passenger flights.

The cargo there is limited because they can't have cargo in excess of what we have from the mail service which is limited to 16 ounces. We know what the exposure is on the cargo side. Look at our maritime ports. You get 16 million containers that come into the United States every year. We have 261 ports, but probably about 60 of them carry 95% of all these cargo containers coming in, so we'll concentrate on the 60. Same thing with the aircraft cargo being carried by UPS, Polar, FedEx and others. Right now we're using the 'trusted shipper program' as the basis for that, but we know that that doesn't give us a lot of assurance about cargo security. There is a great deal of attention being paid to the cargo side of aviation. But we also have to deal with railroads, transits and look at the Tokyo subway system getting that toxic gas down there.

Sarin. Bridges, pipelines cruise ships?

Absolutely, those are all areas that we have to be looking at and are now being

looked at because we had to meet all of these deadlines in terms of the Aviation and Transportation Security Act.

How confident do you feel that what has been achieved in the course of the past year, would prevent another September 11th type of incident?

Well first of all I am confident about our aviation security system today overall. It's a whale of a lot better than it was on September 11th 2001 and it's going to get better tomorrow and in the months to come. Can we prevent what happened on September 11th last year? That is our goal, but in the last month alone we confiscated 228 firearms that people were trying to carry onto aircraft. We also have the New York Daily News reporters trying to carry knives and other prohibitive articles onto aeroplanes and saying, 'we went to seven, or whatever, airports and we were successful in getting on with our carry-on luggage and with these prohibitive items'.

I know that when I was sitting there on 11th September, in the bunker of the White House, thinking we've got to make sure that something like this never ever happens again. But, there's no guarantee. Do I have a high degree of confidence of our being able to prevent something like what happened on 11th September given our system today? Yes, yes. Sure things can happen, but I feel comfortable, even more than comfortable, I feel very very confident that if an Atta were to try and get on a plane today, he'd never be able to. I'll tell you what, forget the increased security systems – the passengers on the aeroplanes will do the job. I sit in coach-class, when I fly commercial, and if I decide to go the first-class lavatory, people are watching – 'what's he doing going up to the front'? And, as we found on UA 93 that went into Shanksville, Pennsylvania, the passengers realised what was happening and they took over the plane. What they did was heroic and probably prevented a major catastrophe. 🌍

ASI would like to express its appreciation to Secretary Mineta and his staff for affording us this exclusive interview.