

Additional comments of the
AMERICAN SOCIETY OF TRAVEL AGENTS, INC.
In reference to the proposed
Secure Flight Program (Docket No. TSA-2007-28572)
Before the
OFFICE OF INFORMATION AND REGULATORY AFFAIRS
8 October 2008

The American Society of Travel Agents continues to be concerned about certain elements of the proposed Secure Flight Program. ASTA respectfully requests that the following be taken into account prior to publication of the Final Rule.

The Final Rule should include a six-month implementation schedule.

- The proposed 60-day implementation schedule is insufficient and will result in widespread noncompliance.
- Even in the unlikely event that the GDSs provide the entire travel agent community with the formats for inserting the Secure Flight information into Passenger Name Records (PNRs), it is still impossible for the industry to achieve full compliance in merely 60 days.
- Compliance efforts would include an array of programming, training, and implementation steps—all at the affected agents' and agencies' own expense.
- The results of a 2007 study indicate that 6 months would be a more realistic implementation schedule.
- Extending the implementation schedule would result in greater compliance and in many fewer errors in collecting, recording, and transmitting information during the initial stages of the program.
- Query: will enforcement begin immediately? What form will this take?

The Final Rule should explicitly state that Secure Flight Information from a given passenger, once collected by an agency, need not be requested by that agency each time that passenger makes a new reservation.

- The NPRM Background discussion and the Draft Regulatory Evaluation each contain statements articulating this policy. For the sake of clarity, this ought to be stated in the text of the regulations.

The Final Rule should not mandate collection of information other than full name.

- ASTA believes that it would be unwise for the TSA to mandate the collection of date of birth and gender information.
- In a great many cases—for example, in the case of a secretary making reservations for employment recruits—a person requesting a reservation will not possess all of the Secure Flight Information as a matter of course. At other times, people may have strongly-held personal reasons for not responding to questions of age or gender.
- In order to account for such cases, ASTA believes that the best approach is to rely on the education of travel consumers, and to let those consumers weigh the benefits of trading the risk of secondary screening and other delays for the perceived benefit of withholding requested information.

The Final Rule should clarify the format for date of birth.

- To facilitate compliance, the Final Rule should settle this issue by specifying a single format for transmitting date-of-birth information (rather than presenting a range of acceptable formats). As ASTA has indicated in past meetings with TSA, the preferred format is MM/DD/YYYY.

The Final Rule should prohibit airlines from using Secure Flight Information collected by travel agents for marketing purposes.

- The information collected under the mandate of Secure Flight, including date of birth, is potentially valuable for marketing and sales purposes. It is essential that the Secure Flight program not stray from its purpose of improving the accuracy of matches between passenger records and security watch lists to become a marketing windfall for the airlines. In order to prevent this, the Final Rule should contain an explicit bar on such a misuse of passengers' personal information.