

July 18, 2014

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
The Portals  
445 12th Street, SW  
Office of the Secretary, Room TW B204  
Washington DC 20554

**Alan G. Fishel**  
Partner  
202.857.6450 DIRECT  
202.857.6395 FAX  
[alan.fishel@arentfox.com](mailto:alan.fishel@arentfox.com)

Re: WT Docket No. 13-301

Dear Ms. Dortch:

On July 16, 2014, representatives of the Safety and Security in the Air Coalition (“SSAC”), and Andrea Wohleber from the Transportation Trades Department, AFL-CIO, met with Commissioner O’Rielly and Erin McGrath, Legal Advisor to Commissioner O’Rielly. The SSAC representatives who attended the meeting were Chris Witkowski and Dinkar Mokadam from the Association of Flight Attendants-CWA, Thom McDaniel from the Transport Workers Union of America, Denny Dillard from the Dillard Group International (DGI), and Stephanie Starks from the International Association of Machinists and Aerospace Workers. The undersigned, who is counsel for members of the SSAC, also attended the meeting.

At the meeting, SSAC representatives stated that they strongly believe the Commission should not lift the long-standing ban on using cell phones for voice and data on flights as such action would greatly exacerbate the risk of successful terrorist attacks. The SSAC representatives discussed that lifting the ban would (i) provide a person on a flight who wishes to commit a terrorist act with the capability of communicating reliably, in real time, with accomplices on the ground, on other parts of the plane, and on other planes, which would greatly enhance the likelihood that such attempted terrorist activity would be successful; (ii) enable cell phones to act as switches to set off Improvised Explosive Devices secreted onto an airplane, which can lead to hijackings or the destruction of airplanes and loss of many lives; and (iii) greatly increase the risks of cyberwarfare, which can also lead to the destruction of airplanes and tremendous loss of life, as well as extraordinary security breaches.

SSAC representatives also discussed that the United States’ aviation system is an extremely attractive target for terrorists, as compared with virtually any other country’s aviation system. The representatives also discussed the successful use of cell phones by terrorists in connection with attacks that did not involve air travel, and that such examples provide further evidence that

enabling reliable communications through cell phones on flights in the United States would greatly raise the risks that the number of attempted attacks would rise, as would the number of successful attacks.

SSAC representatives also discussed how all of the precautions that are now taken, including the use of federal air marshals, may very well be insufficient to prevent a catastrophe on an airplane where we make it easier for terrorists to accomplish their mission. In addition, we discussed that the fact that certain risks may exist today with respect to terrorism that could occur on airplanes is not a justification for significantly expanding those risks and creating new risks as well. In short, SSAC representatives made clear that the goal here should be to reduce risk, not increase it.

SSAC representatives also strongly urged the Commission to work closely with all other relevant governmental agencies before taking any action in connection with moving forward in this proceeding. Finally, SSAC provided a copy of the attached documents at the meeting.

Sincerely,



Alan G. Fishel

CC: Erin McGrath