February 2, 2015
1:00 p.m. – 4:00 p.m.
601 South 12th Street
Arlington, VA 22202

Meeting Minutes

Meeting Comes to Order, Closed Session

Dean Walter, the Aviation Security Advisory Committee (ASAC) Designated Federal Officer (DFO), called the meeting to order and explained his responsibility to ensure the meeting complied with the *Aviation Security Stakeholder Participation Act of 2014*. As shown in the agenda (Attachment A), the meeting was closed to the public and only ASAC members and federal officials could attend. ASAC members were reminded that they have signed a Non-Disclosure Agreement and some information covered during the meeting may be sensitive and cannot be discussed with outside parties. Attachment B provides a complete list of meeting attendees.

Remarks by ASAC Chair Steve Alterman

Steve Alterman welcomed and thanked the committee, the DFO, and Ms. Victoria Newhouse, as Transportation Security Administration (TSA) Executive Sponsor. Mr. Alterman thanked TSA for updating the TSA.gov website, stating its importance in keeping the public informed on committee activities. An Employee Screening Control Working Group was put together in response to a January 8, 2015, request from TSA Acting Administrator Mel Carraway for ASAC to provide recommendations on Employee Access Control in light of recent events at Hartsfield-Jackson Atlanta International Airport. Ken Dunlap was announced as the lead for the Working Group. Status updates are expected at 30 and 60-days with a final report due in 90-days. It appears necessary to schedule another ASAC around the beginning of April to deliberate and approve the final report. A teleconference was discussed, but there appeared to be agreement that an in-person meeting would be most productive.

Remarks by TSA Executive Sponsor, Victoria Newhouse, Deputy Assistant Administrator, Office of Security Policy and Industry Engagement

Victoria Newhouse welcomed the ASAC members and provided general opening remarks. She then introduced TSA Acting Deputy Administrator Mark Hatfield. Mr. Hatfield has been with the agency since its inception, serving in many different capacities, including Assistant Administrator for the Office of Public Affairs, and the Federal Security Director at Miami International Airport, Newark Liberty International Airport, and John F. Kennedy International Airport.

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Remarks by TSA Acting Deputy Administrator Mark Hatfield

Mr. Hatfield welcomed and thanked the ASAC members for their work and contributions. He discussed TSA's involvement addressing current threats and how the agency continues its Risk-Based Security (RBS) philosophy of managing limited resources to address threats utilizing the latest technologies available. He encouraged continual proactive engagement with aviation partners and the Intelligence Community. Currently, the issue at hand is the extent of employee screening necessary to secure airports against potential insider threats. Mr. Hatfield is testifying in front of the U.S. House Homeland Security Committee, Aviation Security Subcommittee on February 3, 2015. Certain U.S. airports currently conduct employee screening, but the process and facilities vary significantly by airport. TSA recognizes that industry resources are limited and is applying RBS principles to mitigate vulnerabilities and enhance security. He noted that while the alleged activities at the Hartsfield-Jackson Atlanta International Airport were criminal in nature, it does illustrate a vulnerability that could be used for terrorism; mitigation solutions and outcomes may be similar.

Vice-Chair's Opening Remarks, Ken Dunlap

Mr. Dunlap stated that the support of ASAC members has been critical to the Employee Access Control Working Group. He thanked Ms. Newhouse and the TSA team for its participation and collaboration.

Roll Call and Member Remarks

A roll call was taken during the committee member introductions. Members were given an opportunity for remarks, but none were made.

Security Stakeholders Participation Act of 2014, Dean Walter

Mr. Walter briefed the committee on the *Aviation Security Stakeholder Participation Act of 2014*, which was enacted into law on December 18, 2014. While TSA believes it already substantially conforms to the law, a few changes to the current structure and process are needed. The current charter and bylaws will need to be updated, and some additional members will need to be appointed to comply with the new provisions.

Key Provisions of the law include:

Federal Advisory Committee Act (FACA) Exemption: Alleviates some procedural obstacles, but requires the committee to develop governance documents (i.e. charter and bylaws). Appointments are made by TSA, which potentially removes DHS oversight.

Meeting Frequency: The legislation requires semiannual meetings with at least one meeting open to the public. The committee currently meets about four times per year. We

anticipate holding the public meeting in December of each year, to review what has occurred through the year.

Membership: The law expands membership to a maximum of 34 members, and membership categories increase from 9 to 19. However, it appears that some of the current members represent several of the additional categories.

Subcommittees: Four subcommittees are mandated, three of which are already established:

- Air Cargo – Exists
- General Aviation – Exists
- Perimeter and Access Control – Exists as part of the Airports Subcommittee
- Security Technology – Need to formally establish

Annual Report: This requires ASAC to submit an annual report on committee activities, findings, and recommendations for the preceding year and publish a public version of the report.

Feedback on Recommendations: The Act requires a response within 90 days on report recommendations submitted to the Administrator, stating an implementation plan or justification for rejection. TSA must also notify the Congress within 30 days of such response.

A member did mention that the Act does not include a continuity provision that would allow members to continue on the committee if memberships expired and new appointed were not made. TSA stated its commitment to not let ASAC lapse.

Airline Social Media Threats Briefing, Jason Nolan

Mr. Nolan stated that TSA has been working with the Federal Bureau of Investigation (FBI) and other law enforcement components to analyze social media threats. At this time, they do not appear to be creditable threats. It is believed that the goal of posting these unfounded threats using social media is to expend U.S. Government time and resources. It is expected that similar threats will continue and possible increase in the future and DHS continues to monitor the situation. There was a request to coordinate with the FBI to establish commonality within airlines and airports information sharing processes. A member asked if TSA had considered whether the threats were an attempt to "test the system" for vulnerabilities. TSA does consider such techniques, but the results are typically classified.

Airport Access Control Working Group, Ken Dunlap

On January 8, 2015, Acting Administrator Carraway asked ASAC to "evaluate the aviation industry's current approach to airport employee screening," in light of recent events involving alleged weapons smuggling aboard airplanes at Hartsfield-Jackson Atlanta International Airport. In response, the ASAC Chairman formed a working group consisting of 12 ASAC members supplemented with 9 subject matter experts. The Homeland Security Studies and Analysis Institute will be supporting TSA on this project. Mr. Dunlap stated that the ASAC is not being asked to investigate the events that unfolded in Atlanta and are not being asked to review the TSA policies on security plans. The group will look into vetting and physical screening of employees using a RBS approach.

A final report is due to the Administrator in 90-days, with status updates at the 30 and 60-day points. ASAC will schedule a single-issue meeting on April 3, 2015, at 9:00am to deliberate and vote on the proposed report.

A member asked if the scope of the working group includes only employees who work at airports, or is inclusive of those who work for airports, but not at an actual airport location. All individuals with unescorted access to the secure area of an airport are within scope. It was stated that everything is on the table.

Subcommittee Updates, Steve Alterman

Mr. Alterman invited each subcommittee to provide an update, covering any progress to date, including focus areas going forward.

Commercial Airports Subcommittee Update, Alan Black/Mike Duffy

Mr. Black was unavailable to attend, so Mr. Duffy provided an update on two areas that the subcommittee is reviewing. The first area is to review the existing airport perimeter security program, literature and documentation. The analysis is almost complete and it appears the current TSA perimeter approach is reasonable. The second area is to develop a collection of industry best practices. It is expected that both items would be complete for the May 5 meeting.

International Aviation Subcommittee Update, Craig Lynes

This subcommittee industry co-chair position is currently vacant, so Mr. Walter asked the committee members to notify him with any interest. Mr. Lynes stated that there are four main areas the subcommittee is currently examining: 1) expansion of the TSA Pre✓ Program, 2) mutual recognition of the trusted traveler programs, 3) information sharing –specifically how to communicate information on threats and Security Directives to industry, and 4) screening related to liquids, aerosols and gels.

The subcommittee is working on an issue relating to the screening of international air cargo. Currently, the United States groups air cargo into two categories: all-cargo and passenger. The international community does not always differentiate between these two types. The subcommittee will look into the best approach to deal with any inconsistencies. Mr. Lynes recommended that as soon as a co-chairperson is appointed, the subcommittee form a Joint Working Group with the Air Cargo Subcommittee to address the issue.

Air Cargo Subcommittee Updates, Sue Presti/ Warren Miller

Ms. Presti presented five proposed recommendations in four separate areas, listed below, to the Committee for deliberation and approval. Mr. Walter stressed that the recommendations must be clearly defined with a completion metric to indicate when an action could be considered complete or implemented.

Complete proposed recommendations are included in Attachment (C). Each proposed recommendation was presented and discussed. At that point a separate vote was taken on each proposal. Dean Walter confirmed that there was a quorum present to proceed with a vote, and that passage is based on a simple majority plus one of those members in attendance.

Proposed Recommendation #1: *The Transportation Security Administration (TSA) should establish a formal process for receiving industry input on Government policy at the earliest possible time, for development of both domestic and international policy (including but not limited to development of U.S. positions for International Civil Aviation Organization, the World Customs Organization and other organizations). For purposes of this recommendation, "the earliest possible time" denotes the period of policy consideration prior to internal finalization of the U.S. position.*

There was little deliberation on this proposal. **The proceeding vote was unanimous (17-0) to approve Recommendation #1.**

Proposed Recommendation #2: *TSA should coordinate with other appropriate offices within the Department of Homeland Security (DHS) to: establish an ASAC Air Cargo Research and Development Working Group (R&D WG); establish a formal process to permit the ASAC R&D WG to submit cargo screening technology capability needs into the DHS/TSA R&D process; establish key timelines for the submittal of input for air cargo R&D cargo decisions; and identify the appropriate points of contact within TSA and DHS to engage the Air Cargo R&D WG and act upon the identified capability needs.*

There was discussion regarding the intent of this proposal. There are multiple groups within DHS working on Air Cargo R&D efforts and the committee believes there is duplication of effort. One coordinated group would allow for consistent industry input in the DHS/TSA R&D process.

A proposal was made to add a fifth element to the recommendation, to "*Investigate any internal overlapping initiatives with TSA, and report back to ASAC on the results*".

The proceeding vote was unanimous (17-0) to approve Recommendation #2, with the additional language.

Proposed Recommendation #3a: *Work with the Air Cargo Subcommittee to develop an action plan for the certification and auditing of private sector canine teams, including the identification of resources within TSA to oversee this initiative.*

There was only minor discussion on this proposal. For the completion measure, it was proposed to change the word "implementation" to "*development*," since full implementation may be difficult to quantify. One member commented that this proposed recommendation may be viewed as ASAC endorsement of private sector canine screening, for which the member felt additional information was needed.

There was a call for a vote and Recommendation #3a was approved by a vote of 16-1, with the language change for the completion measure.

Proposed Recommendation #3b: *Establish a pilot program to test the feasibility of TSA proprietary canines for primary screening of cargo.*

There was little deliberation on this proposal. **There was a call for a vote and Recommendation #3b was approved by a vote of 16-0, with one abstention.**

Proposed Recommendation #4: *TSA should reorganize to cluster expertise on air cargo security within one office, with capabilities in security, policy development and industry engagement.*

There was little deliberation on this proposal. **There was a call for a vote and Recommendation #3b was approved by a vote of 16-0, with one abstention.**

General Aviation (GA) Subcommittee Update

Armed Security Officer (ASO), Michael Keane

Mr. Keane discussed GA operations into Ronald Reagan Washington National Airport (DCA) since it reopened to those operations in 2005. The DCA Access Standard Security Program (DASSP) established requirements for GA flights into this airport. This includes a requirement for an ASO. Additional security requirements have been added since 2005 that makes the ASO less relevant to ensure aircraft security. TSA will work with the interagency (i.e. United States Secret Service, Department of Defense, the Federal Aviation Administration, Capital Police, Metropolitan Washington Airport Authority) to coordinate this proposed change. The GA

Subcommittee will present this issue for a vote at the next meeting in May 2015. TSA will brief the Interagency Airspace Protection Working Group before moving forward.

In other GA Subcommittee business, Mr. Hennig reported that the Federal Register Notice for the Public Inspection Aircraft Aviation Avionics will be published February 4, 2015.

Future Committee Meetings

Mr. Alterman thanked all committee members again for all their valuable contribution. He stated that he will be in contact with the DFO to work on the upcoming meeting logistics. The next meeting will be held April 3rd at 9 a.m. to deliberate on the proposed recommendations of the Airport Access Control Working Group. The next full committee meeting is scheduled for May 5, 2015. Looking ahead to late summer/fall, Mr. Alterman stated that we should look to the first week in September 2015.

Adjournment

Mr. Alterman asked for any last comments, and with none received adjourned the meeting.

The meeting adjourned at approximately 4:05 p.m. EST.

Summary of Action Items

 ➢ Schedule a single-issue meeting on April 3,, 2015, at 9:00am to deliberate and vote on the Airport Access Control Working Group Recommendation report.
 ➢ Appoint an ASAC member to co-chair the International Aviation Subcommittee
 ➢ Respond the approved recommendations within 90-days of transmittal letter from ASAC Chairman
 ➢ Future Meetings: Schedule next two meetings for May 5 and first week of September 2015.

Certification of Detailed Minutes
I hereby certify that this is a true and correct copy of the minutes adopted by the Aviation Security Advisory Committee on February 2, 2015.

Stephen A. Alterman
Chairman

Attachment A
Meeting Agenda

- TSA Executive Sponsor Remarks

- Acting Deputy Administrator Mark Hatfield Remarks

- Chairman/Vice Chairman's Opening Remarks

- Aviation Security Stakeholder Participation Act of 2014

- Airline Social Media Threats

- Airport Access Control Working Group

- Commercial Airports Subcommittee – Status Update

- International Aviation Subcommittee – Status Update

- General Aviation:

  - DASSP Armed Security Officer requirement

  - Subcommittee Status Update

- Air Cargo Subcommittee – Proposed Recommendations & Status Update

- Deliberation/Vote on Proposed Recommendations

Attachment C
Air Cargo Recommendations

1. Stakeholder Input into TSA Policymaking:

<u>Recommendation:</u> The Transportation Security Administration (TSA) should establish a formal process for receiving industry input on Government policy at the earliest possible time, for development of both domestic and international policy (including but not limited to development of U.S. positions for International Civil Aviation Organization, the World Customs Organization and other organizations). For purposes of this recommendation, "the earliest possible time" denotes the period of policy consideration prior to internal finalization of the U.S. position.

<u>Background:</u> The previous ASAC made a similar recommendation. In its response, TSA provided a "TSA Concurrence." In the document entitled "Official Response to ASAC Recommendations, TSA states, "the Security Policy Development Process was developed to achieve this coordination with industry. The process has been used successfully for domestic security policy development."

ASAC believes development of the Security Policy Development Process is positive. However, its use has been limited to domestic security policy development," and ASAC wishes to emphasize that the nature of this recommendation extends to all TSA security policy development (domestic and international). We therefore urge that the Security Policy Development Process be extended to policy and procedural changes initiated by all offices within TSA, when such policies and procedures have the potential to affect industry operations, either domestically or internationally. There is also a need for continued consultation with industry as such policies and procedures are interpreted and implemented.

<u>Completion Measure:</u> TSA extends the Security Policy Development Process to domestic and international security policy development.

2. Air Cargo Research and Development (R&D) Working Group:

<u>Recommendation:</u> TSA should coordinate with other appropriate offices within the Department of Homeland Security (DHS) to:

1. Establish an ASAC Air Cargo R&D Working Group;
2. Establish a formal process to permit the ASAC Air Cargo R&D Working Group to submit cargo screening technology capability needs into the DHS/TSA research and development process;
3. Establish key timelines for the submittal of input for air cargo R&D cargo decisions; and
4. Identify the appropriate points of contact within TSA and DHS to engage the Air Cargo R&D Working Group and act upon the identified capability needs.
5. Investigate any internal overlapping initiatives within TSA, and report back to ASAC on the results. *(Added during deliberations and approved via vote)*

Background: The ASAC Air Cargo Subcommittee is in the process of establishing an Air Cargo R&D Working Group. This is necessary as the development of air cargo screening technology has not been a priority and, as a result, there is no approved technology capable of effectively and efficiently screening palletized and containerized cargo. Once established and populated by subject matter experts with a background and understanding of air cargo screening technology, the Working Group will evaluate and identify air cargo screening technology capability needs, and provide input to the appropriate representatives at DHS and TSA.

Completion Measure: Establishment of ASAC Air Cargo R&D Working Group and implementation of the requirements defined in items #1-4 above.

3. Canine Recommendations:

a. Private Sector Canine Screening-

Recommendation: Work with the Air Cargo Subcommittee to develop an action plan for the certification and auditing of private sector canine teams, including the identification of resources within TSA to oversee this initiative.

Background: The ASAC Air Cargo Subcommittee, which includes all segments of the air cargo industry, continues to be strongly interested in private sector canine screening of cargo. There has been demonstrated and accepted canine screening in the international arena (that is, by other countries as part of their national security programs). In a previous TSA private sector pilot, one of the participants teams demonstrated feasibility with detection standards. However, there has been no known follow up on this successful result.

Completion Measure: ~~Implementation~~ Development of a private sector canine certification program. *(Revised during deliberations and approved via vote)*

b. Canine Primary Screening Pilot -

Recommendation: Establish a pilot program to test the feasibility of TSA proprietary canines for primary screening of cargo.

Background: Industry continues to strongly support a pilot to test the use of TSA proprietary canines for primary screening. TSA has stated, in response to the earlier ASAC recommendation on this subject, that an internal Integrated Product Team would review this proposal. ASAC requests that TSA provide an updated report on the status, and further recommends that TSA move forward in conjunction with the Air Cargo Subcommittee on this pilot during 2015.

Completion Measure: Implementation of the pilot program.

4. Risk-Based Approaches to Air Cargo Security

Recommendation: TSA should reorganize to cluster expertise on air cargo security within one office, with capabilities in security, policy development and industry engagement.

Background: TSA previously allocated significant resources to air cargo security matters, primarily through an office with 68 employees. The office has been disbanded and the remaining cargo-related employees have been assigned to the Aviation Division. In order to align TSA's Risk-Based approach to security with aviation security regulatory initiatives, TSA should allocate resources to increase staffing levels for air cargo responsibilities, as current staffing levels are far below previous levels and are inconsistent with the level of collaboration necessary to support review and modification of the aviation security programs, strengthen a common platform in areas such as training standards, mitigate risk, and appropriately focus compliance activities.

Completion Measure: TSA re-establishes an office focused on air cargo security.