



**December 10, 2019**  
**9:00 A.M. – 12:00 P.M.**  
**601 South 12<sup>th</sup> Street Arlington, VA 22202**

### **Meeting Minutes**

#### **Summary**

This is the second meeting of the newly elected Aviation Security Advisory Committee (ASAC) and the final meeting of the calendar year. This meeting provided a Legislative Update on the Federal Aviation Administration (FAA) Reauthorization Act of 2018, P.L. 115-254, (October 5, 2018). It also provided an annual status update from each of the ASAC subcommittee.

The meeting agenda is provided as Attachment A.

#### **Meeting Called to Order**

Ms. Tamika McCree Elhilali, ASAC, Designated Federal Officer (DFO), called the meeting to order and welcomed ASAC members. The meeting was convened pursuant to a Federal Register Notice dated November 5, 2019. It was open to the public and fulfills the requirements of 49 U.S.C. 44946(c)(4)(B).

#### **Committee Leadership Remarks**

Mr. David Pecoske, TSA Administrator gave opening remarks and allowed ASAC to make introductions. Ms. Victoria Newhouse, the TSA ASAC Executive Sponsor; Mr. Steve Alterman, ASAC Chairman; and Mr. Christopher Bidwell, ASAC Vice-Chairman, each made brief welcoming remarks.

- **Mr. David Pecoske - TSA Administrator**

Administrator Pecoske communicated that it is a TSA goal to ensure Insider Threat is a top priority for all carriers. TSA continues to make progress in this area according to the recommendations given to it from industry. Continued advancement of technology is also a TSA priority. TSA has implemented new technology in just over a year's time. As a result, strong partnerships have been established between carriers and airports. TSA also strives to continuously raise the bar on global aviation security. The agency seeks to understand how it can make significant improvements to conduct security in a more efficient manner. Lastly, for the next twelve to eighteen months, TSA will be focused on raising the global bar on security systems.

- **Ms. Victoria Newhouse - TSA Executive Sponsor**

Ms. Newhouse spoke about ASAC membership terms. Half of the ASAC membership has an expiring term every year (staggered terms.) After the 2014 Act, which established 2 year terms but did not specifically address what would occur at the end of the 2 years, ASAC



continues as a body until the new members are named. This avoids a large gap in ASAC membership when a term ends before new members would be named. There is no issue with reapplying upon completion of a term.

Today, there are 31 ASAC members, representing 19 mandated membership categories. Administrator Pecoske decided to stagger the membership term and then in the following year there will be 2-year terms vs. 1-year terms and a Federal Register notice will be posted soliciting membership applications.

- Mr. Steve Alterman - ASAC Chairman

Chairman Alterman discussed the status of the Just Culture Working Group. This group will ensure that TSA has all the data it needs to ensure the companies regulated by TSA have the resources to address issues. In order to be successful, TSA needs a database enabling collection of information followed by analysis and evaluation. This group will be meeting within the next two months. Goals for this meeting will be to define the working group charter (multi-work group project). We want to educate the working group by including individuals from the industry who have done this before; for example, a security management system company.

- Mr. Chris Bidwell - ASAC Vice-Chairman

Mr. Bidwell briefly discussed the Administrator's Intent Version 2.0. The intent letter is underway. ASAC is to provide input to the intent letter. A working group will be established to complete the task.

### Legislative Updates

- *Federal Aviation Administration (FAA) Reauthorization Act of 2018*, Pub. L. 115-254, (October 5, 2018)

H.R. 302 provides authorization for funding TSA for FY 2019, FY 2020 and FY 2021, and represents the first reauthorization of TSA since its creation. It includes more than 90 sections and 180 requirements, approximately 60% of the requirements have specific deadlines. Ron Schuster, TSA Legislative Director led the discussion.

TSA Modernization Act – two prior hearings were held regarding briefings. The public and oversight committees were provided with an update on status. There are 180 total requirements and TSA has completed 53% as of September 2019. Today, we are at 63% percent completion. Additionally, we have completed 87% of those requirements that are deadline-driven. Lastly, we are in the process of adjudicating comments.

ASAC-related provisions:

- **SEC. 1911. THIRD PARTY TESTING AND VERIFICATION OF SCREENING TECHNOLOGY.** Directs the Administrator to request the ASAC Security Technology



Subcommittee, in consultation with security manufacturers, to submit recommendations for the third party testing and verification framework.

- **SEC. 1916. INNOVATION TASK FORCE.** The Administrator in consultation with the ASAC Chair shall appoint the members of the Innovation Task Force, which should include TSA representatives, component agencies of the Department of Homeland Security and industry representatives.

This largely represented codification of an already existing entity, but now mandates an annual reporting requirement on the group's progress. *Status update: a report was drafted; in the clearance stages.*

- **SEC. 1931. PUBLIC AREA SECURITY WORKING GROUP.** Directs the Administrator, within 1 year of enactment, to review regulations and policies for the transportation of a firearm and ammunition, and submit a report, prepared in consultation with the ASAC, to the Congressional Committees, with the findings and any plans to modify regulations or policies. *Status update: A report has been developed; delivered to the executive/legislative branch next year.*
- **SEC. 1933. AIRPORT WORKER ACCESS CONTROLS COST AND FEASIBILITY STUDY.** Directs the Administrator, in consultation with the ASAC, to submit to the Congressional Committees and the Government Accountability Office, within 1 year of enactment, a study examining the shared cost and feasibility to airports, airlines, and the TSA, of implementing enhanced employee inspection measures at all access points between non-secured areas and secured areas at a statistically significant number of Category I, II, III, IV, and X airports. *Status update: access control and feasibility study is in reviewing process and will be delivered to the Hill early next year.*
- **SEC. 1934. SECURING AIRPORT WORKER ACCESS POINTS.** Directs the Administrator, in consultation with the ASAC, within 180 days of enactment, to establish a national database of individuals who have had their airport or aircraft operator identification badge revoked for failing to comply with security requirements. *Status update: TSA has been communicating with the Hill from day one that the operators would not be able to meet this deadline. The amendment will be circulated for public comment early next year.*
- **SEC. 1942. KNOWN SHIPPER PROGRAM REVIEW.** Requires the Administrator to direct the ASAC to conduct a review of the Known Shipper Program and recommend whether it should be modified or eliminated. *Status update: Recommendations are being finalized and developed.*
- **SEC. 1952. GENERAL AVIATION AIRPORTS.** Requires the Administrator, in consultation with the ASAC, within 120 days of enactment, to submit an implementation plan and schedule for ASAC recommendations involving: general aviation access at Ronald Reagan Washington National Airport and vetting persons seeking flight training.



- Requires the Administrator, in consultation with the ASAC, within 1 year of enactment, to submit a report to the Congressional Committees on the feasibility of requiring individuals to submit to a security threat assessment prior to receiving flight training. *Status update: On target to be delivered in January 2020 timeframe.*
- **SEC. 1962. CARRIAGE OF WEAPONS, EXPLOSIVES, AND INCENDIARIES BY INDIVIDUALS.** Directs the Administrator to periodically review the rule providing public guidance on property considered to be weapons, explosives or incendiaries. Requires the Administrator to assess the security risks, adherence to ICAO standards and to consult with the ASAC, prior to changing the rule. Does not have a specific deadline; will follow-up when appropriate.
- **SEC. 1969. SURFACE TRANSPORTATION SECURITY ADVISORY COMMITTEE.** Allows the Surface Transportation Security Advisory Committee to meet jointly with the ASAC to discuss common security issues. *Status update: Advisory Committee met twice, second meeting was in October; on track to meet overarching timeline.*

In addition to the provisions of H.R. 302 that directly reference ASAC, there are several provisions that will at least indirectly affect ASAC work. These provisions are listed below:

- **SEC. 336. SECONDARY BARRIERS IN PASSENGER AIRCRAFT.** Requires the FAA Administrator, within one year, to issue an order requiring installed secondary barriers on newly-manufactured passenger aircraft.
- **SEC. 1960. CREW MEMBER SELF-DEFENSE TRAINING.** Requires the TSA Administrator, in consultation with the FAA Administrator, to encourage increased participation by air carrier employees in the voluntary program under section 44918(b) of title 49, United States Code.
- **SEC. 1961. FLIGHTDECK SAFETY AND SECURITY.** The Administrator of the TSA, in consultation with the FAA Administrator, shall, within 90 days, complete a detailed threat assessment to identify any safety or security risks associated with unauthorized access to the flight decks of commercial aircraft and the measures that should be taken based on the risks identified. Status Update: The Hill was briefed on this section on September 17, 2019.

### Subcommittee Updates

The following subcommittees provided updates on calendar year (CY) 2019 activities, key issues, and areas of focus for CY 2020:

- Air Cargo Subcommittee  
Liz Merritt, Industry Co-chair and Tom Friedman, TSA Co-chair

Ms. Liz Merritt provided the following comments:



Before launching into the Air Cargo Subcommittee report, I want to thank TSA for two big and relatively recent developments that haven't been a focus of the subcommittee's work.

- First is the successful implementation and continuing rapid growth of the 3rd party canine cargo screening program. Although dogs are of course not a silver bullet, this program is a big step forward in allowing cargo to take full advantage of all of the tools available to safeguard aviation.
- Second is the re-establishment of the Air Cargo Division. I think I can safely speak on behalf of all stakeholders in praising this development, and in expressing our desire to work closely with the air cargo division and its capable leader John Beckius to move forward a number of initiatives of great interest to industry.

Three of those initiatives are priority items for the Air Cargo Subcommittee and have comprised the bulk of our 2019 work.

First, in accordance with a mandate under Section 1942 of the 2018 FAA Reauthorization Act, we have been tasked by the Administrator with

- Conducting a comprehensive review and security assessment of the Known Shipper Program
- Reporting our findings, and delivering recommendations regarding whether the Known Shipper Program should be modified or eliminated.

We are taking this work very seriously, and are nearing completion of our review. We divided the work into three phases, with the first and second dedicated to thoroughly reviewing and analyzing everything necessary to properly fulfill the Congressional mandate, including the program's history and intent, the ways in which the supply chain has changed in the approximately 25 years since the known shipper program was first established, and the considerable security enhancements that been implemented, both domestically and internationally, over that same time period. We are about to embark on phase three of the work, which consists of the final analysis, the elaboration of findings, and the drafting of a comprehensive report. We are on track to deliver substantive Known Shipper Program recommendations at the next ASAC meeting in February.

Second, we are always focused on continuous quality improvement in cargo screening. In February 2018, we delivered to TSA a set of draft recommendations on this topic, particularly focused on screener training and testing. We have had the opportunity to productively work through these draft recommendations with TSA, and we will be ready to, also, deliver them to ASAC in finalized form in February.

Finally, in the sphere of cargo screening technology development and certification, we were very pleased to participate in a cargo-focused capability gap analysis this year, under the aegis of the ASAC Security Technology Subcommittee. We hope that this will continue to be



an annual event. I will leave the more detailed reporting on cargo screening technology work to my colleague TJ Schultz.

Again, a big thank you to TSA for the cooperative work we've undertaken in 2019 and to my subcommittee co-chair Tom Friedman, who does yeoman's work, and we look forward to another productive year in 2020.

Here is a summary of my report tomorrow for the Security Technology Subcommittee:

- We have no recommendations to bring forward to the ASAC.
- The subcommittee had a productive year in 2019:
  - Monitored Implementation of Technology Provisions in H.R. 304
  - Developed recommendations to TSA on establishing a viable third party testing program for security equipment, per Sec. 1911 (e)(2);
  - Held briefings and meetings with TSA on other provisions in H.R. 304 relating to real-time communication of wait times, biometrics, Pre Check and Flexx funding requirements for equipment;
  - Worked with the Administrator to establish the Security Technology Subcommittee as members of the Innovation Task Force under Sec. 1916 (c)(1), which will meet periodically to provide industry input into the TSA's ITF activities.
  - Partnered with the Air Cargo Subcommittee, through the joint Air Cargo Security Technology Working Group, to bring industry stakeholders into the TSA's annual process of updating the capability gaps in air cargo screening technology.
  - Collected feedback and discussed the TSA's Capability Acceptance Process (CAP) which governs the TSA's policy on the gifting of security equipment.
- Plans for 2020 include:
  - Continue monitoring the implementation of the 35 recommendations included in ASAC's Improving Checkpoints at U.S. Airports report.
  - Continue monitoring the implementation of technology provisions in H.R. 304.
  - Continue discussions on the TSA's CAP and implementation at airports.
- Airlines Subcommittee  
Craig Lowe, Industry Co-chair and Karin Glasgow, TSA Co-chair

After the first of the year, the committee is scheduled to have a kick off meeting. Interested parties should contact Ms. Elhilali or Mr. Lowe.



- Airport Subcommittee

Cedric Johnson, Industry Co-chair and Alan Paterno, TSA Co-chair

The committee is scheduled to have a briefing in January. Additionally, the committee has been developing tactical response plans. As a result, there has been an increased level of discussion regarding plans for the future. Lastly, invitations will be sent out before Christmas for the state of affairs co-ops meeting.

- General Aviation (GA) Subcommittee

Jens Hennig, Industry Co-chair and Mike Rucinski, TSA Co-chair

Mr. Hennig provided the following comments:

- The GA Subcommittee last met on December 12, 2018.
- During 2019, the members of the GA Subcommittee have been supporting several activities that were a result of the December 2018 meeting. through ad hoc work activities and in support of the implementation of the recommendations submitted by the ASAC – through work by the Subcommittee – in 2015 (DCA), 2016 (AFSP), and 2017 (TFSSP/PCSSP) as well as the TSA Modernization Act (Sec. 1952).
- The GA Subcommittee membership includes participants from AAAE, ACI-NA, AOPA, NATA, NBAA, NJASAP, and VPAF103. We also bring in subject matter experts on specific tasks from training providers and manufacturers.

Mr. Rucinski provided the following comments:

- The next meeting of the GA Subcommittee is planned for Q1/2020. A notice will be sent to the Subcommittee members by Jens before the holiday break.

- Insider Threat Subcommittee

Michele Freadman, Industry Co-chair and Serge Potapov, TSA Co-chair

Throughout 2019, the committee has provided recommendations in response to the administrator's intent letter. There has been implementation of the 21 recommendations that were submitted. A final report was delivered to the administrator early this past summer. The subcommittee was actively engaged throughout the summer to review the recommendations. The subcommittee is now using previous used templates and has staffed out portions of the work to various divisions to draft implementation plans for the 21 recommendations. The goal of the committee is to ultimately take the recommendations and uplift them into the Administrator's Intent 2.0.

Subcommittee leadership provided the following comments:

*2019 – Looking Back*



- In response to the ADM tasking letter, the ITAG developed 21 holistic recommendations. Additionally, we have 25 ideas in the Idea Log awaiting adjudication.
- Utility of 6 Focus Areas is evident as these categories also form the basis/construct of the Insider Threat Program Framework (Focus Area 6 Rec):
  - Threat Detection, Assessment, Response
  - AW Vetting and Evaluation
  - AW Screening and Access Control
  - Training and Engagement
  - Info Sharing
  - Governance and Internal Controls
- Appreciation for the tremendous amount of work, analysis of recommendations, vulnerabilities, countermeasures, and raw data which was synthesized to create effective Insider Threat mitigation measures.
- Collaboration and exchange of perspectives was critical in creating enduring recommendations which were foundational in developing final ITAG report.
- Illustration of strong government and industry partnership.

#### *2020 - Looking Forward*

- Implementation of 21 Recs, industry ready to work hand in hand with our TSA partners.
- Piloting of applicable recommendations in the field.
- Future Opportunities:
  - Mental Health Awareness and Insider Threat Training
  - Use of AI to work smarter, learn most effective techniques to design and implement robust staffing and screening models, and also to understand the mindset and psychology necessary to create the expectation of being screened (for Aviation Workers).
  - Security Culture
- Continue to refine our Idea Log – the repository which is the collection of ideas which did not make it into the final report as recommendations. Some were not mature enough; some need more research and discussion.
  - Idea Log – define





- Continuous improvement – Kaizen
- Good ideas and mitigation practices

Thanks were given for Mr. Dan McCann, Designated Federal Official, Mr. Potapov, TSA CO-Chair of Insider Threat Subcommittee, Ms. Newhouse, and Mr. Chris Baum, NATA. Additional thanks were given to members of the Insider Threat Subcommittee.

- International Subcommittee

Matt Vaughn, Industry Co-chair and Pete Hearing, TSA Co-chair

ICAO Aviation Security – Global Risk Context Statement (second edition) released in September 2019. Of note, PBIED remains number one and threats from chemicals were elevated to MEDIUM among other vectors.

40<sup>th</sup> General Assembly held in September 2019. There was a specific focus on aviation security, cyber, and facilitation. A key outcome of the General Assembly was the Assembly's confirmation that no reduction to the global baseline on passenger screening is to be expected; emphasising the need for new technologies, a risk/data-driven approach, and the right kind of oversight to be maintained.

Four main General Assembly resolutions were endorsed inclusive of cyber, aviation and FAL - [https://www.icao.int/Meetings/a40/Documents/Resolutions/a40\\_res\\_prov\\_en.pdf](https://www.icao.int/Meetings/a40/Documents/Resolutions/a40_res_prov_en.pdf) - consistent with the diplomacy opportunities the ICAO GASP and UN Security Council Resolution 2309 (September 2016) represent between States.

Amendment 17 to Annex 17 of the Chicago Convention was endorsed by the new ICAO Council in November 2019. The applicable date is July 2020, but up to June 2020 for States to file an A17 difference.

There have been six Amendments since 2011, when compared to the previous 20 years between 1986 to 2006 to produce the same frequency. Undoubtedly, this requires the clear buy-in of National State regulators to politically lead, fund and resource an evolving baseline.

Includes a number of proposals that aim to incrementally adjust the global baseline and address the issue of “insider threat” more specifically. Additionally, Annex 9 has completed its task force on PNR, and outcomes to be discussed at the FAL Panel in 2020.

The proposals for Amendment 18 are now in motion, but with an implementation window of 2022.

*Bilaterals:*



- In August 2019, DHS issued a notice of committee establishment known as the Transatlantic Aviation Industry Roundtable (TAIR).
- The 29<sup>th</sup> EU-US Transportation Security Cooperation Group took place in November. Common topics on aviation cyber, drones, and information sharing.

*International Perspectives:*

- A number of LPDs continue to rollout CT for cabin baggage. Results are varied and implementation challenges remain. Australia has a regulator mandate in place. MEL and PER have started trials. AMS, SIN, JNB, New Zealand.
- For 2020 the International Sub-committee will work on a proposal with the TSA to look at a controlled section review (work plan) effort in terms of the MSP and EA/s. High level aspirations are to enable a truly outcomes focused approach in parts of the world where measures and implementation thereof are comparable with US standards and expectations. 17 series of EA/SSD/s - now 2.5 years down the track, provide a useful impetus to start small, meaningful and develop coordinated, and largely alternative measures approach based on risk.
- Security Technology Subcommittee  
TJ Schulz, Industry Co-chair and Mara Winn, TSA Co-chair

The subcommittee has been working on transforming new technologies into demonstration programs. Ms. Jenna Hayfield has been designated federal officer and she tracks the activities that they have underway. The committee has no pending recommendations.

The subcommittee is working on developing a guide which explains how to setup a viable third party testing program. The subcommittee provided a framework for what would be a viable testing program. The subcommittee is looking forward to receiving TSA feedback.

The subcommittee also stood up an Innovation Taskforce (ITF).

TSA has been tasked to stand-up real-time communication wait times between airports.

Provisions on Precheck and FLEx program.

A small taskforce on biometrics has been established. They have been collaborating with CBP. This is essential in evaluating biometrics.

A number of airports are interested in a capability acceptance program. In this program, an airport or airline can purchase equipment and gift it back to TSA. This can assist TSA in seizing opportunities on emerging technologies.

The committee continues to provision the ASAC checkpoint report.



Funding is a limitation of the TSA Modernization Act. The subcommittee continues to look at funding as they look at the next generation of equipment. The equipment that is out in the field is outdated.



### **Additional Comments**

Chairman Alterman proposed if ASAC helps to convey to Congress what the agency needs. The committee has never taken this on as a project. Additionally:

- The Checkpoint report was sent to Congress. The report speaks on transparency. There is a 5- year future spending level report that includes the intentions on the TSA budget and purchases. Multi-year funding is needed for the checkpoint program.
- Security Passenger Fee: it was on the table to increase the passenger fee to reduce the deficit
- There has been an increase in reports from a number of airports on missed flights due to checking baggage. An evaluation on the bag screening process is needed to establish how to make the process more efficient.
- There have been 12 tasks given to TSA to complete by Congress. There is cost associated with completing these tasks. If TSA does not have the budget to address these tasks, Congress should provide the necessary funding so that those task may be completed.

### **Public Comments**

- Passengers are stakeholders. Those who pay the passenger fee should have a say in how the money is spent and how the technology is used. The cost of a metal detector is \$5000. The cost of a body scanner is \$150,000. Is a body scanner better than a metal detector or can the job be accomplished with cheaper equipment? There is no shame in going to Congress to tell them that they need funds to complete the job.
- What is the best source of feedback to improve TSA operations – passengers. TSA do not be afraid of public criticism.



### **Administrative Discussion**

The 2020 ASAC meeting dates are as follows:

- Thursday, February 20, 2020 (Closed Meeting)
- Tuesday, May 19, 2020 (Closed Meeting)
- Wednesday, September 9, 2020 (Closed Meeting)
- Tuesday, December 8, 2020 (Public Meeting)

### **Summary of Action Items:**

- ASAC input into Administrator's Intent 2.0.

### **Closing Comments and Adjournment**

Adjourned at 11:05 A.M. ASAC will reconvene at 1:00 P.M. with the Insider Threat Subcommittee meeting.

### **Certification of Detailed Minutes**

*I hereby certify that this is an accurate record of the activities of the Aviation Security Advisory Committee on December 10, 2019.*

A handwritten signature in black ink that reads "Stephen A. Alterman". The signature is written in a cursive style with a horizontal line underneath it.

Stephen A. Alterman  
Chairman



## Attachment A: Meeting Agenda

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- Opening Statements
  - Meeting Called to Order & Advisory Committee Statement
  - TSA Administrator's Remarks
  - TSA Executive Sponsor's Remarks
  - Chairman's Remarks
  - Vice Chairman's Remarks
- Legislative Update
- Subcommittee briefings on calendar year (CY) 2019 activities, key issues, and areas of focus for CY 2020:
  - Air Cargo
  - Airports
  - General Aviation
  - Insider Threat
  - International Aviation
  - Security Technology
- Membership Terms and Appointment Process
- Public Comments
- Discussion of the CY 2019 Committee Agenda and Meeting Dates
- Administrative Discussion
- Closing Comments and Adjournment