Surface Transportation Security Advisory Committee (STSAC)

Meeting Minutes
February 17, 2022

Meeting Summary

The eleventh meeting of the Surface Transportation Security Advisory Committee (STSAC) was held virtually via an operator-assisted teleconference call due to the coronavirus (COVID-19) pandemic. The meeting was closed to the public.

The TSA Administrator David Pekoske; the Senior Official Performing Duties (SOPD) of the Deputy Administrator Stacey Fitzmaurice; Acting Deputy Executive Assistant Administrator for Operations Support (OS) Austin Gould; Interim STSAC Executive Sponsor and Policy, Plans, and Engagement (PPE) Assistant Administrator (AA) Eddie Mayenschein; Security Operations (SO) Surface Operations (SO) Assistant Administrator (AA) Sonya Proctor; PPE Surface Division Executive Director Scott Gorton; and the STSAC Chair Thomas Farmer and Vice Chair Polly Hanson addressed the Committee.

Call to Order

Before the formal start of the meeting, STSAC Designated Federal Officer (DFO) Judith Harroun-Lord provided a brief explanation of the teleconference rules of engagement. She acknowledged the Aviation Security Advisory Committee (ASAC) Chair and Vice Chair were attending the meeting and thanked the ASAC for their continued support of the STSAC. She called the meeting to order at 1:05 p.m. EST, proceeded with a roll call of the Committee members, and announced a quorum of members present. Additional participants were asked to email their names to STSAC@tsa.dhs.gov for an accurate record of attendance.

Interim STSAC Executive Sponsor Introductory Remarks

Interim STSAC Executive Sponsor Eddie Mayenschein (PPE Assistant Administrator) provided introductory remarks.

Mr. Mayenschein felt honored to address the Committee and thanked all the participants for joining – given their full schedules and the dynamic global landscape. He respectfully acknowledged that everyone volunteered many hours of their time, intellect, and expertise to improve transportation security. He also recognized the commitment of his fellow government employees on the non-voting side and his TSA colleagues.

Mr. Mayenschein acknowledged the presence of the ASAC Chair and Vice Chair, noting the STSAC and ASAC Chairs and Vice Chairs mutually attend each other's meetings. Their dedication embodied Jimmy Doolittle's famous quote, "There's nothing stronger than the heart of a volunteer."

Mr. Mayenschein described a significant change in STSAC leadership that occurred in the last few weeks. Ms. Victoria Newhouse, former STSAC Executive Sponsor, had recently retired after many years in the federal government to start a new job with the private sector. They worked together for nine years. He assured everyone that PPE would continue to provide the same level of service and that he would act as the Executive Sponsor until he could fill Ms. Newhouse's position. Part of Ms. Newhouse's legacy existed in how she carried out the Administrator's priorities and championed the STSAC recommendations, both of which strengthened transportation security without question. Mr. Mayenschein listed some of the Committee's accomplishments: submission of their first annual report, progress continuing despite many challenges due to COVID-19, and the unique commitment to protecting transportation systems that grew between government and industry. He concluded his remarks by introducing Ms. Fitzmaurice.

TSA SOPD Deputy Administrator Opening Remarks

TSA SOPD Deputy Administrator Stacey Fitzmaurice, provided opening remarks.

Ms. Fitzmaurice expressed her thanks to Mr. Mayenschein and colleagues for attending the February 17 meeting. She echoed Mr. Mayenschein's expression of gratitude for the commitment and time everyone has dedicated to being a vital member of the STSAC. She voiced her appreciation for the subcommittees' diligent work over the past year. She recognized, and commended, the great strides the subcommittees have taken collectively to advance the nation's security mission.

Ms. Fitzmaurice expressed her sincere appreciation for Ms. Newhouse and thanks for her vital work, leadership, and dedication to the STSAC since inception. She stated Ms. Newhouse's knowledge and expertise will be missed throughout TSA and by the agency's transportation security partners. Ms. Fitzmaurice recognized and thanked Mr. Eddie Mayenschein for stepping in as Interim Executive Sponsor. She assured everyone that they are in good hands with Mr. Mayenschein, Mrs. Judith Harroun-Lord, and the TSA team.

Ms. Fitzmaurice reported that industry and government partners continue to make good progress implementing the recommendations submitted last year and are close to completion of some, a notable achievement. She looks forward to continued progress and the possibility of introducing new voting members.

Further, she looked forward to learning more about the COVID-19 workshop with the transportation surface owners and operators that is scheduled for March 2022.

Deputy Administrator Fitzmaurice acknowledged the interest to understand TSA's posture on COVID-19-related items, which include the vaccine and mask mandates. Following a court order, the vaccine mandate for federal employees has been put on hold pending further direction from OMB and DHS. She was pleased to report that many employees are vaccinated. Regarding the transportation sector, the mask mandate remains in place through March 18. She noted TSA is working closely with the Centers for Disease Control and Prevention (CDC) to determine whether or not the March 18 expiration date will be extended.

She noted TSA continues to monitor and address emerging issues of the pandemic as well as the escalating threat of cybersecurity attacks. Ms. Fitzmaurice is confident TSA Administrator David Pekoske will address some of TSA's efforts on cybersecurity and the current geopolitical situation.

Ms. Fitzmaurice noted TSA continues to advance other requirements of the *Implementing Recommendations of the 9/11 Commission Act of 2007* (9/11 Act). A notice of proposed rulemaking (NPRM) is projected for publication in the summer of 2022 security vetting of surface transportation employees, which TSA believes is an important piece to addressing insider threat. TSA continues work on a proposed rulemaking on Surface Vulnerability Assessments and Security Plans in conjunction with the publication of the Surface Transportation Security Training Rule that went into effect in 2020 – for which staff is now concentrated on implementation. She recognized the support of surface transportation partners and expressed gratitude for everyone's support of those efforts.

She participated in the ASAC meeting earlier in the week and was very appreciative that the STSAC Chairman Tom Farmer and STSAC Vice Chairman Polly Hanson and the ASAC Chairman Steve Alterman and ASAC Vice Chair Chris Bidwell mutually attend their respective committee meetings. She concluded by stating TSA and industry stakeholders are very interconnected, facing many common challenges, and underscoring continued and vital collaboration.

STSAC Chair and Vice Chair Welcome and Introduction of the Subcommittees' Updates on Implementation of Approved Recommendations

Chair Farmer thanked Mr. Eddie Mayenschein and Ms. Stacey Fitzmaurice for their excellent remarks in welcoming everyone to this meeting and recognizing the high caliber volunteers and their consistent devotion. Chair Farmer expressed appreciation for Ms. Victoria Newhouse and her work for the Committee.

Chair Farmer described an incident that happened early that morning, where his car had been broken into, highlighting the timeline—a neighbor noticed someone suspicious lurking around a car and called the police, who responded because of a trend of car break-ins in the area. He noted two key things of importance— (1) informed vigilance and (2) the value of reporting. He urged everyone to think about the context and how we can put those key points to use in what each of the subcommittees will brief on today. Each of the subcommittees is focused on ensuring they are using information to their best effort, to enhance security, create opportunities for detecting prevention, and to augment response capabilities.

Chair Farmer paused to recognize two departing STSAC members—Ms. Rebecca Gagliostro, who recently announced her resignation, and the pending resignation of Colonel (Retired) Mike Licata, a strong advocate for the Insider Threat Subcommittee—offering his deep appreciation for their exceptional work done during an unprecedented time of disruptions. He concluded by introducing Vice Chair Hanson.

Vice Chair Hanson thanked ASAC Chairman, Steve Alterman and ASAC Vice-Chairman, Chris Bidwell for taking the time to attend today's meeting. She recognized February as Black History Month and notes this month is designed to recognize the experiences and accomplishments of the

African American community. In honor of Black History Month, she recognized Dr. Samuel DuBois Cook. He was the first African America faculty member at Duke University as well as the President at Dillard University, a professor, an author, a civil rights activist, and a civil servant. Vice Chair Hanson recited one of Dr. Cook's famous quotes, "Have a vision of excellence, dream of success, and work like hell."

She looked forward to hearing the progress and challenges from all the Committee members. She encouraged everyone to participate and speak during the open discussion and assured them there is always time to join one of the subcommittees.

Ms. Hanson thanked Mr. John Beattie, the TSA Government Co-Chair of Security Risk and Intelligence (SR&I) Subcommittee, who had to step away from the STSAC. In his stead, Mr. John Patch has joined the Security Risk and Intelligence Subcommittee. She expressed her appreciation to Mr. Patch, acknowledging his expertise in the intelligence field.

Cybersecurity Information Sharing Subcommittee

Mr. Tim Weston introduced the Cybersecurity Information Sharing (CIS) Subcommittee's main areas of focus as assuring timely and broad sharing of intelligence and security information cybersecurity incidents and concerns, developing analytical products based on this reporting, and leveraging proven means of industry initiatives already in place as a network.

Recapping the subcommittee's efforts, four recommendations were submitted, reviewed, and approved by the full Committee and the TSA Administrator. Mr. Weston highlighted key components to include:

- Establishing a surface transportation cyber information sharing network by having the Surface Information Sharing Cell (SISC) serve as the hub, with spokes assuring engagement with organizations in each surface transportation mode with necessary analytical support.
- Information sharing network, to be managed under authorization provided by the Cybersecurity Information Sharing Act of 2015
- Ensuring the SISC continually serves the needs of its user community.

The subcommittee suggested an annual review be conducted to assess its performance and impact.

The subcommittee report addressed several key questions and acknowledged excellent progress working with the SISC for successful, coordinated information sharing.

- *How are the reports on cybersecurity incidents made to the Cybersecurity and Infrastructure Security Agency (CISA), in compliance with Security Directives (SDs), provided to TSA for review and analysis?* Currently, reports flow from CISA to TSA. Staff from both agencies continue to look at the process, refining reporting requirements to share analytical products back out to stakeholders. They also discussed analysis and anonymization.
- *How are these reports, as well as those received by TSA through non-compulsory reporting by transportation organizations or their industry information sharing forums,*

being made available to the SISC for broader dissemination to surface transportation organizations to inform vigilance and protective actions and to mitigate cyber risk? TSA offices worked in collaboration for a flow of reports from CISA, to TSA, and back out to industry. The SISC, when fully functional, would primarily share threat indicators, such as notifying everyone when a surface transportation cybersecurity incident occurred with a need for further analysis or an alert about a potentially spreading cyber-infection. TSA Intelligence and Analysis (I&A) Threat Analysis (TAD) staff would search for threats and then push information back out to the community through the SISC. The SISC still needed a finalized charter. All STSAC members signing their Non-Disclosure Agreements (NDAs) and gaining access to the Homeland Security Information Network (HSIN) would be privy to the sharing of this information.

- *How does the Cybersecurity Information Sharing Act of 2015 now apply—given that the SISC remains a cooperative initiative between government and industry, regardless of whether the information it receives results from voluntary sharing or requirements in Security Directives?* Analysis still needs to occur on the Cybersecurity Information Sharing Act of 2015 in terms of the current reporting requisites. The Security Directive requirements and Information Circular (ICs) recommendations for sharing incident details will further advise the subcommittee and the broader STSAC of any necessary changes.

The subcommittee has encountered some impediments/challenges, including making the SISC fully operational with an approved charter, staff, and budget necessary to carry out its mission. Competing cyber information sharing priorities had surfaced, driven by the Security Directives (SDs), pending legislation, and a new CISA Cybersecurity Advisory Committee that the FY21 National Defense Authorization Act required. Making sure CISA shared everything back with TSA as appropriate would present an ongoing task, as would securing analytical support to review reports and share them as necessary. Industry still needed to appoint a co-chair for the group. Many months had passed since Ms. Denbow departed, but movement has started on her replacement and everyone looks forward to having one soon.

Mr. Weston expected the subcommittee to complete its requirements by August 2022 with the caveat that meeting this timeline largely depended on a fully operational SISC. Discussion and coordination with SISC leadership has continued in the meantime – moving forward, as practicable, while waiting for the charter's approval by engaging with identified federal partners to ensure compliance with SDs, regular information sharing, and monitoring Congressional activity on pending legislation.

Chair Farmer opened the floor for comments. Hearing none, Mr. Farmer announced that the appointment of the new industry co-chair for the Cybersecurity Information Sharing Subcommittee – Ms. Norma Krayem. Norma brings a wealth of expertise and contacts in both industry and government. Mr. Farmer assured the Committee that attention and support will be afforded to Ms. Krayem as she takes on leadership responsibilities in the subcommittee.

As for the CISA Cybersecurity Advisory Committee, the leading members of the Transportation Sector Coordinating Council (SCC) recently held a meeting with the CISA Director to talk about transportation sector representation and learned that to expand membership will occur later this year. The CISA Director has asked the Transportation Sector to provide five nominees with the expertise and experience to serve on this committee. Additionally, the Director encouraged the

Transportation SCC to nominate participants in the near term for immediate participation with a Cybersecurity Advisory Committee subcommittee on operational resiliency. These opportunities are the direct result of the initiative taken, and unified position maintained, by the modal leads in the Transportation SCC. The work of the CISA Cybersecurity Advisory Committee and its operational resiliency subcommittee, with Transportation Sector involvement, will support implementation of recommendations and priorities defined by the STSAC on cybersecurity information sharing.

With regard to the Cybersecurity Information Sharing Act of 2015, Mr. Farmer emphasized the principal is not how government obtains information on cyber threats, incidents, and security concern, but rather what happens to this information when it reaches government – particularly with respect to analysis, protection, and other noncompulsory activity. He concluded by inviting Ms. Hanson to make her comments.

Chair Hanson appreciated the context provided on the efforts to ensure representation of the transportation modes in the CISA Cybersecurity Advisory Committee – especially since the Transportation Sector is the only one subject to exercise of emergency authority in issuance of Security Directives mandating cybersecurity actions and measures. She also passed along her thanks to Ms. Krayem for stepping up into the Cybersecurity Information Sharing Subcommittee Industry Co-Chair role as a new member. Chair Farmer then turned the proceedings to back to DFO Harroun-Lord.

Security Risk and Intelligence Subcommittee

Mr. James Cook, the Security Risk and Intelligence (SR&I) Subcommittee Industry Co-Chair, introduced himself. He highlighted his subcommittee's purpose, "Collaborate and work in concert with counterparts in industry and government to: promote a more effective organizational structure for intelligence support via options for a National Intelligence Manager (NIM); expand the scope and quality of intelligence-information sharing and industry intelligence requirements; expand the role of the Surface Information Sharing Cell (SISC); and complete the Security Risk Methodology Matrix as a resource to support efforts to drive down risk." He then introduced Mr. Patch of TSA, who spoke next.

Mr. Patch expressed his pleasure about giving an update and looked forward to continued collaboration throughout the year. The subcommittee planned three focal efforts and has made progress on implementing all of them. While collaboration conducted mostly virtually, he expected that regularly meeting in person would enable them to accomplish even more.

Outreach continued to DHS Intelligence and Analysis (I&A) to document the strong rationale for appointment of a surface transportation National Intelligence Manager (NIM) in the Office of the Director of National Intelligence (ODNI). Like the ADIAC Charter effort in 2016, the SISC charter is the first step needed as governance to make any request to ODNI to consider championing surface critical infrastructure industry needs. Mr. Patch explained the plan of action is to move down the same path from governance to full operational capability with support from ODNI, as that agency is the statutory government lead for intelligence integration and sharing and carries the weight to influence support from agencies in the Intelligence Community support.

Surface Transportation Security Advisory Committee (STSAC)

The draft SISC charter is near final, but requires signatures from the industry and government sector leaders associated with the coordinating councils under the DHS National Infrastructure Protection Plan (NIPP). TSA, with PPE as the lead office, would engage the Government and Sector Coordinating Councils (GCC/SCC) for final charter signatures once TSA's Chief Counsel's office ensured that the text met legal, regulatory, and statutory requirements and policies. In the end, the SISC needed to comprise more than STSAC input, so the subcommittee continued to establish a very clear list of potential members, who the NIPP and SCCs/GCCs would then vet. After finalizing the charter, SISC would have a clear goal to move forward establishing a formal membership base. TSA Surface PPE leads coordination at the GCC and SISC staff levels – within TSA and with interagency partners and is supporting coordination to attain signatories. Any ODNI influence to attain IC agency support is founded first on the SISC governance, so the two efforts are interdependent and iterative; agencies need to see value before committing resources. The DHS NIPP and PPD 21 set the framework for intelligence sharing efforts under the critical infrastructure protection rubric – with the aim of setting structures and procedures acceptable to the interested federal agencies and industry stakeholders. The TSA Administrator supports the SISC fully. Mr. Patch predicted that they could move forward rapidly after finishing the signing process.

The subcommittee continued working with TSA cybersecurity leaders to frame a relationship with CISA to find repeatable TSA-CISA processes for cyber vulnerability and threat alerts and assessments, which would then be shared with all relevant industry partners. Mr. Patch explained that the routing chain to make everything approvable and releasable for sharing is complex and requires considerations of civil liberties protections and proprietary information anonymization to share widely. While the SISC would not have a role in conducting cyber threat analysis, it could be an important cell for wider sharing of releasable cyber intelligence. The Threat Intelligence Sharing Branch (TISB), created in November 2021, has increased its resources via detailees and contractors to add depth to its institutional efforts over ADIAC and SISC. While formal requests to DHS to gain additional permanent staff are ongoing, the detailees and contractors are on task. As of late 2021, SISC consisted of one permanent Intelligence and Analysis (I&A) senior staffer, with one contractor and one detailed Field Intelligence Officer added by February 2022.

A new FY2022 initiative is the weekly UNCLASSIFIED//SSI level surface threat intelligence brief via WEBEX every Thursday. Recently published surface intelligence products are emphasized and coordination occurs on any near-term classified threat briefings. This initiative creates a recurring stakeholder touchpoint to allow analysts from other agencies to contribute perspectives and brief out their finished intelligence products. Mr. Patch expressed his excitement about the weekly SISC Brief making it a sustained, meaningful institution.

Regarding the risk methodology catalog, the subcommittee had created the first draft. Next they would expand the catalog and consolidate product descriptions to more accurately measure risk. They finalized a model with common risk methodologies and effective security solutions. Mr. Patch then opened the floor for questions.

Mr. Harrell asked when the SISC Brief would begin. Mr. Patch confirmed the target as roughly mid-March. First, they needed to build a process and agenda, identifying what they wanted from stakeholders, with invitations going out the first week of March.

Chair Farmer noted they had fallen behind the scheduled agenda for the day, but still had questions. The SISC initiative linked to the Cybersecurity Information Sharing Subcommittee was completing the work vital to both subcommittees. The last joint meeting on the charter attracted broad staff participation, including the Office of Chief Counsel. No concerns – either with substantive content or formatting – have been raised since that consultation, which had occurred several months ago. So, he questioned what has held up finalizing the charter.

Mr. Farmer explained the role of the SISC as providing an opportunity for organizations to push out threats, incidents, and indicators of concern to allow broader sharing. He noted that the source of reporting – regulatory versus non-regulatory – should not appreciably affect how information is shared because the modal Information Sharing Analysis Centers (ISACs) and similar forums, structures long in place, develop products whatever source received. He requested more detail on this point and why it would hold up the finalization, approval, and signing of the charter. Chair Farmer understood the question about staffing and concerns there and wanted to know if industry could help in any way.

Mr. Patch recalled how the Aviation Domain Intelligence Integration and Analysis Cell (ADIAC) followed a similar course at first. Aviation Information Sharing and Analysis Centers (ISACs) sat with the ADIAC for several years and helped greatly to move things forward. He thought starting with a weekly SISC Brief would address industry and government needs. Mr. Patch stressed that actions to institutionalize SISC as a sharing forum would continue as the charter coordination and a membership base was created.

Chair Farmer thanked him for the excellent context. He envisioned a rotation to minimize the burden on any one ISAC, limiting the commitment to one analyst on a weekly or bi-weekly basis. Mr. Farmer emphasized that requesting that the Director of National Intelligence establish a NIM for surface entails a change in government structure at that agency. At the same time, unique justifications for appointing a NIM for surface transportation pertain – notably, the repeated references to surface transportation as a target in propaganda and calls for attacks by foreign terrorist organizations and domestic violent extremist groups and the exercise of emergency authority in issuing Security Directives that mandate cybersecurity actions and measures by multiple transportation modes – an action justified by reference to prevailing threat conditions. Given this context, Chair Farmer asked why a written request to the DNI for the appointment has not yet been prepared.

The charter would give them governance and clout, according to Mr. Patch, and then they could invoke bigger/multiple agencies, as opposed to just TSA asking. A charter with signatures would get them in the door and taken seriously. TSA had taken a position of leadership to create a NIM, which would give them momentum and fairly senior eyes remained on this. Mr. Farmer thanked him very much for this explanation. He anticipated more questions on this topic, as he found the issue highly significant.

With respect to information sharing authority, Chair Farmer inquired about sharing with Canadian transportation entities – to assure common security awareness on both sides of the international border. Could the SISC support entities based in Canada.

Mr. Patch confirmed that the SISC would have to remain U.S. only because the federal agencies will not join otherwise. All members required Secret level clearance with signed non-disclosure

agreements (NDAs). For example, the Federal Bureau of Investigation (FBI)—a critical player—will not participate with non-American citizens. TSA routinely shared intelligence with foreign partners, so that would continue but just outside the SISC structure. Mr. Patch cited this as "very doable" because it happened all the time.

Chair Farmer appreciated the context on the Canadian matter and how that affected the SISC. TSA had helped in pushing cleared information to Canadian railroads. He pointed to a track record of success there, so encouraged keeping an open mind on the subject. At the same time, he recognized the influence needed from some of the high level intelligence agencies. DFO Harroun-Lord closed out this subcommittee's presentation by thanking Chief Cook and Mr. Patch.

Insider Threat Subcommittee

Industry Co-Chair Deluca began the Insider Threat Subcommittee presentation by announcing Colonel (Retired) Mike Licata's pending resignation. The former Insider Threat Industry Subcommittee Co-Chair contributed significantly to the subcommittee's efforts. His career spanned forty years and encompassed law enforcement duties, a critical infrastructure program in New York, leading a multi-sector consortium, and devoted service as a field grade officer in the United States Air Force.

The Insider Threat Subcommittee had turned into something extremely diverse with regard to transportation modes, addressing a complex and broad set of assignments. Three working groups formed for awareness and education, information sharing, and workforce vetting. They looked at current and emerging threats and best practices for risk mitigation for each subject area. Categorization of surface transportation workforce populations took place based on their scope, level of access, and use of intellectual property.

Members have met more than 40 times and have also held offline conversations. They came up with eight recommendations and are grateful for their full acceptance. Now they have moved toward full implementation by working/collaborating with government counterparts to ensure they are applied in a timely manner. Mr. Deluca concluded by thanking all the subcommittee members for their diligence, patience, and contribution during challenging times.

Government Co-Chair Scott Carpender opened by thanking Mr. Deluca and Colonel Licata. He identified them as key to the group's continued forward progress. He planned to brief on three recommendations: the first, second, and fourth.

With regard to the first recommendation, *"Expand the Insider Risk Mitigation Hub (IRMH) by integrating surface transportation industry representatives and leveraging the combined expertise of public and private security,"* the subcommittee has made progress over the last few months based on three phases: staffing, opening, and development. They completed the first as they stood up a fully staffed and operational hub. They reached phase two, development of internal policies to run the hub. The third phase will involve use of the Case Optimization and Risk Evaluation (CORE) tool, such as case management. They have experienced some challenges with funding such that maturing of the hub will require more analysts with increased cost, but they continue to move forward to achieve their requirements.

The second recommendation calls for "*Develop a Case Optimization and Risk Evaluation (CORE) tool by applying analyses of, and lessons learned from, case studies of insider incidents that have affected transportation organizations*." They are currently developing an Insider Threat Case Management Risk System that will look at the entire TSA enterprise by making it part of the overall TSA enterprise risk system. They are working hand-in-hand with developers to achieve goals and have secured funding for development, but not for operations, enhancement, or maintenance. There is a separate entity who sits with them and provides analytics.

The fourth recommendation, "*Define parameters for assessing the level of potential insider threat risk posed to organizations in the surface transportation modes*," involves working with Requirements and Capabilities (RCA) staff to develop the tool. This effort will provide better analysis of data and trend analysis to help meet the fourth recommendation.

Mr. Dean Walter was introduced and briefed on recommendation three, "*Implement a nationwide online tip capability providing a timely and simple means to report suspicious activity and threats for surface transportation organizations lacking effective procedures for reporting significant security concerns*." TSA currently maintains a reporting hotline; it is just not widely known or used. The subcommittee just received completed surveys from the STSAC members regarding features they would like to see moving forward. The group is currently looking at the results and identifying areas to enhance capabilities. TSA.gov will offer another way for people to potentially submit insider-threat activity to TSA.

Regarding recommendation five, "*Produce and disseminate recommendations on effective practices for workforce vetting programs for surface transportation organizations tailored to the high, medium, and low risk categories*." The subcommittee is focused on determining what vetting practices are necessary, most effective, and work best throughout industry. The Secure Worker Access Consortium, the Real-Time Technology Group, and National Bus Express School Bus Transportation working groups remain very active. They continue to meet monthly, conducting more critical infrastructure research on vetting program types, information sharing concepts at work, and then sharing what best practices would be relevant to each group.

Regarding recommendation seven, "*Establish a consistent process to facilitate communication by federal agencies to transportation organizations of sensitive information on reports or allegations of terrorist or extremist ties, or suspected illicit insider activity, on workers,*" Mr. Walter noted similarities to a recommendation that was already implemented through the ASAC in 2019. Since it has already been implemented in another industry, the subcommittee is going to review any issues of concern and other practical challenges with the governance, the managing system, as well as training users on how to use the system. He noted the subcommittee will work together to generate ideas, follow through, and come up with a solution that would rely on the Homeland Security Information Network (HSIN).

Ms. Harroun-Lord opened the floor for questions. Chair Farmer thanked the team for their thorough efforts managing and integrating surface transportation is extremely complex.

Emergency Management and Resiliency Subcommittee

Mr. Chris McKay, the Emergency Management and Resiliency Subcommittee (EM&R) TSA Government Co-Chair, introduced himself, appreciating the opportunity to brief out the group's progress. The purpose of the EM&R Subcommittee is to conduct research and to develop innovative proposals that further enhance emergency management and resiliency efforts undertaken by the surface transportation industry. The primary work of this subcommittee has been to collaboratively design and execute COVID-specific workshops, develop After-Action Reports, and disseminate them to as wide an audience as is possible.

Regarding the first recommendation, "*Enhance pandemic preparedness by sharing lessons learned on response to COVID-19 across modes,*" by working with government and industry partners to disseminate the *COVID-19 Best Practices and Lessons Learned Workshop After-Action Report* on pandemic response in surface transportation, Mr. McKay was pleased to report that Recommendation #1 is now complete. He noted the team was able to widely share the results of the 2020 COVID-19 workshop across the surface transportation and academic community. The team was able to post their work on multiple websites to spread best practices to agencies. He stated they will continue to promote their work through different avenues such as conferences, webinars, and meetings.

Mr. McKay concluded his presentation and introduced the EM&R Industry Co-Chair Ms. Jennifer Gibson to speak about the second recommendation.

Regarding the second recommendation, "*Support COVID continuing education to enhance response capabilities and resiliency through recurring review and update of the report on effective practices and lessons learned and supporting information,*" Ms. Gibson was pleased to report that the subcommittee would host a follow-up COVID-19 workshop on March 2, 2022. The final planning meeting for the workshop was conducted earlier this week (the week of February 14, 2022).

Ms. Gibson noted that significant developments had occurred since the last workshop, including vaccine development and COVID case surges. Questions that transportation operators have raised include:

1. The availability of testing kits for transportation workers

2. Determining the most appropriate way forward

3. Development of recurrent/effective processes

Subsequently, this March workshop is very timely and covers three objectives:

1. Identification and discussion of challenges of reopening

2. Challenges and considerations for vaccinated/unvaccinated passengers

3. Evaluation of preparedness for the next pandemic and how to better prepare.

The March workshop will conclude with follow-up activities and an After-Action Report.

Vice Chair Hanson wanted to make sure everybody from the STSAC received an invitation to attend the March workshop. She also wanted to highlight that this was a subcommittee that

came out of the STSAC with the desire to look at these issues prior to the pandemic. She noted how beneficial it has been for them to have the ability to collect data and share their best practices.

Chair Farmer echoed Ms. Hanson's comments and shared his appreciation with the whole group for their initiative focusing developing both workshops for the pandemic. Now we will have a laboratory for enhancing preparations for similar pandemics if necessary.

Threat Briefing

Analysts with TSA's Intelligence and Analysis Office provided current threat briefings to the STSAC membership. The I&A analysts presented an overview of terrorist threats to the surface modes of transportation in the United States and then discussed current cyber activities, cyber actors' intent and capability to conduct attacks, and historic cyberattack trends that have affected U.S. transportation.

TSA PPE Surface Policy Division Update and TSA SO Surface Operations Update

Mr. Scott Gorton noted that, while alerts are shared on the HSIN website and other places, he will converse with TSA I&A to determine the best way to share the information with stakeholders. Stakeholders have also been provided summaries with links to reports. Chair Farmer stated he believed this will be an opportunity to demonstrate what the SISC has to offer.

Mr. Gorton proceeded with discussing the Security Training Rule, which requires certain operators to submit training programs for review, approval, and then implement the training for their security-sensitive employees. He was happy to report TSA has received training programs from 123 of those 128 owner/operators, with the remaining five in various stages of negotiation or revision. He anticipated completion of the review process by mid-March. The covered regulated parties have one year after their plan approval to get the identified security-sensitive employees trained under the programs. He expressed his gratitude to everyone in policy and compliance who helped with making this possible and successful.

The GAO audit on implementation of the security training rule was completed last month. There were some Committee members who were interviewed by GAO as part of their audit on our management of the security training. He anticipates the GAO report to be published towards the end of April and will notify everyone.

One of the provisions in the second Pipeline SD that was issued in July 2021 allowed operators to submit requests for alternative measures if they believed they had an alternative way to meet the requirement of SD. The alternative measures are reviewed by TSA and considered for either approval or denial. He stated that, to date 358 proposals for alternative measures have been submitted to TSA. There have been amendments made to SD2 that were issued in early December to accommodate a more realistic and operationally implementable approach.

Mr. Gorton stated the Administrator is in favor of reviewing the SD concerning how it was written. He has tasked the responsible TSA staffs to create a more performance-based focused approach for security requirements that allows the flexibility in implementation.

In regard to cybersecurity rulemaking, Mr. Gorton noted the first step has been to figure out how to organize requests for information (RFIs), seek input, and get answers from industry and other interested parties on the current landscape and environment of industry standards and cybersecurity maturity. This initiative will help guide the development of proposed rulemaking to start establishing cybersecurity regulations. Moving forward, TSA will be seeking the counsel of the Committee at the appropriate time.

In December, 2021, TSA issued an Information Circular (IC) for rail and public transportation systems as a companion to the SDs. In February, 2022, TSA issued an IC for over 2,000 pipeline companies not covered by the two SDs that were issued in May and July 2021, respectively. The ICs provide information those companies might need to enhance their cybersecurity. Although not required, Mr. Gorton encourages them to follow the information in the IC. Lastly, he reported that 149 individuals participated the Cybersecurity Tabletop Exercise held on February 24, 2022, with the pipeline, rail, and transit industries.

Ms. Proctor thanked Mr. Gorton and began by acknowledging the information in the threat briefing. Based on the reported information, she encouraged everyone to implement the recommendations found in the alerts and advisories to help block or mitigate any unauthorized access to critical systems.

She reported the Surface Operations cybersecurity branch is fully established and fully staffed with a supervisor and 10 professional cybersecurity experts who bring expert level technical skills and specialized cyber expertise to TSA from backgrounds such as CISA, Department of Defense, and Idaho National Labs, to name a few, to support surface transportation cross-modal cybersecurity efforts. Although we will have their support in-house at TSA, we will always remain in a relationship with CISA. This capacity will give us more flexibility to work directly with our surface transportation partners and provide cybersecurity support.

Ms. Proctor discussed the 5N5 workshops scheduled for this year. These events will take place in Columbus in March, New Orleans possibly in May, and Boston in June. The meaning behind 5N5 is "*five non-technical actions to consider in five days.*" It is specifically designed for transportation owners and operators to learn about Department of Homeland Security resources and programs available to them, as well as non-technical policy or procedural actions that can be implemented to enhance their organization's cybersecurity posture. The cyber 5N5 is primarily focused on cyber hygiene and the basic procedures that would protect any entity and make it more difficult for an intruder to have access to individual systems.

She echoed Mr. Gorton's comments about the Security Training Rule, stating regulated entities subject to the regulation will be notified when the inspections will occur to review the measures that are required and compliance with those requirements.

Consistent with TSA's commitment to a risk-based approach to transportation security, the requirements of this regulation only apply to high-risk operations. Owner/operators are required to use the criteria in 49 CFR parts 1580 (Freight Rail), 1582 (Mass Transit and Passenger Rail) and 1584 (Over-the-Road Bus) to determine if this regulation applies to their operations.

Information sharing is very critical for surface transportation stakeholders; to meet this need, TSA has hosted a series of classified briefings. Another briefing is scheduled for next week, and

another in March 2022, as TSA is starting a new series of updated classified briefings for pipeline industry partners.

As an example of the TSA commitment to engagement, she spoke about a unique call she had with Administrator Pekoske with over 200 participants on the line. The invitation had been extended to every company covered by one of the pipeline SDs. Administrator Pekoske held the meeting as a listening session and had an open microphone for any company representative who wanted to share directly perspective and concerns with him. Administrator Pekoske was very pleased with the level of engagement and Ms. Proctor believes engagements like this are very important for the work that they are doing with the industry.

Lastly, Ms. Proctor announced that, despite some of the challenges with the pipeline SDs, they had 100% compliance from industry either by meeting the requirements as written or seeking an approved alternative measure.

She stated she is working directly with industry to ensure TSA is looking for success on both sides. She concluded by extending her appreciation to the members of the STSAC who made today's meeting possible.

DFO Harroun-Lord thanked Mr. Gorton and Ms. Proctor. She informed Chair Farmer that Administrator Pekoske would be present at 3:40 PM for Committee closing remarks and to provide his closing remarks, and that he had to leave promptly at 4:00 PM.

She proposed to Chair Farmer that the Administrative Discussion be tabled in the interest of time. Chair Farmer concurred with the proposal and stated he and the Vice Chair can work with Ms. Harroun-Lord to provide the Committee with an update for each discussion topic. Subsequently, the Committee will have more time to review and provide feedback. Mrs. Harroun-Lord thanked Chair Farmer for his understanding and introduced Mr. Austin Gould, TSA OS A/DEAA.

Operations Support Update

Mr. Austin Gould wished everyone a good afternoon and introduced himself. He has been with TSA for the past 3½ years. His familiarity with and understanding of the importance of surface transportation comes from his 30 years of service with the Coast Guard. He brings diverse experience to his current role as Acting Deputy Executive Assistant Administrator for Operations Support.

Mr. Gould voiced that his appreciation for the collaborative discussion on cybersecurity. He is extremely interested and active in the cybersecurity realm as it pertains to surface transportation to ensure getting cybersecurity information out to stakeholders in a timely manner. He acknowledged the great partnerships with CISA, industry stakeholders, colleagues across TSA, and other agencies within the federal government. Mr. Gould noted surface transportation such as rail, pipeline, buses, and mass transit are never far from his mind from a technology perspective. He believed that he can provide valuable operational support in that area.

Lastly, he introduced Ms. Meg King, the new Executive Director for Strategy, Policy Coordination, and Innovation (SP&I). He noted Ms. King comes from a background with a

think tank, Capitol Hill experience, and risk analytics. He added that Ms. King will be a true advocate for issues in the surface transportation realm.

Committee Vote for Meeting Minutes

Re-Vote to Accept August 19, 2021, Meeting Minutes

Chair Farmer instructed members of the Committee of the need to take action on the previously approved August 19 meeting minutes that had been amended. A re-vote copy of the August 19 meeting minutes had been distributed in advance to Committee members. Mr. Farmer requested a motion to accept the amended August 19, 2021, meeting minutes. Ms. Hanson moved to accept the minutes and the motion was seconded by Chief Perez. The motion carried by voice vote and the minutes were accepted.

Vote to Accept November 18, 2021 Meeting Minutes

Chair Farmer instructed members of the Committee of the need to take action on the November 18 meeting minutes. A pre-vote copy of the November 18 meeting minutes was distributed in advance to Committee members. Mr. Farmer requested a motion to accept the November 18, 2021, meeting minutes. Mr. Finnegan moved to accept the minutes and the motion was seconded by Ms. Jones-Best. The motion carried by voice vote and the minutes were accepted.

TSA Administrator and TSA PPE Assistant Administrator Closing Remarks

TSA Administrator David Pekoske thanked Mr. Mayenschein for stepping into the Executive Sponsor role after Ms. Victoria Newhouse retired from TSA. Ms. Newhouse was a tremendous executive for TSA and he knows she will do great work in her new opportunity in private industry.

He praised the great work Ms. Proctor and Mr. Gorton are doing in collaborating from both the policy side and the operations side. He has not seen Surface bigger and busier in TSA than over the past 12 months. He expressed his appreciation for Ms. Proctor and Mr. Gorton for stepping up and working around the clock to ensure TSA is able to respond to threats and staying coordinated with industry and other government partners.

Noting today is the eleventh meeting, he recalls kicking off the STSAC inaugural meeting back in 2019 and thinks about the great progress that has been made. He mentioned the value that the Committee provides not just to TSA, but to the country. The STSAC provides an important platform for the exchange of information that provides valuable data regarding capabilities and challenges that transportation is currently facing, such as threats and threat mitigation, and risk assessment.

Administrator Pekoske referenced the cybersecurity SDs that have been issued to critical companies and organizations within the pipeline, public transit, and rail subsectors. He attended a meeting yesterday (February 16, 2022) with the CEOs of pipeline companies that have already established cybersecurity requirements in their organizations. The amount of good information was immeasurable to help TSA better understand some of the challenges that organizations and companies are facing. At the same time, the conversation provided those entities with

information to understand the threats and the context in which TSA is trying to improve the protection of critical infrastructure in the country.

Additionally, TSA issued a cybersecurity IC to over 2,000 pipeline companies. Based on their risk assessment, those companies weren't the most critical; regardless, TSA felt they should have some type of resilience and security information to improve cybersecurity protections. He made note that this is not meant to be an indication that pipeline companies do not already have measures in place or that they need to be regulated. TSA recognizes the significant investment and time the companies in the pipeline and rail sector have put into compliance with rules we put in place.

In the past several months, TSA has hired very experienced and knowledgeable cybersecurity personnel, and continues the great partnership with CISA to develop cybersecurity capability with other organizations.

It is important to note that, while the process of developing cybersecurity regulations is new to industry, he encourages everyone to be flexible as we move forward. The government and industry's interests are generally aligned. The challenge is determining how best to coordinate and implement them collaboratively with industry stakeholders and departments outside the executive branch of the federal government.

He highlighted a number of opportunities coming up for dynamic, collaborative industry and government engagement such as the development of the Employee Vetting Rule for which surface transportation stakeholders will have the opportunity to provide review and comment. He recommended meeting once a month with associations that represent subsectors within the transportation sector to promote understanding and perspective and noted upcoming engagement with surface transportation companies and organizations when he conducts his travel over the next year. He believes that more individualized engagement provides more opportunities to have candid discussions about the challenges we are facing.

TSA Administrator Pekoske concluded his remarks by recognizing the great leadership and success from STSAC Chairman Tom Farmer and Vice Chairman Polly Hanson. The time they dedicate to STSAC is immeasurable and he appreciates everything they do.

He extended his gratitude and well wishes to everyone and hoped to see many surface transportation industry partners as he travels around the country. He looks forward to continuing to see the great progress that has been made on the recommendations.

Mrs. Harroun-Lord expressed appreciation to Administrator Pekoske and thanked him for participating in our meeting today.

Adjournment

DFO Harroun-Lord sought a motion to adjourn the meeting. Chief Perez motioned to adjourn the meeting. Mr. Hayward seconded the motion. The motion to adjourn was carried by a voice-vote of the Committee.

The eleventh meeting of the STSAC meeting was adjourned at 4:01 p.m. EST.

Certification of STSAC February 17, 2022, Meeting Minutes

I hereby certify that is an accurate record of the activities of the Surface Transportation Security Advisory Committee on February 17, 2022.

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Thomas L. Farmer
Surface Transportation Security Advisory Committee Chair