



**REPORT OF THE AVIATION SECURITY ADVISORY COMMITTEE  
GENERAL AVIATION SUBCOMMITTEE  
REVIEW OF THE  
TWELVE FIVE STANDARD SECURITY PROGRAM  
AND  
PRIVATE CHARTER STANDARD SECURITY PROGRAM**

Version Date – September 8, 2017



## EXECUTIVE SUMMARY

The ASAC has conducted a review of two security programs that have been established by the Transportation Security Administration (TSA) to regulate commercial operations of general aviation aircraft. These programs govern aircraft with a max takeoff weight between 12,500 and 100,000 pounds, the Twelve Five Standard Security Program (TFSSP), and the airplanes with a max takeoff weight above 100,000 pounds, the Private Charter Standard Security Program (PCSSP).

The ASAC provides the TSA thirteen recommendations about these programs. The recommendations cover a cross-section of topics including facilitating work between TSA and industry (GA-17-1 and GA-17-6); updating the programs to establish more proportional security requirements (GA-17-3 and GA-17-10); tailoring the programs to provide more appropriate requirements for this type of operation (GA-17-5, GA-17-8, GA-17-11, GA-17-12, and GA-17-13); and enhance the effectiveness and efficiency of the implementation of the programs (GA-17-2, GA-17-4, GA-17-7). The core recommendation is for the TSA, in coordination with industry, initiate a comprehensive review of the two programs (GA-17-9).

The thirteen recommendations are listed here and available in the report with background.

**Recommendation GA-17-1:** The TSA should provide a general overview of the TFSSP (and other general aviation security programs), including contact information, on the agency's public website to facilitate compliance with the security requirements.

**Recommendation GA-17-2:** The TSA, in coordination with other DHS agencies and the FAA, should identify the security requirements that would allow operators access certain restricted airspace and, in coordination with industry, determine how the TFSSP, PCSSP, and other GA security programs can be amended to meet those requirements and allow for access to restricted airspace, including affirming that the DASSP may be used for access to TFRs.

**Recommendation GA-17-3:** Within statutory boundaries, the TSA should tailor the content of the TFSSP with consideration of existing risk analysis to differentiate operation of aircraft between 12,500 pounds and 30,000 pounds versus those above 30,000 pounds.

**Recommendation GA-17-4:** The TSA should undertake a review, and provide the ASAC with a briefing on, the statutory requirements and prior efforts to assume watchlist checking to understand the reasons progress has stalled. TSA should establish a plan to scope, develop and implement a watchlist checking program appropriate for TFSSP operators, involving the ASAC where appropriate.

**Recommendation GA-17-5:** The TSA should establish a mechanism as part of the TFSSP to allow an operator to manage a list of "known passengers" as part of meeting the passenger identification vetting requirement of the program. This should be a general standard that allows an operator to develop their own program or partner with a vendor for "known passenger" vendor identification management. This standard should also establish a definition of a "known passenger" for TFSSP purposes based off a TSA defined number of times a passenger would be required to travel with an operator prior to being recognized as a "known passenger".



**Recommendation GA-17-6:** The TSA should provide an inspection checklist to help enhance industry's ability to understand and demonstrate compliance with specific security program requirements.

**Recommendation GA-17-7:** The TSA should shift from an hours-based training program to a proficiency and curriculum-based training program for security coordinators. Until TSA can make said change the decision to increase training hours for Ground Security Coordinators should be reversed.

**Recommendation GA-17-8:** The TSA should develop a common strategy video that is relevant to typical general aviation operations, including the types of aircraft, flight crew compositions, passenger compositions, and airports to which operations are conducted.

**Recommendation GA-17-9:** The TSA, in coordination with industry, should initiate a comprehensive review of the content of the TFSSP requirements by November 1, 2017 to ensure requirements are structured to consider operational size and complexity.

**Recommendation GA-17-10:** Utilizing the regulatory framework allowing the Administrator in 49 CFR 1544.101(f)(2) to establish an alternative program, the TSA should allow airplanes with Maximum Take Off Weight at or below 120,150 pounds to comply with the TFSSP as a means of compliance with the PCSSP in the near term. Long term, the TSA should pursue rulemaking to update the PCSSP weight threshold to 120,150 pounds.

**Recommendation GA-17-11:** The TSA should return to using NATA Compliance Services for purposes of adjudicating employee fingerprinting for operators that primarily conduct operations under the PCSSP, but occasionally conduct flights under the AOSSP.

**Recommendation GA-17-12:** The TSA should review field practices regarding acceptance of airport-issued SIDA badges in lieu of TFSSP, DASSP and PCSSP operator-conducted checks. TSA should consult with airports and operators on whether this should be allowed to continue and either provide written guidance approving the practice or ensure that all inspectors and operators are informed that the practice is not approved.

**Recommendation GA-17-13:** The TSA should establish alternative means of compliance in place of only carrying in a separated cargo compartment certain items on the Prohibited Items List for TFSSP operators.



## 1.0 Background – Overview of Twelve Five Standard Security Program and Private Charter Standard Security Program

On November 16, 2001, the Aviation and Transportation Security Act (ATSA) was enacted, creating the Transportation Security Administration (TSA) and transferring aviation security functions from the Federal Aviation Administration (FAA) to the TSA. Section 132(a) of ATSA required the Under Secretary of Transportation for Security to “implement a security program for charter air carriers ... with a maximum certificated takeoff weight of 12,500 pounds or more.”

On February 22, 2002, TSA published a final rule requiring that “certain aircraft operators using aircraft with a maximum certificated takeoff weight of 12,500 pounds or more carry out security measures.” 67 Fed. Reg. 8205 (Feb. 22, 2002). The rule also required that “certain aircraft operators conduct criminal history records checks on their flightcrew members, and restrict access to the flight deck.” *Id.* “[C]ertain aircraft operators” includes those conducting operations “in scheduled or charter service, carrying passengers or cargo or both...” *Id.* at 8206. The program that outlines the security measures and requirements for these operators is known as the Twelve-Five Standard Security Program (TFSSP). In June 2004, the TSA released a “technical change” to the TFSSP that excludes aircraft weighing 12,500 pounds or less from having to participate in the TFSSP.<sup>1</sup> In the October 19, 2004, the TSA provided notice<sup>2</sup> requiring aircraft operators using aircraft with maximum certificated takeoff weights over 12,500 pounds and certificated by the FAA under 14 C.F.R. Part 125 to meet the requirements of 49 C.F.R. § 1544.101(e) (TFSSP) or (f) (private charter program) and operate under a TSA security program.

Under the TFSSP, 14 C.F.R. Parts 121, 125, and 135 operators that charter aircraft with maximum certificated takeoff weights greater than 45,500 kg (100,309.3 pounds), or with passenger seating configurations of 61 or more, must ensure that all passengers and accessible baggage are screened prior to boarding the aircraft. Additionally, these operators must have a security program that establishes the required security components for private charter operations. The screening program must include use of metal detection devices, use of X-ray systems, security coordinators, law enforcement personnel, accessible weapons, criminal history records checks, training for security coordinators and crewmembers, training for individuals with security-related duties, bomb or air piracy threats, security directives, and all of subpart E of 49 C.F.R. Part 1544 concerning screener qualifications when the aircraft operator performs screening.

The Private Charter Standard Security Program (PCSSP) requires aircraft operators to ensure all passengers and accessible baggage are screened prior to boarding the aircraft. The Private Charter Rule allows “non-TSA” screeners who have completed TSA-approved private charter screener training to perform the screening. TSA screeners who have completed the TSA-approved Basic Screener Training Course may also perform screening at TSA checkpoints for private charter operations.

Over the last fifteen years, industry has worked with the TSA to provide input about the program content on several occasions. The purpose of this report is to provide a review of not only the program

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<sup>1</sup> The TFSSP “is applicable to scheduled and charter (passenger and cargo) operations to, from, within, or outside the United States that use aircraft with a maximum certificated takeoff weight (MTOW) of more than 12,500 pounds.”

<sup>2</sup> 69 Fed. Reg. No. 201



content, but also how to facilitate industry and TSA implementation of the TFSSP and PCSSP and improve the effectiveness of the programs to further enhance aviation security.

## **2.0 Sensitive Security Information (SSI) Content of Standard Security Programs**

The TFSSP and PCSSP are identified in 49 C.F.R. §§ 1550.7 and 1544, but the program content is only available to regulated operators (“covered operators”) and is subject to Sensitive Security Information (SSI) restrictions.

The Aviation Security Advisory Committee (ASAC) General Aviation Subcommittee is subject to a Non-Disclosure Agreement (NDA) as a mechanism for complying with the SSI requirements during the deliberations.

The recommendations in Sections 3, 4, 5, and 6 of this Report are not subject to SSI. The ASAC, however, provides the TSA a recommendation to host a working meeting with covered operators and key stakeholders to review the content of the TFSSP and PCSSP by November 1, 2017 (see section 4.5.3 for additional background).

## **3.0 General Recommendations about TSA Operator Security Programs for the General Aviation Community.**

### **3.1 Initial Engagement with the TSA as a Regulated Operator**

The TFSSP is one of the larger programs administered by the TSA with respect to the number of entities that are subject to the requirements of the program. According to the TSA, there are approximately 600 commercial operators subject to the TFSSP requirements.<sup>3</sup>

Currently, the TSA does not have any information about how a new operator engages with the agency on its public website. Operators already subject to the requirements of the program access requirements through a dedicated web portal. New Part 135 operators only can obtain information about the program in the regulation or through associations such as NATA<sup>4</sup> and NBAA.<sup>5</sup>

Feedback from the aviation community indicates that some operators attempting to obtain information directly from the TSA have struggled to contact the right office. For example, one new operator was directed to the airport watch GA-SECURE Hotline phone number (866-GA-SECURE) because they asked about general aviation.<sup>6</sup>

An agency-hosted website that provides a general overview of the program as an official source, as well as a point for public engagement (*e.g.*, email address) will mitigate these problems.

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<sup>3</sup> There were approximately 600 TFSSP, 247 DASSP and 44 PCSSP as of June 2017.

<sup>4</sup> NATA Compliance Services TFSSP Website: <http://info.natacs.aero/blog/bid/368305/Understanding-the-Twelve-Five-Standard-Security-TFSSP-Program>

<sup>5</sup> NBAA TFSSP Website: <https://www.nbaa.org/ops/security/programs/tfssp/>

<sup>6</sup> GA-SECURE serves as a centralized reporting system for unusual or suspicious circumstances on airport property.



**Recommendation GA-17-1: The TSA should provide a general overview of the TFSSP (and other general aviation security programs), including contact information, on the agency’s public website to facilitate compliance with the security requirements.**

### **3.2 Operator Security Program Facilitating Access to Restricted Airspace**

On a number of occasions, the general aviation community has proposed that the TSA create security programs through which covered operators maintain airspace access to restricted airspace (e.g., POTUS, National Special Security Event Temporary Flight Restrictions). As an example, NBAA, for a number of years, proposed the Transportation Security Administration Access Certificate program as a mechanism to maintain access.

Typical airspace restrictions list programs that are accepted by the U.S. government for access to the airspace, but typically do not include the TFSSP, PCSSP, or the even more restrictive DCA Access Standard Security Program (DASSP). The current, “standard language” used by the FAA in NOTAMs is:

“All aircraft operations within [...] area(s) listed above, known as the inner core(s), are prohibited except for: Approved law enforcement, military aircraft directly supporting the United States Secret Service (USSS) and the office of the President of the United States, approved air ambulance flights, and regularly scheduled commercial passenger and all-cargo carriers operating under one of the following TSA-Approved standard security programs/procedures: aircraft operator standard security program (AOSSP), full all-cargo aircraft operator standard security program (FACAOSSP), model security program (MSP), twelve five standard security program (TFSSP) all cargo, or all-cargo international security procedure (ACISP) and are arriving into and/or departing from 14 cfr part 139 airports. All emergency/life saving flight (medical/law enforcement/firefighting) operations must coordinate with ATC prior to their departure at 516-683-2966 to avoid potential delays.” FDC 7/9960 and FDC 7/9962

Note that the TFSSP all-cargo program provides access, whereas the passenger program does not.

Industry has long supported the establishment of a security program with appropriate requirements to ensure security that would provide operators with access to restricted airspace or the acceptance of existing programs for access to restricted airspace.

**Recommendation GA-17-2: The TSA, in coordination with other DHS agencies and the FAA, should identify the security requirements that would allow operators access certain restricted airspace and, in coordination with industry, determine how the TFSSP, PCSSP, and other GA security programs can be amended to meet those requirements and allow for access to restricted airspace, including affirming that the DASSP may be used for access to TFRs.**

## **4.0 Industry Experience with TFSSP and Recommendations**

### **4.1 TFSSP Weight Threshold**

The ATSA established the 12,500 pounds applicability threshold for the TFSSP based on the existing regulatory threshold used to differentiate between transport category aircraft and small airplanes. Until



the ATSA, the 12,500-pound threshold had almost exclusively been used for identifying airworthiness standards that a manufacturer must meet in order to certify an aircraft.

The TSA proposed use the same weight threshold (12,500 pounds) for the applicability of the non-commercial operator security requirements in the Large Aircraft Security Program, Other Aircraft Security Program, and Airport Security Program Notice of Proposed Amendment (NPRM),<sup>7</sup> called "LASP." Subsequently, however, the TSA worked with industry during 2008-2009 to reframe the LASP into a more proportional program focused on securing the aircraft, the pilots, and the passengers involved in a general aviation flight. The TSA has publicly stated that the agency will issue the LASP as a Supplemental NPRM.<sup>8</sup>

The review of the LASP proposal also included the TSA presenting a weight-based threshold different from the 12,500 pounds, based on a TSA security risk assessment. The TSA has publicly stated that the new threshold is higher and "between 25,000 to 30,000 pounds."<sup>9</sup>

Although there may be other risk considerations for a commercial versus a non-commercial operations (e.g., potentially unknown passengers versus mostly known passengers), it is fair to assume that the outcome of the TSA's study presented in 2008 and 2009 about the role of weight and could translate to the TFSSP.

The ASAC recognizes that the threshold for the TFSSP was established by ATSA, but sees an opportunity to tailor the requirements of the program content with risk considerations and with respect to the complexity of the program and the requirements.

**Recommendation GA-17-3: Within statutory boundaries, the TSA should tailor the content of the TFSSP with consideration of existing risk analysis to differentiate operation of aircraft between 12,500 pounds and 30,000 pounds versus those above 30,000 pounds.**

## 4.2 Facilitating Electronic Vetting of Passengers

A system enabling automated electronic vetting of passengers, similar to the Secure Flight program deployed for the airlines, is needed. Today, each TFSSP operator is responsible for vetting passenger names against watchlists. Operators obtain the watchlists in spreadsheet files from the TSA's secured web portal. Some operators use software (either company-created or from a third party) designed to automate the checking process. Many others, particularly the smallest of operators, perform manual checks using the spreadsheets provided by TSA.

The current process is time consuming and more prone to errors than if the TSA conducted all checks itself via an automated vetting system. Given the hundreds of operators that must download the files

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<sup>7</sup> 73 Fed. Reg. 64790 (Oct. 30, 2008).

<sup>8</sup> General Aviation Security and Other Aircraft Operator Security regulation; <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201110&RIN=1652-AA53>

<sup>9</sup> Paul Lowe, "New Lasp Will Likely Increase Weight Threshold," (Feb. 28, 2011) available at <http://www.ainonline.com/aviation-news/aviation-international-news/2011-02-28/new-lasp-will-likely-increase-weight-threshold>



every day, the current process also creates the possibility of exposing the watchlists to those that lack the authority to access them.

The Intelligence Reform and Terrorism Prevention Act (IRPTA) of 2004 (P.L. 108-458, Sec. 4012) required the creation of a system to conduct pre-flight comparisons of passenger information to watchlists. This led to the establishment of Secure Flight. The law also required TSA to establish a process to conduct checks for charter operators under the TFSSP<sup>10</sup>.

There was some initial work performed to meet this requirement of IRPTA following deployment of Secure Flight; however, those efforts later stalled. Operators participated in a working group formed under the name eSecure around 2010. That effort largely failed because it attempted to have operators build infrastructure to interface directly with Secure Flight, similar to how airlines connect. This proved not feasible for even the largest of carriers in the TFSSP. A later briefing from TSA to industry indicated a dedicated website was under consideration, but no further action seems to have occurred.

A TSA-administered watchlist checking solution should be voluntary in nature, permitting operators with sufficient resources the ability to continue to process checks internally. Further, the TSA should strongly consider collaborating with Customs and Border Protection to examine how it might leverage the existing eAPIS manifest submission system to collect names for watchlist checks.

**Recommendation GA-17-4: The TSA should undertake a review, and provide the ASAC with a briefing on, the statutory requirements and prior efforts to assume watchlist checking to understand the reasons progress has stalled. TSA should establish a plan to scope, develop and implement a watchlist checking program appropriate for TFSSP operators, involving the ASAC where appropriate.**

### 4.3 Establishment of a Known Passenger Program

Operators that conduct commercial operations subject to the TFSSP currently conduct the appropriate vetting of passengers in compliance with the program. Although some operators conduct flights with a rotation of new passengers (*i.e.*, mostly unknown to the operator), many TFSSP operators conduct flights involving a set of “known passengers” on most, if not all, flights.

The general aviation community has approached the TSA about creating a mechanism for an operator to manage “known passengers” versus “unknown passengers” to help make the implementation of the program more efficient. This issue, however, has not been brought to a resolution within the current TFSSP version.

**Recommendation GA-17-5: The TSA should establish a mechanism as part of the TFSSP to allow an operator to manage a list of “known passengers” as part of meeting the passenger identification vetting requirement of the program. This should be a general standard that allows an operator to develop their own program or partner with a vendor for “known passenger” vendor identification management. This standard should also establish a definition of a “known passenger” for TFSSP**

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<sup>10</sup> 49 USC 44903(j)(2)(E)





purposes based off a TSA defined number of times a passenger would be required to travel with an operator prior to being recognized as a “known passenger”.

#### 4.4 Improving Inspection Process between TSA and Industry

Industry’s goal is to maintain complete regulatory and program compliance. Experience has shown that there are occasional disagreements between the Principal Security Inspector (PSI) and industry about the program requirements.

Industry has discussed mechanisms that may help mitigate the risk of disagreements between the PSI and industry and enhance overall compliance. One opportunity identified is for the TSA to produce and make available a common inspection check list for not only the TFSSP, but also other GA security programs. Industry has noted that this approach has been somewhat successful in enhancing the understanding of industry of what the Federal Aviation Administration (FAA) seeks in meeting FAA regulatory requirements through the publication of compliance details in the Flight Standards Information System (FSIMS).<sup>11</sup>

**Recommendation GA-17-6: The TSA should provide an inspection checklist to help enhance industry’s ability to understand and demonstrate compliance with specific security program requirements.**

#### 4.5 Comprehensive Review of Twelve-Five Standard Security Program (TFSSP) Content

The impetus for the recommendations contained in this report was a presentation provided by one ASAC member about the need to make the content of GA security programs more relevant to the general aviation industry as opposed to looking more like it was written for the scheduled airline industry. This presentation built on input provided by several industry stakeholders to the TSA about the content of the TFSSP, including NATA.<sup>12</sup>

During the General Aviation Subcommittee’s meetings on December 13, 2016; January 30, 2017; and March 10, 2017, industry presented to the TSA a list of issues that warrant specific changes.

The content of the TFSSP, however, is subject to Sensitive Security Information (SSI) restrictions, which constrained the ASAC’s ability to conduct a detailed review of the program, since only covered operators have access to the program (see Section 2.0 of this report for additional background).

Accordingly, the ASAC recommends that the TSA undertake a comprehensive review of the TFSSP using its existing mechanisms to obtain direct feedback from covered operators (see, 4.5.3). This report contains non-SSI recommendations for restructuring and updating the program.

##### 4.5.1 Hours-Based Training as Opposed to Curriculum-Based Training

The training required by the TFSSP is hours-based. The TSA recently published a change to the Ground Security Coordinator training program raising the hourly trainer requirement from 2 to 4 hours for initial

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<sup>11</sup> Flight Standards Information Management System, available at <http://fsims.faa.gov/>.

<sup>12</sup> Thomas L. Hendricks, President and CEO, NATA, to Andrea Siegmund, Transportation Security Administration, on Jan. 22, 2016.



training, and the length of recurrent training from 1 hour to 2 hours, without substantial change in the required content. This change will go into effect on January 1, 2018.

To put it simply, industry has struggled with providing relevant training to fill the required times for both the initial and recurrent training. In many cases, training providers have been forced to cover subjects less relevant to a person serving as a frontline security coordinator for a typical Part 135 air carrier (e.g., the statutory authority of the TSA) to meet the hours requirement. A more effective program would be proficiency and content-based, rather than hours-based, especially since all operators obtain an approval of their specific training program by a PSI.

**Recommendation GA-17-7: The TSA should shift from an hours-based training program to a proficiency and curriculum-based training program for security coordinators. Until TSA can make said change the decision to increase training hours for Ground Security Coordinators should be reversed.**

#### **4.5.2 Common Strategy Video Applicability to General Aviation Operators**

The common strategy video is not relevant to general aviation operators. The video is structured around a flight that employs a number of cabin crew and conducts operations with unknown passengers while in Part 135 flight attendants are typically not utilized and most passengers are known.<sup>13</sup> The general aviation industry has raised this issue with the TSA, and the agency updated the video by adding images of general aviation aircraft, but did not substantively update the content of the video to make it relevant to general aviation operations. The current video was developed by the TSA in 2004.

**Recommendation GA-17-8: The TSA should develop a common strategy video that is relevant to typical general aviation operations, including the types of aircraft, flight crew compositions, passenger compositions, and airports to which operations are conducted.**

#### **4.5.3 SSI Recommendations about the TFSSP Content**

Industry notes that although the regulatory requirements of the TFSSP have not changed since established in 2002, the content of the TFSSP has expanded from twelve pages to over six times its original length. (82 pages)

It is essential that the program's content is structured with full consideration of the size and complexity of specific operations to optimize the effectiveness of the program as a security risk mitigation. The program warrants a comprehensive content review with the objective of balancing the security objectives with the volume of requirements included in the program.

**Recommendation GA-17-9: The TSA, in coordination with industry, should initiate a comprehensive review of the content of the TFSSP requirements by November 1, 2017 to ensure requirements are structured to consider operational size and complexity.**

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<sup>13</sup> The current video was developed by the TSA in 2004.



## 5.0 Industry Experience with PCSSP and New Aircraft Model Impact and Recommendations

The PCSSP has been a limited program used primarily by operators conducting operations under 14 C.F.R. 125 using airliners (*i.e.*, non-business jets) in on-demand operations. There are, however, several new business jet models, including the Gulfstream G650ER, Bombardier Global 7000 and 8000, that are subject to the PCSSP because of their weights.

In Section 5.1, the ASAC provides an overview of how to accommodate these new business jet models that are subject to 49 C.F.R. 1544.101(f) only because of Maximum Certificated Takeoff Weight greater than 45,500 kg (100,309.3 pounds). Section 5.2 covers other recommendations about how to update the PCSSP.

### 5.1 Proposed Applicability of PCSSP to Business Jets

The current weight threshold for the PCSSP was developed in 2001-2002 as a mechanism to differentiate airplanes primarily used in commercial airline service from business jets operated commercially. The current threshold was established between the largest business jet then in production (*i.e.*, the Bombardier Global Express at 100,310 pounds) and the smallest non-regional jet airline model then in operation (*i.e.*, the Fokker 100). The new Gulfstream and Bombardier models exceed the regulatory threshold by 4,000 and 7,000 pounds respectively.

Generally, the ASAC recommends that TSA update the PCSSP to establish accommodations for airplanes like the Gulfstream G650ER and Bombardier Global 7000 / 8000 to be subject to the TFSSP in place of the PCSSP. While TSA conducting rulemaking to amend the weight threshold would be the preferred option of the ASAC, it is recognized that conducting rulemaking is a cumbersome and lengthy activity. The ASAC notes that the agency has discretion to tailor the PCSSP content through a policy change in the near-term, based on weight or other appropriate criteria, and to permit operators of these aircraft to comply with the TFSSP, which is has been determined to be sufficient for airplanes conducting similar operations with only marginally different weights. Longer term, the ASAC supports the TSA updating the weight threshold to align with this policy change.

Activities separate from the ASAC<sup>14</sup> have proposed a revised threshold weight of 120,150 pounds (54,500 kg) for purposes of security requirements to accommodate these new business jets (*i.e.*, above 100,310 pounds). The International Civil Aviation Organization's (ICAO) analysis concluded that a change from 100,310 to 120,150 would be less than significant and not compromise security<sup>15</sup>.

**Recommendation GA-17-10: Utilizing the regulatory framework allowing the Administrator in 49 CFR 1544.101(f)(2) to establish an alternative program, the TSA should allow airplanes with Maximum Take Off Weight at or below 120,150 pounds to comply with the TFSSP as a means of compliance with the PCSSP in the near term. Long term, the TSA should pursue rulemaking to update the PCSSP weight threshold to 120,150 pounds.**

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<sup>14</sup> ICAO State letter AN 11/1.1.32-17/66, May 29, 2017, supported by the Working Group on Threat and Risk (WGTR) analysis of kinetic energy of different aircraft models. A copy of the WGTR analysis is included in Appendix X.

<sup>15</sup> ICAO State Letter (May 29, 2017) 17-66



## 5.2 Finger Print Compliance

### 5.2.1 Fingerprint Adjudication for PCSSP-AOSSP Operators

PCSSP Operators will typically comply with criminal history records checks via the NATA Compliance Services secured portal. However, if a PCSSP Operator is also subject to the Aircraft Operator Standard Security Program (AOSSP) because that Operator operates some flights for a Part 121 operator (such as in essential air service) (AOSSP-PCSSP Operator), TSA (OSO) requires that the AOSSP-PCSSP Operator obtain a Submitting Office Number (known as SON or Agency Code) from the TSA.

OSO then requires the AOSSP-PCSSP Operator, using its assigned SON, to receive and adjudicate its crew members' FBI criminal history records, regardless of how many flights are actually operated under the AOSSP or whether a given crewmember ever operates under the AOSSP.

In the past, AOSSP-PCSSP operators utilized the same process as TFSSP operators, whereby SONs were not required. The TSA, not the operator, adjudicated the crew members' criminal history records and the operator received only a Pass/Fail result from the TSA via the NATA Compliance Services secured portal.

**Recommendation GA-17-11: The TSA should return to using NATA Compliance Services for purposes of adjudicating employee fingerprinting for operators that primarily conduct operations under the PCSSP, but occasionally conduct flights under the AOSSP.**

### 5.2.2 SIDA Badges In-Lieu of Check by Operator

There appears to be an unwritten process whereby certain PSIs allow the use of airport-issued SIDA badges as clearances "in lieu" of a fingerprint-based criminal history records check performed by a TFSSP, DASSP or PCSSP operator. Not all PSIs seem to permit this practice, and the ASAC members are unaware of any formal approval or universal acceptance of this practice.

Acceptance of the SIDA badge in this manner presents several concerns:

1. TSA OIA does not have visibility of the aviation worker in the correct TSA program (TFSSP, PCSSP or DASSP) or have knowledge of the current employer information.
2. If the airport withdraws/retrieves the SIDA badge, there is no obligation for the airport to notify the operator (employer).
3. We do not know if the airports are aware of this practice, which may create a liability concern for the airport.

**Recommendation GA-17-12: The TSA should review field practices regarding acceptance of airport-issued SIDA badges in lieu of TFSSP, DASSP and PCSSP operator-conducted checks. TSA should consult with airports and operators on whether this should be allowed to continue and either provide written guidance approving the practice or ensure that all inspectors and operators are informed that the practice is not approved.**



## 6.0 Use of Prohibited Items List in General Aviation Operations

The Prohibited Items List<sup>16</sup> contains items viewed by security experts as risks to aviation security. These largely include ammunition, weapons and similar devices which TSA prohibits from the passenger cabin of the aircraft. This list, developed for scheduled airline operations, was applied to on-demand commercial charter operations following the attacks of 9/11.

Items on the Prohibited Items List may be carried on board the aircraft if stored in a cargo compartment separated from and inaccessible to the passenger compartment.

Passengers chartering an airplane subject to the TFSSP expect to bring their baggage with them on their flight. Many aircraft used in the TFSSP, however, do not have external cargo compartments separated from and inaccessible to the passenger compartment.

The ASAC has identified certain items on the Prohibited Items List that lend themselves to being carried on aircraft without inaccessible cargo compartment if the operator establishes certain procedures to secure them while in flight (*e.g.*, use of locked containers or secure nets).

As an example, aircraft typically used in the TFSSP have a small cabin volume. To put this in perspective, most aircraft do not allow an average person to stand upright in the cabin. This smaller cabin volume significantly reduces the ability to use a golf club, one of the prohibited items, as a weapon. Key to turning a golf club into a weapon is the space needed to develop club velocity. On these airplanes, practically no cabin volume exists to allow the sufficient velocity needed to turn a club into a weapon. A second example is various types of tool kits and equipment that may be transported on chartered aircraft for purpose of doing work at the destination. These tools kits may include equipment that is on the Prohibited Item List, but there is currently no clear guidance from the TSA for how this equipment may be secured when transported on an aircraft without a separated cargo compartment that is not accessible to passengers.

These items pose a minimal security risk in small aircraft and an alternative approach would represent an effective risk-based solution.

**Recommendation GA-17-13: The TSA should establish alternative means of compliance in place of only carrying in a separated cargo compartment certain items on the Prohibited Items List for TFSSP operators.**

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<sup>16</sup> <http://www.tsatraveltips.us/can-i-bring-it-on-an-airplane/>



## Appendix A – GA Working Group Members and Subject Matter Experts

Jens Hennig, General Aviation Manufacturers Association (GAMA), GA Subcommittee Chair

Doug Carr, National Business Aviation Association (NBAA)

Colleen Chamberlain, American Association of Airport Executives

Liam Connolly, Regional Airline Association

Sean Cusson, ACI-NA

Joe Dalton, NetJets

Greg Denning, ELAN Express, LLC

Aimee Edwards, JetLinx

Megan Eisenstein, National Air Transport Association (NATA)

Matt Feinstein, Jet Aviation

Scott Grandgeorge, NetJets Association of Shared Pilots (NJASAP)

Lauren Haertlein, GAMA

Glenn Johnson, Victims of Pan Am 103

Yann Lemasson, Bombardier Aerospace

Robert Olislagers, Centennial Airport, AAAE

John McGraw, NATA

Paulo Marcio Martins de Goes Monteiro, Embraer

Shirley Negri, NATA Compliance Services, Inc.

Jacque Rosser, NATA

Nobuyo Sakata, Aircraft Owners and Pilots Association (AOPA)

Craig Spence, AOPA

Eric Thacker, Airlines for America (A4A)

Ron Witkowski, Gulfstream Aerospace Corporation

Sarah Wolf, NBAA

Paul Wisniewski, TSA GA Engagement Manager

Walter Craig, Jr. TSA

Kevin Knott, TSA OSPIE

Dean Walter, TSA ASAC DFO



## Appendix B – Meetings Held

December 13, 2016 – ASAC GA Subcommittee Meeting

January 30, 2017 – ASAC GA Subcommittee, TFSSP and PCSSP Review Kick Off Meeting

March 10, 2017 – ASAC GA Subcommittee – Conference Call

May 23, 2017 ASAC Meeting – Update provided to committee

June 12, 2017 – Draft report distributed to GA Working Group for comments

July 11, 2017 – ASAC GA Subcommittee – Conference Call

August 4, 2017 – ASAC GA Subcommittee – Conference Call

August 22, 2017 – Report Transmitted to the ASAC for Review

September 8, 2017 ASAC Meeting – Recommendations Presented to ASAC



## Appendix C – Regulatory References

**49 CFR Chapter XII – Transportation Security Administration, Department of Homeland Security**  
[...]

### Subchapter C

**49 CFR Part 1544, Subpart B – Security Program**

**49 CFR 1544.101 Adoption and implementation.**<sup>17</sup>

**(a) Full program.** Each aircraft operator must carry out subparts C, D, and E of this part and must adopt and carry out a security program that meets the requirements of § 1544.103 for each of the following operations:

[...]

(2) A scheduled passenger or public charter passenger operation with an aircraft having a passenger seating configuration of 60 or fewer seats when passengers are enplaned from or deplaned into a sterile area.

[...]

**(d) Twelve-five program-adoption:** Each aircraft operator must carry out the requirements of paragraph (e) of this section for each operation that meets all of the following –

- (1) Is an aircraft with a maximum certificated takeoff weight of more than 12,500 pounds;
- (2) Is in scheduled or charter service;
- (3) Is carrying passengers or cargo or both; and
- (4) Is not under a full program, partial program, or full all-cargo program under paragraph (a), (b), or (h) of this section.

**(e) Twelve-five program-contents:** For each operation described in paragraph (d) of this section, the aircraft operator must carry out the following, and must adopt and carry out a security program that meets the applicable requirements of § 1544.103 (c):

- (1) The requirements of §§ 1544.215, 1544.217, 1544.219, 1544.223, 1544.230, 1544.235, 1544.237, 1544.301(a) and (b), 1544.303, and 1544.305; and in addition, for all-cargo operations of §§ 1544.202, 1544.205(a), (b), (d), and (f).

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<sup>17</sup> [67 FR 8364, Feb. 22, 2002, as amended at 67 FR 8209, Feb. 22, 2002; 67 FR 41639, June 19, 2002; 67 FR 79887, Dec. 31, 2002; 71 FR 30510, May 26, 2006]





(2) Other provisions of subparts C, D, and E that TSA has approved upon request.

(3) The remaining requirements of subparts C, D, and E when TSA notifies the aircraft operator in writing that a security threat exists concerning that operation.

**(f) Private charter program.** In addition to paragraph (d) of this section, if applicable, each aircraft operator must carry out §§ 1544.201, 1544.207, 1544.209, 1544.211, 1544.215, 1544.217, 1544.219, 1544.225, 1544.229, 1544.230, 1544.233, 1544.235, 1544.303, and 1544.305, and subpart E of this part and –

(1) Must adopt and carry out a security program that meets the applicable requirements of § 1544.103 for each private charter passenger operation in which -

(i) The passengers are enplaned from or deplaned into a sterile area; or

(ii) The aircraft has a maximum certificated takeoff weight greater than 45,500 kg (100,309.3 pounds), or a passenger-seating configuration of 61 or more, and is not a government charter under paragraph (2) of the definition of private charter<sup>18</sup> in § 1540.5 of this chapter.

(2) The Administrator may authorize alternate procedures under paragraph (f)(1) of this section as appropriate.

**(g) Limited program:** In addition to paragraph (d) of this section, if applicable, TSA may approve a security program after receiving a request by an aircraft operator holding a certificate under 14 CFR part 119, other than one identified in paragraph (a), (b), (d), or (f) of this section. The aircraft operator must -

[...]

**(h) Full all-cargo program - adoption:** Each aircraft operator must carry out the requirements of paragraph (i) of this section for each operation that is –

(1) In an aircraft with a maximum certificated takeoff weight of more than 45,500 kg (100,309.3 pounds); and

1544.103 – Form, content, and availability.

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<sup>18</sup> Private charter means any aircraft operator flight -

(1) For which the charterer engages the total passenger capacity of the aircraft for the carriage of passengers; the passengers are invited by the charterer; the cost of the flight is borne entirely by the charterer and not directly or indirectly by any individual passenger; and the flight is not advertised to the public, in any way, to solicit passengers.

(2) For which the total passenger capacity of the aircraft is used for the purpose of civilian or military air movement conducted under contract with the Government of the United States or the government of a foreign country.



1544.105 – Approval and amendments.

**Subpart C – Operations (§§ 1544.201 - 1544.239)**

§ 1544.201 — Acceptance and screening of individuals and accessible property.

§ 1544.202 — Persons and property onboard an all-cargo aircraft.

§ 1544.203 — Acceptance and screening of checked baggage.

§ 1544.205 — Acceptance and screening of cargo.

§ 1544.207 — Screening of individuals and property.

§ 1544.209 — Use of metal detection devices.

§ 1544.211 — Use of X-ray systems.

§ 1544.213 — Use of explosives detection systems.

§ 1544.215 — Security coordinators.

§ 1544.217 — Law enforcement personnel.

§ 1544.219 — Carriage of accessible weapons.

§ 1544.221 — Carriage of prisoners under the control of armed law enforcement officers.

§ 1544.223 — Transportation of Federal Air Marshals.

§ 1544.225 — Security of aircraft and facilities.

§ 1544.227 — Exclusive area agreement.

§ 1544.228 — Access to cargo and cargo screening: Security threat assessments for cargo personnel in the United States.

§ 1544.229 — Fingerprint-based criminal history records checks (CHRC): Unescorted access authority, authority to perform screening functions, and authority to perform checked baggage or cargo functions.

§ 1544.230 — Fingerprint-based criminal history records checks (CHRC): Flightcrew members.

§ 1544.231 — Airport-approved and exclusive area personnel identification systems.

§ 1544.233 — Security coordinators and crewmembers, training.

§ 1544.235 — Training and knowledge for individuals with security-related duties.

§ 1544.237 — Flight deck privileges.



§ 1544.239 — Known shipper program.

**Subpart D – Threat and Threat Response (§§ 1544.301 - 1544.305)**

[...]

**SUBPART E — Screener Qualifications When the Aircraft Operator Performs Screening (§§ 1544.401 - 1544.411)**

§ 1544.401 — Applicability of this subpart.

§ 1544.403 — [Reserved]

§ 1544.405 — Qualifications of screening personnel.

§ 1544.407 — Training, testing, and knowledge of individuals who perform screening functions.

§ 1544.409 — Integrity of screener tests.

§ 1544.411 — Continuing qualifications of screening personnel.

**49 CFR 1550.1 Applicability of this part**

This part applies to the operation of aircraft for which there are no security requirements in other parts of this subchapter.

**49 CFR 1550.3 TSA Inspection authority.**

[...]

**49 CFR 1550.5 Operations using a sterile area.**

[...]

**49 CFR 1550.7 Operations in aircraft of 12,500 pounds or more.**

**(a) Applicability of this section.** This section applies to each aircraft operation conducted in an aircraft with a maximum certificated takeoff weight of 12,500 pounds or more except for those operations specified in § 1550.5 and those operations conducted under a security program under part 1544 or 1546 of this chapter.

**(b) Procedures.** Any person conducting an operation identified in paragraph (a) of this section must conduct a search of the aircraft before departure and screen passengers, crewmembers, and other persons and their accessible property (carry-on items) before boarding in accordance with security procedures approved by TSA.



**(c) Compliance date.** Persons identified in paragraph (a) of this section must implement security procedures when notified by TSA. TSA will notify operators by NOTAM, letter, or other communication when they must implement security procedures.

**(d) Waivers.** TSA may permit a person conducting an operation identified in this section to deviate from the provisions of this section if TSA finds that the operation can be conducted safely under the terms of the waiver.

**Appendix D – ICAO Working Group on Threat and Risk, Analysis of Kinetic Energy of Different Aircraft Models (AVSECP 2016).**

<b>Aircraft</b>	<b>MTOW</b>	<b>MFW</b>	<b>Length</b>	<b>Wing Span</b>	<b>Cruise Speed</b>	<b>Cruise Speed (kts)</b>	<b>Kinetic Energy (MJ)</b>
Challenger 300	38,850	14,150	68.67	63.80	0.8	458.4	490
G280	39,600	14,600	66.83	63.00	0.8	458.4	499
Challenger 350	40,600	14,150	68.67	69.00	0.8	458.4	512
Falcon 2000LXS	42,800	16,045	66.37	70.17	0.8	458.4	540
Falcon 900LX	49,000	21,000	66.30	70.16	0.8	458.4	618
Legacy 600	49,604	18,170	86.40	69.40	0.74	424.02	535
Legacy 650	53,572	20,600	86.42	69.40	0.74	424.02	578
Falcon 7X	70,000	31,940	76.08	86.00	0.8	458.4	883
Falcon 8X	73,000	34,900	80.20	86.25	0.8	458.4	921
CRJ 700 CS	75,000	19,450	106.10	76.27	0.78	446.94	899
CRJ 900 CS	84,500	19,450	119.33	81.58	0.78	446.94	1013
G550	91,000	41,300	96.40	93.50	0.85	487.05	1296

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Aircraft	MTOW	MFW	Length	Wing Span	Cruise Speed	Cruise Speed (kts)	Kinetic Energy (MJ)
Global 5000	92,500	36,000	96.80	94.00	0.85	487.05	1317
Global 6000	99,500	44,642	99.40	94.00	0.85	487.05	1417
G650	99,600	44,200	99.78	99.58	0.85	487.05	1418
G650ER	103,600	48,200	99.78	99.58	0.85	487.05	1475
Global 8000	108,300	50,650	102.20	104.00	0.85	487.05	1542
Global 7000	108,700	47,450	111.20	104.00	0.85	487.05	1548
Lineage 1000E	120,152	48,540	118.90	94.30	0.8	458.4	1515
ACJ318	149,900	45,761	103.20	111.80	0.8	458.4	1891
ACJ319	168,650	71,930	111.00	111.80	0.8	458.4	2127