

Surface Transportation Security Advisory Committee (STSAC)



Meeting Minutes November 17, 2022



Meeting Summary

The Transportation Security Administration (TSA) hosted the 14th meeting of the Surface Transportation Security Advisory Committee (STSAC) in a hybrid format consisting of both in-person participation at TSA Headquarters and connection via WebEx teleconference. The meeting was open to the public who were invited to join through WebEx. The agenda was provided to participants in advance of the meeting.

The meeting focused on subcommittee updates on implementation of approved recommendations and also included updates from Surface Policy Division, and Surface Security Operations.

TSA Administrator David Pekoske; Policy, Plans, and Engagement (PPE) Deputy Assistant Administrator (DAA) and STSAC Co-Executive Sponsor Kristen Simonds; PPE Surface Policy Division Executive Director and STSAC Co-Executive Sponsor Scott Gorton; the STSAC Chair Thomas Farmer and Vice Chair Polly Hanson; and Security Operations (SO) Surface Operations (SO) Assistant Administrator (AA) Sonya Proctor addressed the Committee.

The government and industry co-chairs of the Security Risk and Intelligence Subcommittee, Cybersecurity Information Sharing Subcommittee, Insider Threat Subcommittee, and Emergency Management and Resiliency Subcommittee presented their respective subcommittee accomplishments, near and longer-term objectives and projected outcomes, and the foundations for future Committee topics of interest.

Call to Order

Before the formal start of the meeting, the STSAC Designated Federal Officer (DFO) Judith Harroun-Lord provided a brief explanation of the in-person and WebEx teleconference procedures. She called the meeting to order at 12:35 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.

STSAC Co-Executive Sponsors Introductory Remarks

STSAC Co-Executive Sponsor Kristen Simonds (PPE DAA) and STSAC Co-Executive Sponsor Scott Gorton (PPE Surface Policy Division Executive Director) provided a welcome to all, introductory remarks, expressed appreciation to all who joined in-person and online, and thanked the public for their interest in the STSAC.

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For those attending in-person at TSA Headquarters, Ms. Simonds recommended visiting Mission Hall, which provides a visual history of TSA and milestones that include the development of the STSAC. For those attending online, Mission Hall is also represented on [TSA.gov/history](https://www.tsa.gov/history).

Mr. Gorton welcomed the 13 newly-appointed STSAC members and the 12 inaugural members who graciously reapplied for reappointment. With the eight members appointed last year, the Committee totals 33 voting members reflecting tremendous experience and expertise.

Mr. Gorton greeted STSAC Chair Tom Farmer and STSAC Vice Chair Polly Hanson, TSA leadership, government representatives from partner agencies, and ASAC Vice Chair Chris Bidwell. He recognized the TSA STSAC staff for their efforts and hard work in organizing and running the meeting.

He acknowledged how busy the last year has been for both TSA and all surface transportation partners, and expressed great appreciation for the time, effort, dedication, and hard work of all. He recognized the progress that has been accomplished through significant security initiatives that have achieved paradigm shifts. He anticipated keeping the momentum going into 2023.

Proudly reflecting on TSA's broad mission across aviation and surface, Mr. Gorton noted the Administrator has a keen interest in surface transportation and has made it a center point in the last three years, including the creation of the STSAC. The new TSA Headquarters in Springfield, Virginia reflects a testament to this and the thought that went into displaying the full expanse of TSA's mission—from the wall facing the entrance where all TSA employees come in every day with all the surface transportation modes represented, and the wall with an artists' rendering of items collected at the checkpoints over the years.

Mr. Gorton then introduced the STSAC Chair and Vice Chair for their opening remarks.

STSAC Chair and Vice Chair Opening Remarks

Vice Chair Hanson welcomed everyone attending in person and online. She noted this was the first time since the nation shut down due to the COVID-19 pandemic in March of 2020 that the Committee has met in-person and the first time for many to visit the new TSA Headquarters building.

Ms. Hanson thanked the Administrator for his recent appointment of STSAC voting members. She thanked the 13 inaugural members who chose to reapply for their continued participation, and was excited to welcome 12 new members, a diverse and talented group, looking forward to leveraging their expertise. She expressed appreciation to those members who chose not to continue their service and acknowledged their valuable contribution to the security of the nation's transportation systems. She thanked the public for attending the meeting today and for their interest in Surface Transportation Security.

She noted the subcommittees' reports will include their accomplishments and challenges they have encountered, as well as discussion regarding future activities and next steps. All the work is done in partnership with TSA staff and other federal partners. She thanked DFO Harroun-Lord and the TSA STSAC team for their hard work and collaboration.

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Chair Farmer thanked the people behind the scenes for putting the meeting together, noting it was wonderful to see esteemed friends and colleagues again, and welcoming those who came in person, those who joined online, and members of the public.

Mr. Farmer recounted a story illustrating the tragedy of 9/11 and how many of the people in the STSAC were there because of the events of 9/11, their careers having thus taken a substantial turn after the events of 9/11 and laying the foundation of what brought people to this Committee.

He noted that we are yet again coming through another ordeal that has gone on far longer than 9/11 and one that has taken a far greater toll—the COVID-19 pandemic. Mr. Farmer mentioned that, as he went around the room, he heard stories of loved ones who were lost, reunions with family members that were put off, education disruptions, limits of technology, and retirements and graduations that could not be celebrated. He gave tremendous credit to the Committee for their continued commitment to the work of the STSAC in the face of immense challenges that were presented. Despite how the pandemic changed work and how it was done, not a single member who was appointed stepped aside because of the new burdens. They stayed the course, choosing to volunteer regardless of new challenges between work, family, and community.

Mr. Farmer welcomed the new members, looking forward to their perspectives and experience enriching the Committee. Pushing back on deadlines by design to preserve the holiday season from December to January—for the first time in three years, people may be able to celebrate in a way that was akin to pre-pandemic. He recommended Committee members take time to consider what was lost and also take time to consider the scope of what has been accomplished—from the subcommittee that addressed the pandemic right away, to terms that have evolved to common use such as “essential critical infrastructure workers,” which actually came out of a joint proposal from the Transportation Sector; and achievements in prioritizing essential workers for vaccines and obtaining through DHS and FEMA and distributing more than 15 million reusable face masks in the early months of the pandemic, when available supplies were scarce, for protection of transportation workers. Mr. Farmer saluted the members of the Committee and government colleagues who made differences in ways that well beyond their usually defined roles and responsibilities and delivered immeasurably valuable when needed most. He acknowledged the collective work, sacrifices and the accomplishments and innovative ideas that have come the cooperation that flowed from the efforts of the STSAC.

DFO Harroun-Lord thanked Chair Farmer and Vice Chair Hanson, and introduced Mr. James Cook and Mr. Darnell Young to present the Security Risk and Intelligence Subcommittee brief.

Security Risk and Intelligence Subcommittee

The Security Risk and Intelligence Subcommittee (SR&) Industry Co-Chair James Cook introduced himself and opened the presentation. He was supported by SR&I Subcommittee DFO Darnell Young.

Mr. Cook presented an overview of the following accomplishments. The SR&I Subcommittee has

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1. Worked with counterparts in government to promote a more effective organizational structure for intelligence support, notably by seeking the establishment of a National Intelligence Manager (NIM) for surface transportation.
2. Shared industry-sourced priority intelligence requirements to support surface transportation organizations in assuring informed awareness for prevention and response that includes surface industry priorities to expand the scope and enhance the quality of intelligence collection, analysis, and dissemination—classified and unclassified—for surface transportation security.
3. Expanded the role and functions of the TSA Surface Information Sharing Cell (SISC) to serve as a security information exchange hub for surface transportation modes and TSA and its federal interagency partners.

Mr. Young introduced himself and bid a good afternoon and welcome to everyone, highlighting the opportunity to meet in the new TSA headquarters. He provided an update on the progress of the recommendations, acknowledging the extensive collaborative effort required to get the SISC up and running with lots of support from stakeholders in the field, and noted there is still some work to do for the SISC to be fully operational.

Regarding the first recommendation, *“Request establishment of a National Intelligence Manager for surface transportation,”* progress is ongoing with the routing of a draft TSA memorandum and supporting documents through internal TSA office-level coordination with the recommendation for appointment of a Surface National Intelligence Manager (NIM) or equivalent through DHS’s Chief Intelligence Officer (CINT) to the Office of the Director of National Intelligence (ODNI). Coordination is ongoing with the DHS Chief of Intelligence staff for review to attain concurrence with the STSAC request and TSA memorandum and provide support to engage ODNI on this priority.

Supporting documents include the

1. Surface Transportation Security Advisory Committee, Annual Report to the Transportation Security Administration and to the Congress of the United States for 2020, 21 March 2021;
2. 2020 Biennial National Strategy for Transportation Security Report to Congress, Appendix C, Surface Security Plan, May 29, 2020; and
3. Signed Surface Information Sharing Cell (SISC) Charter, October 14, 2022.

Because TSA has no authority to direct ODNI agency action on industry intelligence needs, formal, memorialized engagement is needed for this request and implementation is dependent on ODNI. Subsequently, the SISC engaged CINT Staff on the STSAC request and socialized the pending request with new DHS CINT to provide support to engage ODNI on this priority. The signed SISC charter will be packaged with an action memo as additional justification for the STSAC request. Completion of this prerequisite demonstrates the commitment and structure that warrant the step of presenting the STSAC request for a Surface NIM to ODNI, dependent on DHS CINT and ODNI concurrence. The SISC anticipates submitting the action memo in December 2022, with estimated completion in June 2023.

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Regarding the second recommendation, “*Use private sector intelligence requirements to guide federal intelligence collection and inform intelligence analyses and product development by Intelligence Community agencies and analytical centers*),” surface partners completed the annual initiative to define surface industry-sourced intelligence priorities in September 2022. The priorities were delivered to ODNI, DHS Intelligence & Analysis, Department of Transportation, and TSA Intelligence and Analysis (I&A) via the SISC to complement and expand on DHS’s annual Key Intelligence Questions (KIQ) effort for the Transportation Sector.

TSA passes its catalogued industry intelligence requirements through DHS to ODNI. These are advisory, not directive, in nature. As such, there is a dependency on actions that intelligence agencies take to meet surface industry needs—specifically DHS CINT and ODNI concurrence and ODNI action to oversee IC agency analysis and production to meet surface industry intelligence requirements. Formal closure of this recommendation is pending as written.

Regarding the third recommendation, “*Approve and implement the Surface Information Sharing Cell (SISC) charter*.” the SISC Charter was signed by Transportation Systems Co-Sector Risk Management Agencies, the Department of Transportation (DOT) and TSA, the Surface Sector Coordinating Councils, and the Pipeline Security Working Group in October 2022. This key step on governance is essential in moving the SISC to full operational capability and required extensive cooperation from surface industry partners. Thorough review from surface industry and government stakeholders was time consuming but necessary to increase outreach to get as many participants as possible.

While awaiting final charter signatures, the SISC continued to move forward with the following accomplishments. The SISC

- Was established as a focal point for stakeholder engagement and cross-modal sharing of threat intelligence and security information, both cyber and physical.
- Collaborated with TSA Surface Operations and I&A Field Intelligence Officers to increase awareness and participation from state, local, tribal, and territorial partners (SLTT), and other surface stakeholders in the field.
- Holds two intelligence briefings on cyber and physical threats each week with expansion to daily sessions forthcoming. There has been tremendous participation on the twice weekly WebEx meetings and the SISC anticipates this to continue when they go to daily briefings.
- Held its inaugural “Classified Industry Day” for surface transportation at TSA headquarters on September 22, 2022. The second Classified Industry Day is scheduled for December 8, 2022.

Chair Farmer commented that the creation of the SISC as a focal point for government and industry partners to share threat intelligence and security information, with planned expansion for daily sharing, is far from an insignificant achievement; this unified approach underscores the justification for more focused attention on surface transportation by the Intelligence Community with the request for appointment of a Surface NIM. The SISC Classified Industry day was remarkable in terms of the quality of the information shared.

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Vice Chair Hanson observed she was very appreciative that Mr. Cook called in while on vacation. She encouraged new members to sign a nondisclosure agreement (NDA) and join the SISC intelligence briefings. While it took time to get the Charter approved, implemented, and signed, perseverance has paid off.

DFO Harroun-Lord thanked Mr. Cook and Mr. Young, and introduced Mr. Tim Weston and Ms. Norma Krayem to present the Cybersecurity Information Sharing Subcommittee brief.

Cybersecurity Information Sharing Subcommittee

The Cybersecurity Information Sharing (CIS) Government Co-Chair Tim Weston greeted the full Committee. He presented Objectives 1, 3, and 4. He was supported by the CIS Industry Co-Chair Norma Krayem, who presented Objective 2 and discussed looking ahead and next steps.

Objectives of the Subcommittee

1. Focus on how new changes effected by the Security Directives (SDs), and new changes to cyber incident reporting expected from the Cyber Incident Reporting for Critical Infrastructure Act of 2022 (CIRCIA) law impact sectors regulated by TSA.
2. Develop innovative proposals that advance cyber threat awareness, security enhancement, and risk mitigation for the six modes of surface transportation represented by the STSAC.
3. Assess cybersecurity needs of the six sectors regulated by TSA and identify DHS, TSA, and the Cybersecurity and Infrastructure Security Agency (CISA) capabilities and tools to assist regulated sectors.
4. Define applicable cyber threat intelligence priorities for TSA and for regulated sectors.
5. Maintain a practical approach, focusing on near-term actions for risk mitigation and longer-term solutions to sustain effectiveness.

Mr. Weston noted progress is ongoing to keep up the momentum as the work evolves. The key is getting the right information out to stakeholders by working closely with the SISC, particularly on the first recommendation.

Regarding the first recommendation, *“Establish a surface transportation cyber information sharing network on threats, incidents, and security concerns and related alerts, advisories, analyses, and assessments,”* the CIS continues to coordinate with the SISC to assess the role it will play now that the Charter has been approved. This effort includes continued discussions and coordination with SISC leadership to ensure implementation of our recommendations, monitoring their operational progress, and to assist as appropriate. Estimated completion is April 2023.

The SISC implemented bi-weekly SISC intelligence-sharing WebEx briefs hosted by TSA Intelligence and Analysis (I&A). The Tuesday and Thursday sessions include briefs on threats, surface-relevant products, and cybersecurity. Recurring briefings, such as Surface Industry Day, have also been implemented to share threat and cyber intelligence information with surface stakeholders.

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The Cybersecurity Information Sharing subcommittee's original priorities and recommendations have been impacted due to a changing environment that includes:

- The SISC's defined operational capabilities.
- Changing cybersecurity reporting and information sharing environment and efforts.

Regarding the second recommendation, "*Manage the operations of the Surface Information Sharing Cell (SISC) under the express authorization provided by the Cybersecurity Information Sharing Act of 2015,*" TSA continues to analyze the Cybersecurity Information Sharing Act of 2015 and its application to the current reporting requirements outlined in the SDs. Since the issuance of the SDs, the voluntary nature of cyber incident reporting no longer applies. With the mandate of the Cyber Incident Reporting for Critical Infrastructure Act of 2022 (CIRCIA) in place, TSA is working through the DHS Cyber Incident Reporting Council to make recommendations on harmonization of efforts. In addition, CISA's new Joint Cyber Defense Collaborative for Industrial Control Systems (ICS) and pipelines is being discussed and reviewed for their impacts.

Changing cybersecurity reporting and information sharing efforts—specifically, the issued SDs and non-compulsory information circulars (ICs), the Incident Reporting for Critical Infrastructure Act (CIRCIA), the Cybersecurity Incident Reporting Council (CIRC) Recommendations, and Joint Cyber Defense Collaborative (JCDC) efforts (with a subgroup for ICS and Pipelines but looking to expand membership)—dramatically changed the environment and the original goals of the Committee. As such, the Committee is reevaluating the priority action item and will be making new recommendations for actions. Estimated completion is October 2023.

Regarding the third recommendation, "*Establish effective procedures for broad sharing of cyber threat and security information across surface transportation modes,*" CIS continues to coordinate with the SISC to assess the role it will play now that the Charter has been approved. This work includes continued discussions and coordination with SISC leadership to ensure implementation of our recommendations, monitoring their operational progress, and assisting as appropriate. Estimated completion is April 2023.

Regarding the fourth recommendation, "*Conduct an annual review to assess the performance and impact of the Surface Information Sharing Cell (SISC),*" the CIS continues to coordinate with the SISC to assess the role it will play now that the Charter has been approved. This initiative includes continued discussions and coordination with SISC leadership to ensure optimal performance and impact of the SISC, monitoring its operational progress, and to assist as appropriate.

While the CIS cannot assess SISC performance until the SISC's first year of full initial operational capability is complete, it has been determined that this recommendation will be revisited to evaluate implementation once the SISC's first year of full initial operational capability is complete. Estimated completion is November 2024.

Ms. Krayem thanked Mr. Weston and took a moment to express her pleasure serving as the industry co-chair and working with the Subcommittee because cybersecurity information sharing

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is such a critical part of helping surface transportation. The CIS Subcommittee had been established well before the issuance of the Security Directives. Initially, the goal was to find better ways to share information. When thinking about recommendation #2 and how that could really be refined and aligned with current reporting requirements, she highlighted looking ahead and integrating new priorities meriting attention.

Looking ahead, Ms. Krayem presented new possibilities to identify and explore, and new priorities meriting attention.

- Identify and explore new possibilities for expanding and leveraging CIS membership to develop better understanding of the supply chain, OT, and IT surface sector systems and consequences that are susceptible to cybersecurity attacks.
- Continue to focus on ways to harmonize the new CIRCIA law with TSA SDs.
- Continue to discuss with CISA on how it is defining memberships for the JCDC, the ICS JCDC, and the pipeline JCDC to specifically expand it to include all modes of surface transportation.
- Continue working with TSA leadership on the transition from SDs to a new rulemaking process in order to better help surface transportation understand and harmonize regulatory needs.
- Continue to focus on what, if any, of the Cybersecurity Information Sharing Act of 2015 (CISA 2015 Act) still applies to any surface transportation mode, in light of the current SDs. CIRCIA includes the CISA 2015 Act protections for those who submit cyber threat information.

Mr. Weston expressed, while having evolved greatly, the CIS must not stay static. Rather it must continue evolving for the intrinsic value of sharing information and making sure there is a functional two-way street. He noted that the subcommittee members talk about this goal every chance they get and that they appreciated the opportunity to provide an update today. Mr. Weston opened the floor for questions or comments.

Chair Farmer applauded their efforts, commenting that even with the issuance of the SDs, the CIS continued to work on leveraging information as much as possible to inform vigilance, maintaining that focus even as other issues come up, and working with CISA as well. The CIS remained nimble with a moving target and kept its focus on collaboration with partners across all sectors including aviation. He noted the importance of ensuring that, as the requirements go into effect, they are not in any way undercutting the goal of information sharing on cyber threats—within industries, across transportation modes and with government.

Vice Chair Hanson concurred with Chair Farmer and emphasized hearing this from another subcommittee as well.

Ms. Krayem thanked the Chair and Vice Chair. She highlighted new issues meriting attention, such as stakeholder participation, risk perspectives, and differences between IT and OT systems. The more that can be shared with TSA, the better it will help the overall structure. It is also worthwhile to continue speaking with CISA, to assure understanding of the surface transport structure and how to share information in a more focused and timely manner.

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DFO Harroun-Lord thanked Ms. Krayem, Mr. Weston, Chair Farmer, and Vice Chair Hanson, and introduced Mr. Warren Haines to present the Insider Threat Subcommittee brief.

Insider Threat Subcommittee

The Insider Threat (InT) Subcommittee Government Co-Chair Warren Haines greeted the full Committee. He noted that the InT Industry Co-Chair Joe DeLuca did not reapply for appointment and requested anyone interested in that role reach out to the Chair and Vice Chair and/or to him and the InT DFO Dean Walter.

Mr. Haines presented the objectives below, leading into an update on recommendations one, two, and eight.

Objectives of the Subcommittee

1. Evaluate the insider threat to surface transportation and develop near-term actions and longer term strategies for sustained risk mitigation.
2. Review case studies of significant insider threat incidents that have impacted surface transportation to identify lessons learned on indicators of the developing threat, of illicit activity, and effective practices for security enhancement.
3. Propose cooperative government and industry solutions for expanded awareness and informed protective measures.

Regarding the first recommendation, *“Expand the newly established Insider Risk Mitigation Hub (IRMH) by integrating surface transportation industry representatives and leveraging the combined expertise of public and private security professionals,”* the Insider Risk Mitigation Hub (IRMH) is currently operational, and TSA is working to reach full operational capability (FOC). TSA has secured funding for program development support.

The initial scope involved assessing the current Hub. Additional work is anticipated to assess stakeholder integration and to mature and professionalize the IRMH over the next few years by identifying areas for improvement and reporting. Anticipated completion is September 2023.

Regarding the second recommendation, *“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,”* the Case Optimization and Risk Evaluation (CORE) tool is an analytics suite within the Insider Threat Case Management System. Data migration was completed on November 14, 2022, and the system is currently being validated and reviewed before final rollout.

The Insider Threat Case Management System (CMS) completed the agile development process as of November 2, 2022. The CORE Tool was concurrently developed to act as the analytic tool for prioritizing and evaluating risk information within the system. Developers are currently assisting with the migration of legacy data, which will be followed by rollout of the system. Formal administrative closure is pending.

Regarding the eighth recommendation, *“Maintain a consolidated insider threat information resource for transportation on the Homeland Security Information Network (HSIN),”* TSA has

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provided a demonstration of the HSIN Surface Transportation Insider Threat Library and is completing a pilot with the full STSAC. Rollout of the HSIN Insider Threat Site to broader Surface Stakeholders is anticipated at the end of January 2023.

Mr. Haines thanked the Committee for the opportunity to speak and opened the floor for questions.

Chair Farmer acknowledged that the InT Subcommittee has taken on the most aggressive agenda with the volume and complexity of its recommendations. Nonetheless, substantial progress has been attained, notably in refinements to government forums and funding to enable and sustain the priorities the subcommittee has identified and pursued. He noted that integration of subcommittee representation with existing executive coordination and cooperation forums is a substantial achievement. Regarding the HSIN Surface Transportation Insider Threat Library, it is important to have a consolidated reference source because useful information is often dispersed across many different sites. The challenge is finding that information in the right places. This initiative alleviates that challenge. As an example, a surface transportation organization can now consult the HSIN Surface Transportation Insider Threat Library to readily obtain helpful materials for awareness training of employees on indicators of concern based on experience with actual incidents.

Vice Chair Hanson volunteered to help work with the contractor and asked new members to ensure they request their HSIN accounts be set up so they can visit the HSIN InT Library, as this really is an achievement.

DFO Harroun-Lord concurred with Vice Chair Hanson that the STSAC team would help with new members' accounts. She thanked Chair Farmer, Vice Chair Hanson, and Mr. Haines and introduced Mr. Darrin McGreevy to present the Emergency Management and Resiliency Subcommittee brief.

Emergency Management and Resiliency Subcommittee

The Emergency Management and Resiliency (EM&R) Subcommittee DFO Darrin McGreevy greeted the Committee and introduced himself, happy for the opportunity to represent the subcommittee.

Mr. McGreevy presented the following objectives.

Objectives of the Subcommittee

1. Management of emergency situations, whether the result of natural or intentional causes
2. Operational resiliency to enable prompt restoration of impacted services.

Regarding the first recommendation, *“Enhance pandemic preparedness by sharing lessons learned on response to COVID-19 across modes,”* this recommendation has been implemented with formal closure to the Administrator in October 2022.

Regarding the second recommendation, *“Support COVID continuing education to enhance response capabilities and resiliency through recurring review and update of the report on*

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effective practices and lessons learned and supporting information,”, this recommendation has also been implemented with formal closure to the Administrator in October 2022.

Looking ahead to new priorities meriting attention, in light of the EM&R Subcommittee having completed its initial two recommendations, the Subcommittee has met twice over the last few months to discuss new priorities and projects going forward and has identified two areas of focus:

Topic 1: Emergency Management and Resiliency Digital Library

Objective: Create a summary of emergency management and resiliency documents for members of the surface transportation industry.

Scope: All Surface Modes of Transportation

- Highway and Motor Carrier
- Freight Rail
- Public Transportation and Passenger Rail
- Pipeline

Outcome: Improved awareness of relevant resources to assist transportation operators when building upon or improving their emergency management and resilience capabilities. Carved out a space in HSIN similar to other subcommittees.

Topic 2: Surface Transportation Industry Webinar

Objective: Provide awareness and an overview on the current state of the power grid and the potential impacts that could result to the surface transportation community in the event of a disruption.

Scope: All Surface Modes of Transportation

- Highway and Motor Carrier
- Freight Rail
- Public Transportation and Passenger Rail
- Pipeline

Outcome: Improved awareness of the threat to the power grid and potential impacts to surface transportation as we continue to move towards electric vehicles.

Mr. McGreevy thanked everyone and looked forward to meeting the new members. He opened the floor for questions.

Chair Farmer noted that the EM&R Subcommittee was formed recognizing that a pillar of an effective security program is underlying strong emergency management. Subsequently, this

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group was well prepared positioned to address the responses in surface transportation to the COVID-19 Pandemic as its initial priority.

Based on this work, the subcommittee produced and disseminated the STSAC COVID-19 2020 Workshop Quick-Look Report and the STSAC COVID-19 2020 Workshop Final After-Action Report that included best practices and challenges.

When the pandemic was still in its peak, they implemented their second recommendation, producing and disseminating the STSAC COVID-19 2022 Workshop Quick-Look Report and the STSAC COVID-19 2022 Workshop Final After-Action Report.

Chair Farmer thanked them for the efforts that gave us the flexibility to respond to a new threat. Vice Chair Hanson thanked the EM&R Subcommittee for taking this on and was very interested in the next chapter.

Chair Farmer commended the EM&R Subcommittee for the topics they planned to take on.

DFO Harroun-Lord thanked Mr. McGreevy, Chair Farmer, and Vice Chair Hanson, and opened the floor for Committee Members Q&A.

Committee Members Q&A

There were no questions from the Committee. Chair Farmer acknowledged and credited all the subcommittees for the quality of their briefings.

Public Comments

No requests to provide statements were received from the public. DFO Harroun-Lord proceeded to the Committee Administration Discussion. She introduced Executive Director Scott Gorton to discuss planned activities for the Committee in the near future, and Chair Farmer to lead the vote on the August 18 Meeting Minutes.

Committee Administration Discussion

Executive Director Gorton greeted the Committee and welcomed the new members again. He noted with retirements of members who were serving in an industry co-chair role for a subcommittee, there are opportunities for those who want to step up either as an industry co-Chair or to provide subject-matter expertise. The STSAC Chair and Vice Chair designate the industry co-chairs and the DFO designates the government personnel. There is an opening right now for the Insider Threat Subcommittee Industry Co-Chair. Please make your desires known to the government co-chairs and to the STSAC Chair and Vice Chair, and they will make a selection.

Chair Farmer noted he and Vice Chair Hanson had already spoken with the Insider Threat Subcommittee government co-chairs and DFO. If anyone is interested, please let them know and they will take experience into account.

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Mr. Darnell Young spoke for the SR&I Subcommittee, noting that the Subcommittee planned to start a campaign to get the information out regarding what the SISC is capable of doing, particularly for those surface partners out in the field. He stated they are looking for someone from industry to provide their level of expertise on communicating out to state and local partners and other stakeholders in the field. He welcomed a subject matter expert on the industry side to help.

Mr. Gorton added that would be beneficial through either trade associations or other organizations that have a pre-existing networks that could be leveraged with appropriate messaging, and requested anyone with ideas to reach out to him or to Mr. Young.

Mr. Young noted they have drafted a SISC informational one-pager that can be distributed to answer common questions, such as those on membership criteria. He noted that when they send out invitations, people have said they missed the first invitation and wanted to participate. They are trying to establish a way to not miss anyone the first time.

Mr. Adam Long suggested messaging through trade associations to their membership, trying to distribute the information that way.

Vice Chair Hanson highlighted that a one-pager would put that into context about who can be a member.

Chair Farmer suggested nominating members in phases so that it would not be overwhelming—as an example, starting with STSAC members, expanding to the cyber community, and then expanding more broadly. He suggested building it out from several, to several dozen, and expanding over time. He noted that the consistent message in a one-page brief would ensure that everyone is on the same page to identify the right subject matter experts for participation.

Mr. Peter Grandgeorge noted that a key venue is through the Information Sharing and Analysis Centers (ISACs) that date back to pre-9/11 and through which industry shares information on a daily basis. These well-established and regarded forums complement the SISC Threat Briefs.

Mr. Young concurred, noting the SISC has reached out to industry experts to ensure the SISC is moving forward at the right pace and progressing in a value-added and beneficial manner. He expected the SISC momentum to slow a bit as they increase membership and participation, and, subsequently, they are looking for input on how to bring in additional individuals. The word is out and people are now asking to join, so there is a need for a good understanding of how to bring new stakeholders onboard. Mr. Gorton concurred.

Mr. Gorton next discussed the need to select the new Chair/Vice Chair. Chair Farmer and Vice Chair Hanson have done a great job, and now there is the opportunity to give others a turn and Chair Farmer and Vice Chair Hanson a break. Having discussed this with the Committee membership, the proposal will be to have a period of nomination in the month of December. All new members received biographical packets on everyone and they need time to digest that and get to know each other. Nomination ballots will be sent out. A voting member can nominate someone or volunteer for one of the positions. The ballots will be collected during the month of December, an electronic vote will be held in January, and the newly elected or reelected Chair

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and Vice Chair will officially be seated at the February 2023 meeting. There was one other election held when the STSAC was stood up. It has now been a 3-year term and time to refresh/reaffirm leadership and let everyone proceed. Mr. Gorton asked for any questions or objections. Hearing none, he moved on to discuss the Cybersecurity Risk Management Consultation.

Cybersecurity Risk Management Consultation

Mr. Gorton introduced this important topic, having discussed it in previous meetings and on public record, that TSA intends to initiate a rulemaking for cybersecurity risk management. While TSA has published Security Directives (SDs) on cybersecurity, TSA would like to move in the direction of having a more permanent regime of standards. A number of ways to approach this desired outcome was discussed with the Administrator. The Administrator could issue a formal tasking letter and the Committee would set up a subcommittee to make formal recommendations. However, given some urgency in wanting to make sure that TSA consults with this Committee concurrently to ensure they have a voice and provide advice, TSA is proposing a consultation session. TSA would like to convene an ad hoc session of the Committee sometime during the first two weeks of December as a venue for detailed dialogue of cybersecurity risk management.

This meeting would be held concurrently with the issuance of an advance notice of proposed rulemaking (ANPRM). TSA can then incorporate the STSAC's input with those of interested parties, therefore providing different perspectives to help craft a better rulemaking. Some STSAC members participated in the Critical Infrastructure Partnership Advisory Council (CIPAC) cross-sector leadership meeting that identified key aspects already in place that could be leveraged in a regulation. The advantages of this Committee are the diversity of industries and backgrounds represented. This expertise and experience will be very beneficial to help inform TSA moving forward. The discussion is expected to be a multi-hour session; look for near-term communication with details and dates. Mr. Gorton envisioned a day of consultation, with a morning session, break, and then reconvening in the afternoon. He invited questions or concerns.

Chair Farmer asked for clarification of what TSA wanted to accomplish. He had anticipated establishing a subcommittee for regulations that would be a good avenue to inform the Administrator regularly on this topic. As importantly, this initiative should address capabilities that might be brought to bear from the government to help covered surface transportation organizations to meet requirements, noting cyber-reporting as a good example. He noted that there is a need to ensure regulatory action on incident reporting is going forward in a productive manner. He asked if TSA still intended to establish an additional and separate subcommittee to provide input on regulations TSA may be considering.

Mr. Gorton did not think that the Cybersecurity Risk Management Consultation would be a standing body because, while cybersecurity will be ever present, there will be other topics to address even if cybersecurity is the focus at the present time. Convening an ad hoc Cybersecurity Risk Management Consultation would not preclude establishing a standing subcommittee.

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Vice Chair Hanson noted she verbalized her concerns yesterday at another meeting, for government agency harmonization as requests by multiple agencies is a burden on resources and abilities depending on an agency or owner/operator's maturity. She wanted to verbalize those concerns again. Mr. Gorton responded that TSA is certainly taking that into consideration. Hearing from the Committee members will be valuable to learn about the concerns of the groups they represent.

The ANPRM will be published in a *Federal Register* notice and the public is certainly welcome to comment. Harmonization is an objective for regulatory agencies. TSA, Coast Guard, and CISA all have regulatory regimes and are all looking at cybersecurity regulations. It is important for agencies to regularly meet and talk about what is being planned, with the objective of achieving and sustaining harmonization across agencies to the maximum extent practicable. He noted there are members on the Committee who work for companies with infrastructure or operations that may fall under multiple regulatory regimes, so trying to balance this based on actions taken is a constant on the government's mind. TSA is looking at what other agencies are doing as well, even if not in transportation, to determine where there is overlap and how that might be incorporated to create alignment and prevent contradictions in regulations. Mr. Gorton opened the floor for questions.

Hearing none, DFO Harroun-Lord introduced the next agenda item.

Committee Vote for August 18 Meeting Minutes

Chair Farmer led the Committee vote to accept the August 18 Meeting Minutes as distributed to members in advance of the meeting. Mr. Farmer requested a motion to accept the August 18 Meeting Minutes. Mr. Brian Reu moved to accept the minutes and the motion was seconded by Mr. Robert Finnegan. The motion carried by voice vote and the minutes were accepted.

DFO Harroun-Lord thanked Mr. Gorton and Chair Farmer. Ms. Harroun-Lord informed participants that AA Sonya Proctor would present a SO Surface Operations Update after a 20-minute break.

BREAK

TSA SO Surface Operations Update

Security Operations Surface Operations (SO) AA Sonya Proctor bid everyone a good afternoon and took the opportunity to share some information about Surface Operations. Having heard all the presentations today about the accomplishments of the surface community, she acknowledged the work of this Committee and colleagues who have supported the work of Surface Operations—as an example, the SISC and how it is changing how the federal government shares information. Another good example of change in the way that government is collaborating with the subcommittees.

AA Proctor shared highlights of Surface Operations work, noting they could not accomplish this work themselves and were only successful because of the partnership established with the surface transportation community.

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Surface Operations is working closely with the Federal Emergency Management Agency (FEMA) on the new grants awarded and a small incremental increase on what when out to the transit community. The FY2022 grant program with FEMA provided \$105 million in grants to enhance security in transit systems:

- **Transit Security Grant Program:** provides \$93 million to owners and operators of public transit systems to protect critical surface transportation and the traveling public from acts of terrorism and to increase the resilience of transit infrastructure.
- **Intercity Bus Security Grant Program:** provides \$2 million to owners and operators of intercity bus systems to protect surface transportation infrastructure and the traveling public from acts of terrorism and to increase the resilience of transit infrastructure.
- **Intercity Passenger Rail:** provides \$10 million to Amtrak to protect critical surface transportation infrastructure and the traveling public from acts of terrorism and increase the resilience of the Amtrak rail system. Award made per congressional direction.

Surface Operations has aligned its cyber resources into two divisions—Cyber-Compliance and Enforcement Division, and Cybersecurity Assurance Division. Cyber-Compliance and Enforcement reviews documentation and manages follow-up visits. Cybersecurity Assurance has a staff of 13 who perform data review and assurance functions. There is significant training for all Surface Operations personnel, to include entry level training for over 130 employees.

SO Surface Operations has trained over 9,400 transportation employees including school bus employees in First Observer Plus™, where they learn how to observe, how to recognize signs of suspicious activity, and how to report it.

Exercises continue—there have been 24 this year, including the first international exercise on a cyber-topic company-wide. The initial SDs for pipelines have expired with new SDs issued in July 2022, which led to a new approach with TSA and SDs. The initial SDs were considered prescriptive, and the new ones are performance-based so that the individual companies can develop their security plans based on their company business plan, assets, and current threat environment.

The first deadline in October 2022 was met completely across all covered pipeline companies. Regional Security Directors (RSDs) in the field are now in the process of reviewing the cybersecurity implementation plans, allowing 45 days to make a final decision to approve. Timelines will be influenced by the number of times the plans go back and forth to close gaps and address vulnerabilities in order to meet the goal of compliance. After the plan is approved, the operator has 60 days to complete the cybersecurity assessment plan based on the date of approval. Rail is essentially following the same process for the second Security Directive issued in October 2022. Feedback has been positive because TSA really recognizes that individual companies have different assets and business plans; subsequently, owner/operators are now developing their own cybersecurity implementation plans.

Once the RSDs complete their review, they will start the process of scheduling an onsite inspection. Onsite inspections are conducted by trained and credentialed inspectors. Nothing will be a surprise. They will do outreach and a pre-brief prior to the inspection to ensure the

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operator understands the inspection process. The inspectors will know what to review and what the expectations are for the inspections. Onsite inspections will begin in March 2023.

The scheduling process takes time and effort as well as ensuring that the companies have what they need at the time of inspection. There is a lot of discussion and collaboration about what needs to be submitted in advance because it is not possible to do everything onsite. The inspectors will look at sensitive documentation onsite when they arrive to do the inspection. The planning for this process seems to be going well.

A lot of effort has gone into communicating with industry to ensure operators understand the threats behind the SDs. There have been over 25 classified briefings to pipeline and rail industry members about what is driving the threat—a record for surface transportation. Ms. Proctor indicated that TSA will continue to provide these briefings whenever there is new, relevant, and actionable information and, as TSA continues to focus on the SDs, both issued for one year. Executive Director Gorton will talk about what happens after that. Rest assured that TSA will maintain its oversight responsibility because of the critical nature of the threat experienced in the surface transportation community.

Reflecting on the high level activities identified here—raising the security baselines in both physical and cybersecurity—it is clear that we are only successful with the support of industry when we are working together in true collaboration. Cybersecurity will be with us for a long time and no one will have the answer any time soon. As we continue to prepare to harden and enhance cybersecurity, TSA will continue to keep you informed about existing threats and work with CISA on the types of actions owner/operators should take to protect their cyber systems.

AA Proctor ended by acknowledging everyone and expressing appreciation for the opportunity to share.

DFO Harroun-Lord thanked AA Proctor and introduced Executive Director Scott Gorton to present the Operations Support Surface Policy Division Update.

TSA OS Surface Policy Division Update

TSA intends to publish the ANPRM enhancing cybersecurity risk management in the next few weeks and will provide notice to members of the Committee when it is published in the *Federal Register*.

Regarding other rules TSA is working on, work on one has been in progress for some time and that is the notice of proposed rulemaking (NPRM) for vetting of certain surface transportation employees. The draft NPRM is currently under review with OMB's Office of Information and Regulatory Affairs. STSAC members may have a great deal of interest in this initiative, especially given the work of the Insider Threat Subcommittee. TSA will keep everyone posted as it gets closer to the publication date.

Mr. Gorton clarified, for everyone's edification, that cybersecurity SDs are not Sensitive Security Information (SSI). They are available on TSA.gov for anyone who wants to view them at <https://www.tsa.gov/for-industry/surface-transportation-cybersecurity-toolkit>.

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Mr. Gorton acknowledged and introduced TSA Operations Support Deputy Assistant Administrator, Chad Gorman. Mr. Gorman recognized Senior Official Performing the Duties of the Deputy Administrator, Stacey Fitzmaurice, who was attending virtually. He then introduced Administrator Pekoske.

TSA Administrator Closing Remarks

TSA Administrator David Pekoske welcomed members of the public and thanked everyone for attending. He expressed appreciation for taking time out of busy schedules to participate in the important work of this Committee. He noted, as the challenges in surface transportation security evolve and become more complex, that cooperation in confronting them together is more and more important.

He acknowledged the work of Executive Director Gorton and AA Proctor and commended them both for a good job, having accomplished a lot in a short period of time. He noted and commended the Committee that TSA would not be able to serve its mission without their partnership.

He was pleased to have been confirmed for another term so we can continue to advance our mission. He noted the work we do today and in the coming days, months, and years is critical to heightening the surface transportation security posture.

The Administrator noted the importance of government in meeting cyber threats, including those to critical infrastructure. He also noted the importance of the Security Directives, rulemaking, and consultations with the Committee in meeting those threats.

To that end, he shared updates on some important efforts going on right now in this area, that continue to build on the significant work that has already been accomplished over the past year.

Building Cybersecurity Resilience

He noted that at the Aspen Cyber-summit he had a fireside chat with the CEO of an American energy company, reflecting that what has been done in Pipeline and Rail are leading-edge initiatives in the federal government. Performance-based rulemaking is a strong first step. He acknowledged the positive feedback he received during those meetings, and was very proud to be able to represent what TSA and industry have done in the transportation sector.

It has always been clear after his Coast Guard maritime experience that one cannot conduct the mission without strong, trusted partners. This partnership is critical to heightening and hardening the surface transportation security posture. Cyber-threats continue to rise and have been a big pivot towards building prevention programs and improving the overall sector in terms of resilience, noting that state-sponsored actors will take advantage of poor cyber-hygiene. He was also concerned about physical security.

He noted TSA is using a new model developed with extensive input from industry stakeholders and federal partners. He highlighted one last important piece, which is emphasizing, particularly for members of the public joining this afternoon, the strong partnerships with CISA, the Pipeline

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and Hazardous Materials Safety Administration (PHMSA), Federal Railroad Administration (FRA), National Security Council (NSC), and the Office of the National Cyber Director. He noted that the new National Cyber Director and staff have been very helpful.

With this model, we have been working with our federal partners and with industry in other areas of the transportation sector to increase cybersecurity resilience throughout the entire surface transportation system. This model is supported by continuous monitoring and auditing to assess the achievement of the needed cybersecurity outcomes.

In October 2022, we reissued security directives (SDs) that are posted on TSA.gov for both railroads and rail transit to have cybersecurity coordinators and report incidents so that the requirements will be in effect until October 2023. Additionally, we issued SD2 for designated freight and passenger railroads. The content of the SD is similar to the content of Pipeline SD2C. This SD became effective on October 24, 2022. We consulted with industry and government partners to identify needed amendments to make the SD suitable for the railroad community to take an innovative, performance-based approach to enhancing security. This allows industry to leverage new technologies and be more adaptive to changing environments.

He noted TSA anticipates publishing a Cyber Risk Management rulemaking oriented toward surface transportation, and expects to publish an ANPRM in the next few weeks.

Developing Surface Cybersecurity Risk-Management Programs

Administrator Pecoske noted, like you, TSA is committed to keeping our nation's transportation system safe from cyberattacks. He considered issuing a formal letter to the Committee requesting recommendations for baseline elements or components for inclusion in surface cybersecurity risk-management programs. But because of the timing of the ANPRM, he proposed that TSA schedule a Cybersecurity Risk Management Consultation.

This would mean inviting the full Committee to convene in a roundtable discussion about baseline requirements that TSA should consider for inclusion in a rulemaking to establish cybersecurity risk-management practices for surface transportation operators.

The Cybersecurity Risk-Management Consultation forum would be an opportunity to discuss which entities should be covered and what requirements should be part of a cybersecurity risk management program.

TSA would consider input from the Committee along with comments that we receive in response to the ANPRM.

New Membership Selections

Administrator Pecoske was pleased to welcome the new STSAC membership—both the newly appointed members and the reappointed inaugural members, noting that he met with the new members in October 2022. He commended each of them for taking on this dedicated effort and anticipates even more valuable contributions from this Committee with their participation. He acknowledged the full Committee, their experience and insights, and emphasized that continued

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partnership and collaboration are essential to achieving the TSA's security mission through the work of the STSAC.

The Administrator noted that he concurs with Executive Director Gorton and AA Proctor on the importance of partnership and collaboration. From his perspective, TSA done an excellent job in improving information flow, including that of classified information. TSA held a series of classified briefings to Chief Information Officers (CIOs) of the most critical companies in the Pipeline and Rail Sectors. Along with that, the Surface Information Sharing Collaborative was established so that federal agencies can share information together to determine what would be valuable to owners/operators, such as establishing the SISC that provides threat briefs on a regular basis. The inaugural meeting was incredibly well attended. As a citizen, he thinks this is a good practice for the government to have a regular classified information exchange.

He looked forward to hearing the closing remarks of Chair Farmer and Vice Chair Hanson, and is indebted to these two terrific leaders who are leading this group. He turned the meeting back to DFO Harroun-Lord, noting she did great work supporting this advisory committee. DFO Harroun-Lord acknowledged and thanked the Administrator, and introduced Chair Farmer and Vice Chair Hanson for closing remarks.

Chair and Vice Chair Closing Remarks

Chair Farmer thanked Ms. Harroun-Lord. He acknowledged the Administrator and expressed appreciation for his kind words acknowledging the commitment and hard work of the Committee. He noted that much of the progress made – not just the acceptance of the recommendations, but the decisions and the actions made by the Administrator that have helped bring to bear the accomplishments of the STSAC. The Committee appreciates TSA's commitment, structurally and organizationally, to getting us on the path to fully implementing multiple recommendations and funding for others.

Mr. Farmer emphasized the commitment of the STSAC members and how it has persevered through the destruction of the pandemic. He highlighted that Mr. Cook called in from vacation and Ms. Krayem had a serious incident affect her family recently and yet she participated in the meeting. He suspected others who have participated remotely were doing so outside their normal work day and wanted to call attention to how much work gets done on nights, weekends, and in addition to day jobs, carving time from their schedules to participate in subcommittee meetings. Mr. Farmer thanked the members for that level of commitment and noted the effort was rewarded in what members heard today.

Mr. Farmer expressed full recognition and respect for the new members recently appointed by the Administrator who have stepped forward and volunteered to participate in this Committee and its cause. All of the members recognize the value of new perspectives, new ideas, and new thoughts on how we can progress going forward. He welcomed new thoughts from all participants—industry and government partners.

He noted the importance of the partnership between government and industry as seen in action through the work of this Committee. He offered a collective thank you and collective well wishes to all with the approaching Thanksgiving holiday and holidays in December. He hoped members have the opportunity to truly celebrate joys of families and friends.

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Vice Chair Hanson also acknowledged and thanked the Administrator. She thanked the STSAC members online and in person, federal partners, TSA staff, other interested members, and the public for joining the meeting. She noted, in a week, people will gather with family and friends for a day of Thanksgiving. She was grateful for the support, volunteerism, and commitment

Co-Executive Sponsor Gorton thanked everyone for the time put into this effort. He appreciated the commitment for those who traveled and came in. He hoped they found the building conducive to the work. The new TSA Headquarters is a much better venue to have the meeting, and he was hoping for more of these types of events.

DFO Harroun-Lord thanked Co-Executive Sponsors Simonds and Gorton. She thanked everyone for their support and interest—Committee members who attended in person and those who participated online, and the public joining us today. She acknowledged and appreciated all colleagues for their support in preparing for the meeting today, wishing a happy and safe Thanksgiving to everyone.

Adjournment

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

The 14th meeting of the STSAC meeting was adjourned at 3:40 p.m. EST on November 17, 2022.

Certification of STSAC November 17, 2022, Meeting Minutes

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



Thomas L. Farmer
Surface Transportation Security Advisory Committee Chair