

Secretary

U.S. Department of Homeland Security  
Washington, DC 20528



**Homeland  
Security**

April 6, 2009

The Honorable Brian Schweitzer  
Governor of Montana  
State Capitol  
Helena, Montana 59620

Dear Governor Schweitzer:

Thank you for your February 20, 2009 letter regarding the Department of Homeland Security's (DHS) Transportation Security Administration (TSA) Security Directive 1542-04-08F (SD 08F) and its effect on general aviation pilots. As a former governor, I agree with the need to achieve a Constitutionally respectful balance between measures that enhance national security and the rights of individuals. With this in mind, I appreciate that you shared your concerns and welcome the opportunity to address them.

Expanding airport badge rules to air operations area personnel is one of many enhancements made to improve aviation security practices across the entire aviation system. While not covered directly by SD 08F, both general aviation and commercial pilots are covered by similar security measures, including vetting requirements. For example in 2006, TSA began vetting all active FAA pilot certificate holders. In addition, alien applicants for flight training at FAA-licensed flight schools must undergo a threat assessment before they may begin training. Further, transient general aviation pilots in secured areas of full program commercial airports are subject to existing TSA requirements and must be escorted at all times.

SD 08F improves standards for issuing, controlling, and auditing airport access control media already required by regulation. It does not require non-full program airports to develop badging systems and applies only to full program commercial service airports regulated by TSA. Full program airports are required to maintain comprehensive airport security programs covering all aspects of airport security, including physical, operational, and personnel security measures. A key component of the airport security program is a comprehensive system to control access to the airport and the security controlled areas within it. Smaller airports, including most Essential Air Service airports, operating under supporting or partial programs that do not include badging systems are not covered.

With respect to air operations area badge requirements, the intent of the directive is to ensure that individuals with regular unescorted access to the air operations area are covered by the same TSA security threat assessment requirement as other personnel with unescorted access to secured areas within the airport. In many commercial airports, access to the air operations area permits access to airside secured areas where sensitive activities like sorting, storing, and

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loading checked baggage take place. TSA expanded its badging and threat assessment requirements to cover all personnel with regular access to the air operations area to protect these areas. TSA currently conducts the aviation worker security threat assessments at no cost to the airport operator or individual, although some airports may charge fees for collecting the biographic information used in the security threat assessment and for issuing identification media.

TSA remains committed to working with its security partners to ensure requirements provide elevated security without unduly impacting the flow of commerce. In developing this particular requirement, TSA worked with representatives of aviation associations and other stakeholders. As a result, TSA understands that the requirements in the security directive present challenges at some airports and is committed to working closely with them during implementation. We remain confident that local issues can be resolved through ongoing collaboration with airport Federal Security Directors.

DHS is committed to ensuring that our security initiatives address both threats and vulnerabilities, and I look forward to building on our strong relationship as we work on this and other homeland security issues. Should you have any additional questions, please do not hesitate to contact me at (202) 282-8203.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Janet Napolitano', with a stylized flourish at the end.

Janet Napolitano