

DEPARTMENT OF HOMELAND SECURITY (DHS)
Fall 2017 Statement of Regulatory Priorities

The Department of Homeland Security (DHS or Department) was created in 2003 pursuant to the Homeland Security Act of 2002, Public Law 107-296. The DHS mission statement provides the following: “With honor and integrity, we will safeguard the American people, our homeland, and our values.” Fulfilling this mission requires the dedication of more than 225,000 employees in jobs that range from aviation and border security to emergency response, from cybersecurity analyst to chemical facility inspector. Our duties are wide-ranging, but our goal is clear—keeping America safe.

Leading a unified national effort, DHS has five core missions: (1) prevent terrorism and enhance security, (2) secure and manage our borders, (3) enforce and administer our immigration laws, (4) safeguard and secure cyberspace, and (5) ensure resilience to disasters. In addition, we must specifically focus on maturing and strengthening the homeland security enterprise itself.

In achieving these goals, we are continually strengthening our partnerships with communities, first responders, law enforcement, and Government agencies—at the State, local, tribal, Federal, and international levels. We are accelerating the deployment of science, technology, and innovation in order to make America more secure, and we are becoming leaner, smarter, and more efficient, ensuring that every security resource is used as effectively as possible. For a further discussion of our mission, see the DHS Web site at <http://www.dhs.gov/our-mission>.

The regulations we have summarized below in the Department's fall 2017 regulatory plan and agenda support the Department's responsibility areas. These regulations will improve the Department's ability to accomplish its mission. Also, the regulations we have identified in this year's regulatory plan continue to address legislative initiatives such as the Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act), Public Law 110-53 (Aug. 3, 2007).

DHS strives for organizational excellence and uses a centralized and unified approach in managing its regulatory resources. The Office of the General Counsel manages the Department's regulatory program, including the agenda and regulatory plan. In addition, DHS senior leadership reviews each significant regulatory project to ensure that the project fosters and supports the Department's mission.

The Department is committed to ensuring that all of its regulatory initiatives are aligned with its guiding principles to protect civil rights and civil liberties, integrate our actions, build coalitions and partnerships, develop human resources, innovate, and be accountable to the American public.

Executive Order 13771 Requirements

In fiscal year 2018, DHS plans to finalize the following actions:

- 0 Executive Order 13771 regulatory actions;
- 15 Executive Order 13771 deregulatory actions (including information collections);
- 5 Executive Order 13771-exempt regulations; and
- 9 regulations for which we are unsure of their Executive Order 13771 designation. (Note: These are regulations that we designated as “other” in the newly-created Executive Order 13771 designation data field in the Unified Agenda entries).

We provide further information about these actions in the DHS Regulatory Plan and Unified Agenda.

DHS is also committed to the principles described in Executive Orders 13563 and 12866 (as amended). Both Executive orders direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

Finally, the Department values public involvement in the development of its regulatory plan, agenda, and regulations, and takes particular concern with the impact its regulations have on small businesses. DHS and its components continue to emphasize the use of plain language in our regulatory documents to promote a better understanding of regulations and to promote increased public participation in the Department’s regulations.

The fall 2017 regulatory plan for DHS includes regulations from several DHS components, including U.S. Citizenship and Immigration Services (USCIS), the U.S. Coast Guard (Coast Guard), U.S. Customs and Border Protection (CBP), the U.S. Immigration and Customs Enforcement (ICE), the Federal Emergency Management Agency (FEMA), and the Transportation Security Administration (TSA). Below is a discussion of the regulations that comprise the DHS fall 2017 regulatory plan.

United States Citizenship and Immigration Services

U.S. Citizenship and Immigration Services (USCIS) is the government agency that oversees lawful immigration to the United States. USCIS’s role is to efficiently adjudicate and manage petitions, applications, and requests for immigration benefits for foreign nationals seeking lawful immigration status in the United States and for individuals seeking to become citizens of the United States, and other matters within the jurisdiction of the agency, in a manner that detects, deters, and prevents fraud, protects the jobs and working conditions of American workers as appropriate, and ensures the national security,

public safety, and welfare of the American people. In the coming year, USCIS will promulgate several regulatory and deregulatory actions to directly support these commitments and goals.

Rescission of International Entrepreneur Rule. USCIS will propose to rescind the final rule published in the Federal Register on January 17, 2017. The final rule established a program that would allow for consideration of parole into the United States, on case-by-case basis, of certain inventors, researchers, and entrepreneurs who had established a U.S. start-up entity, and who had been awarded substantial U.S. investor financing or otherwise hold the promise of innovation and job creation through the development of new technologies or the pursuit of cutting edge research.

Removing H-4 Dependent Spouses from the Class of Aliens Eligible for Employment Authorization. USCIS will also propose to rescind the final rule published in the Federal Register on February 25, 2015. The 2015 final rule amended DHS regulations by extending eligibility for employment authorization to certain H-4 dependent spouses of H-1B nonimmigrants who are seeking employment-based lawful permanent resident status.

H-1B Nonimmigrant Program and Petitioning Process Regulations. In order to improve U.S. worker protections as well as to address the requirements of Executive Order 13788, *Buy American and Hire American*, USCIS proposes to issue regulations with the focus of improving the H-1B nonimmigrant program and petitioning process. Such initiatives include a proposed rule that would establish an electronic registration program for H-1B petitions subject to annual numerical limitations and would improve the H-1B numerical limitation allocation process (*Registration Requirement for Petitioners Seeking to File H-1B Petitions on Behalf of Aliens Subject to Numerical Limitations*); and a proposed rule that would revise the definition of specialty occupation to increase focus on truly obtaining the best and brightest foreign nationals via the H-1B program and would revise the definition of employment and employer-employee relationship to help better protect U.S. workers and wages. (*Strengthening the H-1B Nonimmigrant Visa Classification Program.*)

Heightened Screening and Vetting of Immigration Programs Regulations. USCIS will propose regulations guiding the inadmissibility determination whether an alien is likely at any time to become a public charge under section 212(a)(4) of the Immigration and Nationality Act. (*Inadmissibility and Deportability on Public Charge Grounds.*)

Employment Creation Immigrant Regulations. USCIS will amend its regulations modernizing the employment-based, fifth preference (EB-5) immigrant investor category based on current economic realities and to reflect statutory changes made to the program. (*EB-5 Immigrant Investor Program Modernization*). In addition, USCIS will propose to update its regulations for the EB-5 Immigrant Investor

Regional Center Program to better reflect realities for regional centers and EB-5 immigrant investors, to increase predictability and transparency in the adjudication process, to improve operational efficiency, and to enhance program integrity. (*EB-5 Immigrant Investor Regional Center Program.*)

United States Coast Guard

The U.S. Coast Guard (Coast Guard) is a military, multi-mission, maritime service of the United States and the only military organization within DHS. It is the principal Federal agency responsible for the \$4.5 trillion maritime transportation system, including maritime safety, security, and stewardship. The Coast Guard delivers daily value to the nation through multi-mission resources, authorities, and capabilities.

Effective governance in the maritime domain hinges upon an integrated approach to safety, security, and stewardship. The Coast Guard's policies and capabilities are integrated and interdependent, delivering results through a network of enduring partnerships with maritime stakeholders. Consistent standards of universal application and enforcement, which encourage safe, efficient, and responsible maritime commerce, are vital to the success of the maritime industry. The Coast Guard's ability to field versatile capabilities and highly-trained personnel is one of the U.S. Government's most significant and important strengths in the maritime environment.

America is a maritime nation, and our security, resilience, and economic prosperity are intrinsically linked to the oceans. Safety, efficient waterways, and freedom of transit on the high seas are essential to our well-being. The Coast Guard is leaning forward, poised to meet the demands of the modern maritime environment. The Coast Guard creates value for the public through solid prevention and response efforts. Activities involving oversight and regulation, enforcement, maritime presence, and public and private partnership foster increased maritime safety, security, and stewardship.

The statutory responsibilities of the Coast Guard include ensuring marine safety and security, preserving maritime mobility, protecting the marine environment, enforcing U.S. laws and international treaties, and performing search and rescue. The Coast Guard supports the Department's overarching goals of mobilizing and organizing our Nation to secure the homeland from terrorist attacks, natural disasters, and other emergencies.

The Coast Guard does not have significant regulatory actions planned for the coming fiscal year; however, the Coast Guard is highlighting the following Executive Order 13771 deregulatory action

Marine Casualty Reporting Property Damage Thresholds. This rule would raise the monetary property damage threshold for reporting a marine casualty, and for reporting a type of marine casualty called a "serious marine incident." Currently, whether and how a marine casualty must be reported to the Coast

Guard depends in part on the dollar value of the property damage resulting from the casualty. The dollar threshold amounts date to the 1980s and have not been updated to keep pace with inflation; consequently, relatively minor casualties must be reported and may require mandatory drug and alcohol testing. Updating the thresholds would reduce a reporting burden on vessel owner and operators, and reduce the Coast Guard resources expended to investigate minor incidents. (Note: There is no associated Regulatory Plan entry for this rule, because this rule is non-significant under Executive Order 12866. There is an entry, however, in the Unified Agenda.)

United States Customs and Border Protection

U.S. Customs and Border Protection (CBP) is the Federal agency principally responsible for the security of our Nation's borders, both at and between the ports of entry and at official crossings into the United States. CBP must accomplish its border security and enforcement mission without stifling the flow of legitimate trade and travel. The primary mission of CBP is its homeland security mission, that is, to prevent terrorists and terrorist weapons from entering the United States. An important aspect of this priority mission involves improving security at our borders and ports of entry, but it also means extending our zone of security beyond our physical borders.

CBP is also responsible for administering laws concerning the importation into the United States of goods, and enforcing the laws concerning the entry of persons into the United States. This includes regulating and facilitating international trade; collecting import duties; enforcing U.S. trade, immigration and other laws of the United States at our borders; inspecting imports, overseeing the activities of persons and businesses engaged in importing; enforcing the laws concerning smuggling and trafficking in contraband; apprehending individuals attempting to enter the United States illegally; protecting our agriculture and economic interests from harmful pests and diseases; servicing all people, vehicles, and cargo entering the United States; maintaining export controls; and protecting U.S. businesses from theft of their intellectual property.

In carrying out its mission, CBP's goal is to facilitate the processing of legitimate trade and people efficiently without compromising security. Consistent with its primary mission of homeland security, CBP intends to issue several regulations during the next fiscal year that are intended to improve security at our borders and ports of entry. During the upcoming year, CBP will also be working on various projects to streamline CBP processing, reduce duplicative processes, reduce various burdens on the public, and automate various paper forms. Below are descriptions of CBP's planned actions for fiscal year 2018.

Air Cargo Advance Screening (ACAS). To address ongoing aviation security threats, CBP intends to amend its regulations pertaining to the submission of advance air cargo data to implement a mandatory

Air Cargo Advance Screening (ACAS) program for any inbound aircraft required to make entry under the CBP regulations that will have commercial cargo aboard. The ACAS program will require the inbound carrier or other eligible party to electronically transmit specified advance cargo data (ACAS data) to CBP for air cargo transported onboard U.S.-bound aircraft as early as practicable, but no later than prior to loading of the cargo onto the aircraft. The ACAS program will enhance the security of the aircraft and passengers on U.S.-bound flights by enabling CBP to perform targeted risk assessments on the air cargo prior to the aircraft's departure for the United States. These risk assessments will identify and prevent high-risk air cargo from being loaded on the aircraft that could pose a risk to the aircraft during flight. CBP, in cooperation with TSA, has been operating ACAS as a voluntary pilot program since 2010 and intends to publish an interim final rule in the next fiscal year to implement ACAS as a regulatory program.

Collection of Biometric Data Upon Entry to and Departure from the United States. DHS is required by statute to develop and implement an integrated, automated entry and exit data system to match records, including biographic data and biometric identifiers, of aliens entering and departing the United States. In addition, Executive Order 13780, *Protecting the Nation from Foreign Terrorist Entry into the United States*, states that DHS is to expedite the completion and implementation of a biometric entry-exit tracking system. Although the current regulations provide that DHS may require certain aliens to provide biometrics when entering and departing the United States, they only authorize DHS to collect biometrics from certain aliens upon departure under pilot programs at land ports and at up to 15 airports and seaports. To provide the legal framework for DHS to begin a comprehensive biometric entry-exit system, DHS intends to issue an interim final rule in the next fiscal year to amend the regulations to remove the references to pilot programs and the port limitation. In addition, to facilitate the implementation of a seamless biometric entry-exit system that uses facial recognition, this rule would also provide that all travelers may be required to provide photographs upon entry or departure.

In addition to the regulations that CBP issues to promote DHS's mission, CBP also issues regulations related to the mission of the Department of the Treasury. Under section 403(1) of the Homeland Security Act of 2002, the former-U.S. Customs Service, including functions of the Secretary of the Treasury relating thereto, transferred to the Secretary of Homeland Security. As part of the initial organization of DHS, the Customs Service inspection and trade functions were combined with the immigration and agricultural inspection functions and the Border Patrol and transferred into CBP. The Department of the Treasury retained certain regulatory authority of the U.S. Customs Service relating to customs revenue function. In addition to its plans to continue issuing regulations to enhance border security, CBP, in the coming year, expects to continue to issue regulatory documents that will facilitate legitimate trade and implement trade benefit programs. For a discussion of CBP regulations regarding the customs revenue function, see the regulatory plan of the Department of the Treasury.

Implementation of the Electronic System for Travel Authorization (ESTA) at U.S. Land Borders – Automation of CBP Form I-94W. During the next fiscal year, CBP intends to amend DHS regulations to implement the ESTA requirements under section 711 of the Implementing Recommendations of the 9/11 Commission Act of 2007, for aliens who intend to enter the United States under the Visa Waiver Program (VWP) at land ports of entry. Currently, aliens from VWP countries must provide certain biographic information to U.S. CBP officers at land ports of entry on a paper I-94W Nonimmigrant Visa Waiver Arrival/Departure Record (Form I-94W). Under this rule, these VWP travelers will instead provide this information to CBP electronically through ESTA prior to application for admission to the United States. Travelers will bear opportunity costs and CBP will bear information technology costs as a result of this rule. Both travelers and CBP, however, will enjoy opportunity cost savings as a result of this rule, resulting in an overall net savings. In addition, the public will benefit from improved security.

Modernization of the Customs Brokers Regulations. CBP will issue a proposed rule to amend the requirements for customs brokers. Specifically, CBP will propose to simplify the broker permitting framework by eliminating district permits and the corresponding district permit requirements. Additionally, CBP will propose to update the responsible supervision and control oversight framework to better reflect the modern business environment. (Note: There is no associated Regulatory Plan entry for this rule, because this rule is non-significant under Executive Order 12866. There is an entry, however, in the Unified Agenda.)

Automation of CBP Form I-418 for Vessels. CBP intends to issue this rule amending the regulations regarding the submission of Form I-418, *Passenger List - Crew List*. Currently, the master or agent of every commercial vessel arriving in the United States, with limited exceptions, must submit a paper Form I-418, along with certain information regarding longshore work, to CBP at the port where immigration inspection is performed. Most commercial vessel operators are also required to submit a paper Form I-418 to CBP at the final U.S. port prior to departing for a foreign port. Under this rule, most vessel operators would be required to electronically submit the data elements on Form I-418 to CBP through the National Vessel Movement Center in lieu of submitting a paper form. This rule would eliminate the need to file the paper Form I-418 in most cases. This will result in an opportunity cost savings for vessel operators as well as a reduction in their printing and storage costs. (Note: There is no associated Regulatory Plan entry for this rule, because this rule is not significant under Executive Order 12866. There is an entry, however, in the Unified Agenda.)

Federal Emergency Management Agency

The Federal Emergency Management Agency's (FEMA's) mission is to support our citizens and first responders to ensure that as a Nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards. FEMA's ethos is to serve the Nation by helping its people and first responders, especially when they are most in need.

FEMA is working on various deregulatory actions in the coming fiscal year. FEMA will propose to remove outdated regulations that require publication of community loss of eligibility notices in the Federal Register. (*Removal of Federal Register Publication Requirement for Community Loss of Eligibility Notices under the National Flood Insurance Program*. Note: There is no associated Regulatory Plan entry for this rule, because this rule is non-significant under Executive Order 12866. There is an entry, however, in the Unified Agenda.) FEMA will also issue other deregulatory actions, such as removing regulations with sunset programs, which will result in general cleanup of the Code of Federal Regulations.

Factors Considered When Evaluating a Governor's Request for Individual Assistance for a Major Disaster. In addition, FEMA plans to promulgate this significant regulation during the fiscal year. The Sandy Recovery Improvement Act of 2013 requires the FEMA Administrator to review, update, and revise through rulemaking the individual assistance factors FEMA uses to measure the severity, magnitude, and impact of a disaster. FEMA published a proposed rule on November 12, 2015, and now plans to issue a final rule.

Federal Law Enforcement Training Center

The Federal Law Enforcement Training Center (FLETC) does not have any significant regulations planned for fiscal year 2018.

United States Immigration and Customs Enforcement

Immigration and Customs Enforcement (ICE) is the principal criminal investigative arm of DHS and one of the three Department components charged with the civil enforcement of the Nation's immigration laws. Its primary mission is to protect national security, public safety, and the integrity of our borders through the criminal and civil enforcement of Federal law governing border control, customs, trade, and immigration. During fiscal year 2018, ICE will focus rulemaking efforts on three priority regulations: increasing the fees paid to the Student and Exchange Visitor Program (SEVP) to recover costs for services; *Flores* Settlement Agreement provisions; and comprehensive reform of practical training for foreign students with an F or M visa.

Below are ICE's significant regulatory actions for the coming fiscal year:

Adjusting Program Fees for the Student and Exchange Visitor Program. ICE will propose to adjust the fees that the Student and Exchange Visitor Program (SEVP) charges individuals and organizations. In 2016, SEVP conducted a comprehensive fee study and determined that current fees do not recover the full costs of the services provided. ICE has determined that adjusting fees is necessary to fully recover the increased costs of SEVP operations, program requirements, and to provide the necessary funding to sustain initiatives critical to supporting national security. DHS will propose to adjust its fees for individuals and organizations to establish a more equitable distribution of costs and to establish a sustainable revenue level. The SEVP fee schedule was last adjusted in a rule published on September 26, 2008.

Apprehension, Processing, Care, and Custody of Alien Minors. ICE will issue a proposed rule related to the detention, processing, and release of alien children. In 1985, a class-action suit challenged the policies of the former Immigration and Naturalization Service (INS) relating to the detention, processing, and release of alien children; the case eventually reached the U.S. Supreme Court. The Court upheld the constitutionality of the challenged INS regulations on their face and remanded the case for further proceedings consistent with its opinion. In January 1997, the parties reached a comprehensive settlement agreement, referred to as the *Flores Settlement Agreement (FSA)*. The FSA was to terminate five years after the date of final court approval; however, the termination provisions were modified in 2001, such that the FSA does not terminate until forty-five days after publication of regulations implementing the agreement. Since 1997, intervening statutory changes, including passage of the Homeland Security Act (HSA) and the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA), have significantly changed the applicability of certain provisions of the FSA. The proposed rule will codify the substantive terms of the FSA and enable the U.S. Government to seek termination of the FSA and litigation concerning its enforcement. Through this rule, DHS will create a pathway to ensure the humane detention of family units while satisfying the goals of the FSA. The rule will also implement related provisions of the TVPRA.

Practical Training Reform. ICE will issue a proposed rule that improves protections of U.S. workers who may be negatively impacted by employment of nonimmigrant students on F and M visas. The rule will be a comprehensive reform of practical training options; it is intended to reduce fraud and abuse.

National Protection and Programs Directorate

The National Protection and Programs Directorate's (NPPD) vision is a safe, secure, and resilient infrastructure where the American way of life can thrive. NPPD leads the national effort to protect and enhance the resilience of the Nation's physical and cyber infrastructure. Although NPPD does not plan to finalize any significant regulations within the next fiscal year, NPPD will undertake reviews of its existing regulations in accordance with Executive Order 13771. NPPD is also working on several future rulemaking projects, as reflected in the Unified Agenda.

Transportation Security Administration

The Transportation Security Administration (TSA) protects the Nation's transportation systems to ensure freedom of movement for people and commerce. TSA applies an intelligence-driven, risk-based approach to all aspects of TSA's mission. This approach results in layers of security to mitigate risks effectively and efficiently. TSA uses established processes, working with stakeholders, to review programs, requirements, and procedures for appropriate modifications based upon changes in the environment, whether those changes result from an evolving threat or enhancements available through new technologies.

For the coming fiscal year, TSA is prioritizing deregulatory actions and regulatory actions that are required to meet statutory mandates and that are necessary for national security. Below are the planned TSA actions for fiscal year 2018.

Security Training for Surface Transportation Employees. TSA will finalize a rule requiring higher-risk public transportation agencies (including rail mass transit and bus systems), railroad carriers (freight and passenger), and over-the-road bus (OTRB) owner/operators to conduct security training for frontline employees. This regulation will implement mandates of the *Implementing Regulations of the 9/11 Commission Act of 2007*, (9/11 Act), which addressed recommendations of the 9/11 Commission for enhancing the nation's security based upon vulnerabilities identified in the aftermath of September 11, 2001. In compliance with the definition of frontline employees in pertinent provisions of the 9/11 Act, the rule will include identification of which employees are required to receive security training and the content of that training. The final rule will also propose definitions for transportation security-sensitive materials, as required by section 1501 of the 9/11 Act.

Vetting of Certain Surface Transportation Employees. TSA will propose a rule requiring security threat assessments for security coordinators and other frontline employees of certain public transportation agencies (including rail mass transit and bus systems), railroads (freight and passenger), and OTRB owner/operators. The NPRM will also propose provisions to implement TSA's statutory requirement to recover its cost of vetting through user fees. TSA is in the process of determining the costs and benefits of this rulemaking. While many stakeholders conduct background checks on their employees, their actions are limited based upon the data they can access. Through this rule, TSA will be able to conduct a more thorough check against terrorist watch-lists of individuals in security-sensitive positions.

Amending Vetting Requirements for Employees with Access to a Security Identification Display Area. The Aviation Security Act of 2016 mandates that TSA consider modifications to the list of disqualifying criminal offenses and criteria, develop a waiver process for approving the issuance of credentials for unescorted

access, and propose an extension of the look back period for disqualifying crimes. Based on these requirements, and current intelligence pertaining to the “insider threat”, TSA will propose revisions that enhance the eligibility requirements and disqualifying criminal offenses for individuals seeking or having unescorted access to any Security Identification Display Area of an airport.

Protection of Sensitive Security Information. Through a joint rulemaking with the Department of Transportation (DOT), TSA will streamline existing requirements to protect sensitive security information (SSI). This action finalizes an Interim Final Rule for a statutorily-required regulation related to national security. The rule amends TSA’s and DOT’s regulations to provide three options for the SSI distribution statement, one significantly abbreviated, to address concerns that the current marking requirements are unduly burdensome. TSA is considering further deregulatory action to align the requirement for the handling of Federal Flight Deck Officer (FFDO) names consistent with the handling of Federal Air Marshal names (two names listed together qualify as SSI). The modification to TSA’s SSI regulations would protect lists of FFDO names, rather than a single FFDO name. (Note: There is no associated Regulatory Plan entry for this rule, because this rule is non-significant under Executive Order 12866. There is an entry, however, in the Unified Agenda.)

Ronald Reagan Washington National Airport: Enhanced Security Procedures for Certain Operations. This IFR reopened Ronald Reagan Washington National Airport (DCA) to general aviation (GA) aircraft operations after an approximately four-year closure (from September 2001 to August 2005) with measures in place to minimize the security risk to vital government assets in the Washington, DC metropolitan area. While prohibiting GA access to DCA imposes an economic hardship on these operations, access without appropriate security measures increases the risk of an airborne strike originating from DCA. Under the requirements of this regulation, aircraft operations into and out of DCA must have and implement a DCA Access Standard Security Program (DASSP) approved by TSA.

In response to recommendations from industry submitted through the Aviation Security Advisory Committee (ASAC), TSA is assessing the risks associated with eliminating a requirement to have an armed security officer on flights accessing DCA. The DASSP requires each aircraft operating into or out of DCA with passengers to have onboard at least one armed security officer. The only exception to this requirement is for flights with a Federal Air Marshal on board. After this requirement was put in place, TSA implemented the Secure Flight program, which provides for vetting of passengers against the Terrorist Screening Database. The requirement for an armed security officer could be modified, and TSA could accept other alternative procedures, including Secure Flight vetting, that provide commensurate levels of security at lower costs. These procedures could include a requirement to limit passengers and crewmembers to those with a Known Traveler Number (KTN). A critical dependency for this proposed repeal of the armed security officer requirement would be the ability of DHS/TSA to quickly process requests for KTNs and the willingness of the regulated parties to bear the cost of obtaining a KTN.

This rule would streamline TSA's regulations to eliminate a burden no longer necessary under the current operating environment, and result in a net benefit, most likely to small businesses providing GA services. Finalizing this rule will ensure the continued balance between providing access and ensuring vital government assets in the Washington, DC metropolitan area. The security requirements in the final rule are necessary to defeat the threat posed by members of terrorist groups to vital U.S. assets and security in a manner that protects the nation's transportation systems to ensure freedom of movement for people and commerce.

Flight Training for Aliens and Other Designated Individuals; Security Awareness Training for Flight School Employees. This rule would streamline regulations and reduce burden for the alien flight student program (AFSP). This action finalizes an IFR for a national security rule that is required to implement a statutory requirement. The AFSP program requires security threat assessments for aliens seeking flight training in the United States and imposes additional security measures on the flight schools training these individuals. In response to recommendations from industry through the ASAC, TSA is considering revising these requirements to reduce costs and industry burden. For example, reporting and recordkeeping requirements for the program are estimated at an annual cost of \$7.4 million, discounted at 7 percent. These costs include maintaining paper records on alien flight students. TSA is considering an electronic recordkeeping platform where all flight providers would upload required student information to a TSA-managed website. Also at industry's request, TSA is considering changing the interval for security threat assessments of alien flight students, eliminating the requirement for a new security threat assessment for each "training event." A related change to the current information collection request pertaining to the AFSP program will be part of this deregulatory action.

United States Secret Service

The United States Secret Service does not have any significant regulations planned for fiscal year 2018.

DHS Regulatory Plan for Fiscal Year 2018

A more detailed description of the priority regulations that comprise the DHS fall regulatory plan follows.