



[9110-05-P]

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA-2009-0024]

Enforcement Actions Summary

AGENCY: Transportation Security Administration, DHS.

ACTION: Notice of Availability.

SUMMARY: The Transportation Security Administration (TSA) is providing notice that it has issued an annual summary of all enforcement actions taken by TSA under the authority granted in the Implementing Recommendations of the 9/11 Commission Act of 2007.

FOR FURTHER INFORMATION CONTACT: Nikki Harding, Assistant Chief Counsel, Civil Enforcement, Office of the Chief Counsel, TSA-2, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598-6002; telephone (571) 227-4777; facsimile (571) 227-1378; e-mail nikki.harding@dhs.gov.

SUPPLEMENTARY INFORMATION:

Background

On August 3, 2007, section 1302(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (the 9/11 Act), Pub. L. 110-53, 121 Stat. 392, gave TSA new authority to assess civil penalties for violations of any surface transportation requirements under title 49 of the U.S. Code (U.S.C.) and for any violations of chapter 701 of title 46 of the U.S.C., which governs transportation worker identification credentials (TWICs).

Section 1302(a) of the 9/11 Act, codified at 49 U.S.C. 114(v), authorizes the Secretary of the Department of Homeland Security (DHS) to impose civil penalties of up to \$10,000 per violation of any surface transportation requirement under 49 U.S.C. or any requirement related to TWICs under 46 U.S.C. chapter 701. TSA exercises this function under delegated authority from the Secretary. See DHS Delegation No. 7060-2.

Under 49 U.S.C. 114(v)(7)(A), TSA is required to provide the public with an annual summary of all enforcement actions taken by TSA under this subsection; and include in each such summary the identifying information of each enforcement action, the type of alleged violation, the penalty or penalties proposed, and the final assessment amount of each penalty. This summary is for calendar year 2017. TSA will publish a summary of all enforcement actions taken under the statute in the beginning of the new calendar year to cover the previous calendar year.

Document Availability

You can get an electronic copy of both this notice and the enforcement actions summary on the Internet by—

(1) Searching the electronic Federal Docket Management System (FDMS) web page at <http://www.regulations.gov>, Docket No. TSA-2009-0024; or

(2) Accessing the Government Printing Office's web page at <http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR> to view the daily published *Federal Register* edition; or accessing the "Search the Federal Register by Citation" in the "Related Resources" column on the left, if you need to do a Simple or Advanced search for information, such as a type of document that crosses multiple agencies or dates.

In addition, copies are available by writing or calling the individual in the **FOR FURTHER INFORMATION CONTACT** section. Make sure to identify the docket number of this action.

Dated: March 8, 2018.

Kelly D. Wheaton,

Deputy Chief Counsel, Enforcement and Incident Management.

March 8, 2018

Annual Summary of Enforcement Actions Taken Under 49 U.S.C. 114(v)

Annual Report

Pursuant to 49 U.S.C. 114(v)(7)(A), TSA provides the following summary of enforcement actions taken by TSA in calendar year 2017 under section 114(v).¹

Background

Section 114(v) of 49 U.S.C. gave the Transportation Security Administration (TSA) new authority to assess civil penalties for violations of any surface transportation requirements under 49 U.S.C. and for any violations of chapter 701 of 46 U.S.C., which governs TWICs. Specifically, section 114(v) authorizes the Secretary of the Department of Homeland Security (DHS) to impose civil penalties of up to \$10,000 per violation² for violations of any surface transportation requirement under 49 U.S.C. or any requirement related to TWIC under 46 U.S.C. chapter 701.³

¹ 49 U.S.C. 114(v)(7)(A) states: In general. Not later than December 31, 2008, and annually thereafter, the Secretary shall--(i) provide an annual summary to the public of all enforcement actions taken by the Secretary under this subsection; and (ii) include in each such summary the docket number of each enforcement action, the type of alleged violation, the penalty or penalties proposed, and the final assessment amount of each penalty.

² Pursuant to title VII, sec. 701 of Pub. L. 114-74 (129 Stat. 583, 599; Nov. 2, 2015), the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015--part of the Bipartisan Budget Act of 2015, this \$10,000 civil penalty maximum is adjusted for inflation annually. See 49 CFR 1503.401(b).

³ TSA exercises this function under delegated authority from the Secretary. See DHS Delegation No. 7060-2.

ENFORCEMENT ACTIONS TAKEN BY TSA IN CALENDAR YEAR 2017

TSA Case Number	Type of Violation	Penalty Proposed/Assessed
2016BTR0005	TWIC Access Control (49 CFR 1570.7(d))	\$1,000/None (Warning Notice)
2016HOU0435	TWIC Fraudulent Use (49 CFR 1570.7(b))	\$1,000/\$1,000
2016MSY0093	TWIC Access Control (49 CFR 1570.7(d))	\$1,000/None (Warning Notice)
2016OAK0128	TWIC Access Control (49 CFR 1570.7(d))	\$4,000/Pending
2016OAK0152	TWIC Access Control (49 CFR 1570.7(d))	\$2,000/Pending
2016SEA0520	TWIC Fraudulent Use (49 CFR 1570.7 (a) and (c))	\$1,000/\$1,000
2017BOS0260	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017BOS0362	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017BOS0377	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017BWI0179	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017CLE0252	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017CLT0431	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017EWR0041	TWIC Access Control (49 CFR 1570.7(c) and (d))	None (Warning Notice)
2017EWR0067	TWIC Access Control (49 CFR 1570.7(c) and (d))	None (Warning Notice)
2017HOU0171	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017HOU0190	TWIC Fraudulent Use (49 CFR 1570.7(b) and (c))	\$1500/\$500
2017HOU0243	TWIC Fraudulent Use (49 CFR 1570.7(b) and (c))	\$1,000/Pending
2017HOU0325	TWIC Fraudulent Use (49 CFR 1570.7(a) and (c))	None (Warning Notice)
2017HOU0326	TWIC Access Control (49 CFR 1570.7 (d))	None (Warning Notice)
2017HOU0327	TWIC Access Control (49 CFR 1570.7 (d))	None (Warning Notice)
2017HOU0390	TWIC Fraudulent Use (49 CFR 1570.5(b), 1570.7(c))	\$2,000/Pending
2017HOU0392	TWIC Fraudulent Use (49 CFR 1570.7(a))	\$2,000/Pending
2017HOU0393	TWIC Access Control (49 CFR 1570.7(d))	\$3,000/Pending
2017HOU0433	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$1,000/Pending
2017JAX0057	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0058	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0059	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0100	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)

ENFORCEMENT ACTIONS TAKEN BY TSA IN CALENDAR YEAR 2017

TSA Case Number	Type of Violation	Penalty Proposed/Assessed
2017JAX0101	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0134	TWIC Access Control (49 CFR 1570.7(d))	None (Warning Notice)
2017JAX0135	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0138	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0215	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0220	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0231	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0232	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0261	TWIC Access Control (49 CFR 1570.7(c) and (d))	None (Warning Notice)
2017JAX0262	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0266	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0279	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0290	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0291	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0293	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0294	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0315	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0316	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0317	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JAX0352	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0043	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0048	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0060	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0070	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0097	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0124	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0125	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0229	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0230	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0231	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)

ENFORCEMENT ACTIONS TAKEN BY TSA IN CALENDAR YEAR 2017

TSA Case Number	Type of Violation	Penalty Proposed/Assessed
2017JFK0232	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0275	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017JFK0303	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017MDW0083	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017MIA0149	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017MIA0329	TWIC Fraudulent Use (49 CFR 1570.7(a) and (c))	None (Warning Notice)
2017MIA0674	TWIC Fraudulent Use (49 CFR 1570.7(a) and (c))	None (Warning Notice)
2017MSY0170	TWIC Access Control (49 CFR 1570.7(c) and (d))	None (Warning Notice)
2017MSY0171	TWIC Fraudulent Use (49 CFR 1570.7 (a) and (c))	None (Warning Notice)
2017MSY0184	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/Pending
2017MSY0247	TWIC Inspection of Credential (49 CFR 1570.9(a)	None (Warning Notice)
2017MSY0261	TWIC Access Control (49 CFR 1570.7 (d))	\$1,000/Pending
2017MSY0262	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/Pending
2017MSY0263	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/Pending
2017OAK0168	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017OAK0185	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017OAK0201	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017OAK0216	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017OAK0240	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017OAK0316	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017OAK0359	TWIC Fraudulent Use (49 CFR 1570.7(a) and (c))	\$6,000 / Pending
2017PDX0621	TWIC Access Control (49 CFR 1570.7(d))	None (Warning Notice)
2017PDX0668	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017PDX0669	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017PDX0723	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017PHL0022	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/Pending
2017PHL0023	TWIC Fraudulent Use (49 CFR 1570.7 (a) and (c))	\$1,500/Pending
2017PHL0131	TWIC Access Control (49 CFR 1570.7(c))	\$1,500/Pending
2017PHL0132	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$3,000/Pending
2017PHL0133	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/Pending

ENFORCEMENT ACTIONS TAKEN BY TSA IN CALENDAR YEAR 2017

TSA Case Number	Type of Violation	Penalty Proposed/Assessed
2017PHL0136	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017PHL0140	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017PHL0141	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017PHL0142	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017PHL0154	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017PHL0166	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017RIC0004	TWIC Fraudulent Use (49 CFR 1570.5(b) and 1570.7(c))	\$3000/\$1,500
2017RIC0006	TWIC Access Control (49 CFR 1570.7(d))	\$1,000/\$100
2017RIC0035	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$3,000/\$1,500
2017RIC0036	TWIC Access Control (49 CFR 1570.7(c))	\$1000/\$1,000
2017RIC0040	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/\$50
2017RIC0041	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$2000/\$50
2017RIC0042	TWIC Access Control (49 CFR 1570.7(c))	\$3,000/\$50
2017RIC0048	TWIC Access Control (49 CFR 1570.7(c) and (d))	None (Warning Notice)
2017RIC0049	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017RIC0053	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/\$1,000
2017RIC0059	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/\$1,000
2017RIC0060	TWIC Access Control (49 CFR 1570.7(c))	\$3,000/\$2,000
2017RIC0061	TWIC Access Control (49 CFR 1570.7(c))	\$500/\$500
2017RIC0087	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/Pending
2017RIC0088	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$2,000/\$500
2017RIC0093	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/\$500
2017RIC0099	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/\$1,000
2017RIC0100	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$1,000/\$750
2017RIC0116	TWIC Access Control (49 CFR 1570.7(c) and (d))	None (Warning Notice)
2017RIC0124	TWIC Access Control (49 CFR 1570.7(c))	\$2,000/Pending
2017RIC0128	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017RIC0129	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017RIC0130	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017RIC0146	TWIC Access Control (49 CFR 1570.7(c))	\$2,000/Pending

ENFORCEMENT ACTIONS TAKEN BY TSA IN CALENDAR YEAR 2017

TSA Case Number	Type of Violation	Penalty Proposed/Assessed
2017RIC0147	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017SAN0438	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017SAT0005	TWIC Fraudulent Use (49 CFR 1570.7(b))	\$6,000/\$1,500
2017SAT0041	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/None (Warning Notice)
2017SAT0156	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$1,000/\$1,000
2017SAT0199	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/None (Warning Notice)
2017SAT0281	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/\$1,000
2017SEA0150	TWIC Fraudulent Use (49 CFR 1570.7(a))	\$500/\$500
2017SEA0151	TWIC Fraudulent Use (49 CFR 1570.5(b) and 1570.7(a))	\$2,000/\$2,000
2017SEA0320	TWIC Access Control (49 CFR 1570.7(d))	\$500/\$500
2017SEA0321	TWIC Fraudulent Use (49 CFR 1570.7(a))	\$500/\$500
2017SEA0322	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$500/\$500
2017SEA0175	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/\$1,000
2017SEA0183	TWIC Access Control (49 CFR 1570.7(c))	\$1,500/\$1,500
2017SEA0323	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017SEA0324	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017SEA0343	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017SEA0449	TWIC Access Control (49 CFR 1570.7(c))	\$2,000/Pending
2017SEA0451	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/None (Warning Notice)
2017SEA0452	TWIC Fraudulent Use (49 CFR 1570.7(b))	\$250/\$250
2017SEA0527	TWIC Inspection of Credential (49 CFR 1570.9 (a))	\$500/Pending
2017SEA0543	TWIC Access Control (49 CFR 1570.7(d))	None (Warning Notice)
2017SEA0542	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017SEA0660	TWIC Access Control (49 CFR 1570.7(c))	\$1,250/\$1,250
2017SEA0667	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017SEA0668	TWIC Access Control (49 CFR 1570.7(d))	\$500/Pending
2017SEA0860	TWIC Access Control (49 CFR 1570.7(c))	\$1,250/Pending
2017SEA0946	TWIC Access Control (49 CFR 1570.7(c))	\$2,500 Pending
2017SEA1013	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2017SMF0090	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)

ENFORCEMENT ACTIONS TAKEN BY TSA IN CALENDAR YEAR 2017

TSA Case Number	Type of Violation	Penalty Proposed/Assessed
2017SMF0141	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018BOS0003	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018BOS0004	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018BOS0059	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018HOU0015	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$1,120/Pending
2018HOU0016	TWIC Access Control (49 CFR 1570.7(c))	\$1,120/Pending
2018JAX0004	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018JAX0005	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018JAX0006	TWIC Fraudulent Use (49 CFR 1570.7(b))	None (Warning Notice)
2018JAX0008	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018JAX0013	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018JAX0022	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018JAX0023	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018JAX0026	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018LAX0054	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018LAX0055	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018LAX0057	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018MSY0001	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018MSY0002	TWIC Fraudulent Use (49 CFR 1570.7(a))	None (Warning Notice)
2018OAK0006	TWIC Fraudulent Use (49 CFR 1570.7(a))	None (Warning Notice)
2018OAK0007	TWIC Access Control (49 CFR 1570.7(d))	None (Warning Notice)
2018OAK0020	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018OAK0024	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018OAK0025	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018OAK0028	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018OAK0027	TWIC Access Control (49 CFR 1570.7(c))	None (Warning Notice)
2018RIC0004	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$2,240/Pending
2018RIC0005	TWIC Access Control (49 CFR 1570.7(c) and (d))	\$2,240/Pending
2018RIC0006	TWIC Access Control (49 CFR 1570.7(c))	\$1,120/Pending
2018SEA0010	TWIC Fraudulent Use (49 CFR 1570.7(a))	None (Warning Notice)

ENFORCEMENT ACTIONS TAKEN BY TSA IN CALENDAR YEAR 2017

TSA Case Number	Type of Violation	Penalty Proposed/Assessed
2018SEA0023	TWIC Access Control (49 CFR 1570.7(c))	\$1,000/Pending
2018SEA0029	TWIC Fraudulent Use (49 CFR 1570.7(a) and (d))	\$4,000/Pending

[FR Doc. 2018-05089 Filed: 3/13/2018 8:45 am; Publication Date: 3/14/2018]