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THE WHITE HOUSE

WASHINGTON

June 20, 2006

NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD-47
HOMELAND SECURITY PRESIDENTIAL DIRECTIVE/HSPD-16

MEMORANDUM FOR THE VICE PRESIDENT

THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF COMMERCE
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
THE SECRETARY OF HOMELAND SECURITY
CHIEF OF STAFF TO THE PRESIDENT
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
THE UNITED STATES TRADE REPRESENTATIVE
DIRECTOR OF NATIONAL INTELLIGENCE
ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY
AFFAIRS
COUNSEL TO THE PRESIDENT
ASSISTANT TO THE PRESIDENT FOR HOMELAND SECURITY
AND COUNTERTERRORISM
ASSISTANT TO THE PRESIDENT FOR DOMESTIC POLICY
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
CHAIRMAN, JOINT CHIEFS OF STAFF
DIRECTOR, NATIONAL COUNTERTERRORISM CENTER

SUBJECT: Aviation Security Policy

This directive establishes U.S. policy, guidelines, and implementation actions to continue the enhancement of U.S. homeland security and national security by protecting the United States and U.S. interests from threats in the Air Domain (as defined below). It directs the further coordination of United States Government aviation security programs and initiatives to achieve a more comprehensive and cohesive national effort involving appropriate Federal, State, and local governments, as well as private sector entities.

As specified herein, the Assistant to the President for National Security Affairs and the Assistant to the President for Homeland Security and Counterterrorism, in cooperation with appropriate executive departments and agencies, will jointly coordinate the implementation of the policy set forth in Section II of this directive.

I. BACKGROUND

Since September 11, 2001, the Nation has made great progress in strengthening the security of the aviation sector. Through the creation of the Transportation Security Administration (TSA), and later the transfer of TSA to the Department of Homeland Security (DHS) upon its establishment, we have initiated new efforts and enhanced existing capabilities of agencies to make significant advancements in aviation security. Such advancements include the installation of hardened cockpit doors, a substantial increase in the number of Federal Air Marshals, the screening of passenger and crew manifests of international flights, the training and authorization of thousands of pilots to carry firearms in the cockpit, the screening of all passengers and baggage, and the stationing of explosives-detection canine teams at the Nation's largest airports. The Department of Defense's air defense mission under the North American Aerospace Defense Command's OPERATION NOBLE EAGLE has been transformed, focusing surveillance and air interdiction efforts inwardly to counter terrorist air threats, while continuing traditional air defense activities against potential threats from hostile states.

Aviation security also has been strengthened by the intelligence reforms put into effect after September 11, including the creation of the Office of the Director of National Intelligence and the establishment of the National Counterterrorism Center and the Terrorist Screening Center. It is now time for the Nation to take the next step and publish an over-arching national aviation security strategy that builds upon the successful initiatives already in place while efficiently facilitating trade, travel, and commerce.

For the purposes of this directive, "Air Domain" means the global airspace, including domestic, international, and foreign airspace, as well as all manned and unmanned aircraft operating, and people and cargo present in that airspace, and all aviation-related infrastructure.

For the purposes of this directive, "Aviation Transportation System" means U.S. airspace, all manned and unmanned aircraft

operating in that airspace, all U.S. aviation operators, airports, airfields, air navigation services, and related infrastructure, and all aviation-related industry.

II. POLICY

The differences among ground-based and airborne aviation security measures implemented by different jurisdictions throughout the world, the volume of international air traffic, and the speed of aviation operations make the Air Domain uniquely susceptible to criminal and otherwise unlawful or hostile exploitation and disruption by individuals, organizations, and states. Individuals and organizations hostile to the United States have demonstrated the ability and a continuing desire to exploit vulnerabilities and to adapt to changes in aviation security measures to attack the United States and U.S. interests globally.

The United States must continue to use the full range of its assets and capabilities to prevent the Air Domain from being used by terrorists, criminals, and hostile states to commit acts of terrorism and other unlawful or hostile acts against the United States, its people, property, territory, and allies and friends, all while minimizing the impact on the Aviation Transportation System and continuing to facilitate the free flow and growth of trade and commerce in the Air Domain. These efforts are critical to global stability and economic growth and are vital to the interests of the United States.

It is the policy of the United States, in cooperation with its international partners to the extent feasible, to take all necessary and appropriate actions, consistent with U.S. law, treaties, and other international agreements to which the United States is a party, and customary international law as determined for the United States by the President, and consistent with a risk-based prioritization of security strategies and tactics, to enhance the security of and protect the United States and U.S. interests, including all lawful and legitimate public and private activities, in the Air Domain. Such actions include the following:

- Enhance U.S. homeland security and national security by protecting the United States and U.S. interests, including critical transportation networks and infrastructure, from terrorist attacks and other criminal or otherwise unlawful or hostile acts in, or unlawful exploitation of, the Air Domain, and reduce the vulnerability of the Air Domain to such acts and exploitation;

- Improve situational awareness of, and enhance the sharing of information related to, security issues affecting the Air Domain to improve the United States Government's early identification of threats and actions in response to those threats;
- Ensure seamless, coordinated efforts, building upon the implementation of authorities, responsibilities, and capabilities relating to the security of the Air Domain by and among executive departments and agencies and relevant State, tribal, and local authorities;
- Enhance the resilience of the Aviation Transportation System in the event of an attack, including expedited recovery of the Nation's economic, transportation, social, and governmental systems;
- Counter the illicit acquisition and use by terrorists, other criminals, and other hostile individuals or groups of stand-off weapons systems that pose significant risks to the lawful civilian and military use of the Air Domain; and
- Enhance international relationships and advance common security interests in the Air Domain by promoting the integration of U.S. allies and international and private sector partners into an improved global aviation transportation security framework.

III. POLICY COORDINATION

The Homeland Security Council (HSC) Border and Transportation Security Policy Coordination Committee (BTS PCC), in consultation with the relevant policy coordinating committees of the Federal Government, and without exercising operational oversight, shall act as the primary forum for interagency coordination of the implementation of this directive. The BTS PCC shall ensure ongoing coordination and implementation of United States Government policies, strategies, and initiatives related to aviation security.

The implementation actions required by this directive (as set forth in Sections IV and V below) shall be completed by the departments and agencies designated herein in coordination with the BTS PCC, and shall then be prepared for consideration by and submitted to the Deputies and Principals Committees of the HSC and the National Security Council (NSC) prior to their final approval as set forth below.

IV. POLICY IMPLEMENTATION

National Strategy for Aviation Security. An over-arching national strategy is necessary to optimize the coordination and integration of Government-wide aviation security efforts. The strategy shall be flexible in order to adjust to changing threat levels and types of threats. The strategy shall adopt a risk-based, cross-discipline, and global approach to aviation security to ensure that national resources are allocated to those public and private sector aviation security efforts with the greatest potential to prevent, detect, defeat, or minimize the consequences of an attack, taking into account the threat, vulnerabilities, and probable consequences of an attack. The strategy must set forth United States Government agency roles and responsibilities and establish planning and operational coordination requirements, and it must build on current strategies, tools, and resources.

The strategy and its supporting plans must use a risk-based approach to address, at a minimum, the following: (1) attacks using aircraft as weapons against ground-based targets, including aircraft used to deliver or transport chemical weapons, biological agents, radiological dispersal devices, improvised nuclear devices, or explosives; (2) attacks using stand-off weapons, such as Man-Portable Air Defense Systems (MANPADS), against aircraft; (3) attacks using on-board explosive devices and other conventional and non-conventional weapons against aircraft; (4) hijacking and air piracy; and (5) physical and information system-based attacks on Air Domain infrastructure and facilities.

Not later than 120 days after the date of this directive, the Secretary of Homeland Security -- in coordination with the Secretaries of State, Defense, Commerce, and Transportation, the Attorney General, and the Director of National Intelligence -- shall submit to me, through the Assistants to the President for National Security Affairs and Homeland Security and Counter-terrorism, a recommended National Strategy for Aviation Security.

The strategy shall set forth detailed lead responsibilities for the Secretary of Homeland Security for closely coordinating United States Government department and agency activities encompassing the national aviation security program, including actively: (1) identifying conflicting procedures; (2) identifying vulnerabilities and consequences; and (3) coordinating corresponding interagency solutions.

The strategy shall present an overarching plan to implement this directive and address all components of the Air Domain, including domestic, international, public, and private. All relevant executive departments and agencies shall cooperate with the

Secretary of Homeland Security in this effort and provide all appropriate assistance.

The strategy and supporting plans shall supplement the National Response Plan issued pursuant to HSPD-5 ("Management of Domestic Incidents") and complement the National Infrastructure Protection Plan, including the transportation sector plan required by HSPD-7 ("Critical Infrastructure Identification, Prioritization, and Protection") and the domestic all-hazards preparedness goals and structures required by HSPD-8 ("National Preparedness").

V. POLICY ACTIONS

In concert with the development of a National Strategy for Aviation Security, the following plans shall be developed, which shall include near-term and long-term objectives, required program and resource implications, and any recommendations for statutory, organizational, or policy changes:

Aviation Transportation System Security. To implement this directive effectively and to continue to enhance public security and economic growth, the United States shall continue to promote global aviation security practices to reduce vulnerabilities associated with the Aviation Transportation System. In support of this effort, the Secretaries of Homeland Security and Transportation -- in coordination with the Secretaries of State, Defense, and Energy, and the Attorney General -- shall lead an interagency effort, in consultation with appropriate industry representatives, to develop and execute a risk-based implementation plan for the continued reduction of vulnerabilities within the Aviation Transportation System.

The plan -- building upon existing system security measures and initiatives -- shall include, at a minimum, the following: (1) a detailed plan and timeline to implement the decision that the United States Government will assume the function, currently performed by the airlines, of checking passenger information against terrorist watchlist information maintained by the United States Government and vetting such information before the departure of any regularly scheduled commercial flight for which the place of departure, the place of destination, or any agreed stopping place is within the United States (a "U.S. Flight"), which shall also address the performance of such function with respect to flights that only pass through U.S. airspace; (2) a plan that coordinates current and future requirements and recommends improvements for the detection of explosives, nuclear and radiological materials or devices, and chemical and biological agents possessed by passengers or in baggage or cargo on U.S.

Flights; (3) recommended requirements for the continued implementation of air cargo transportation security measures, including all-cargo carriers, combination carriers, and indirect air carriers operating to, from, or within the United States; (4) recommended measures for enhancing airspace- and air traffic management-related security measures; (5) a plan addressing the further development of prevention and detection measures in the event of a domestic attack on commercial aircraft involving stand-off weapons such as MANPADS; and (6) recommended measures to strengthen the prevention of entry by, and detection of, individuals with malicious intent who possess or seek to possess clearance or credentials that permit entry into secure or restricted areas within the Aviation Transportation System.

The plan shall be submitted to me for approval, through the Assistants to the President for National Security Affairs and Homeland Security and Counterterrorism, not later than 120 days after the date of this directive.

Aviation Operational Threat Response. The Secretary of Defense and the Attorney General, in coordination with the Director of National Intelligence and the Secretaries of State, Commerce, Transportation, and Homeland Security, shall develop a comprehensive National Aviation Operational Threat Response Plan to ensure a comprehensive and coordinated United States Government response to air threats against the United States or U.S. interests. The plan shall first consider the potential that any airborne threat approaching or within U.S. airspace might pose a threat to national security and shall incorporate an initial United States Government response that is capable of eliminating that threat. The plan shall concurrently address appropriate law enforcement, operational, and diplomatic responses to respond to actions that do not represent an immediate threat to national security but that might violate the laws of the United States.

The plan shall include the following: (1) recommended protocols that establish clear coordination relationships governing protection and defense of the United States against threats to its interests in the Air Domain; and (2) recommendations for effectively coordinating operational response activities to ensure unity of effort in the execution of national aviation security policy.

The plan also shall specify, at a minimum, lead agency roles and responsibilities, including recommendations regarding changes to statutes, organizations, and existing policy in the following areas: (1) airborne interception operations; (2) aviation security ground response and counterterrorism operations; (3) designation,

detection, interdiction, and disposition of targeted tracks of interest; (4) security measures related to airspace and air traffic management; (5) attacks on or threats to aircraft with U.S. persons aboard; and (6) operational response to a domestic attack, or threat of attack, using stand-off weapons, such as MANPADS.

The plan shall be submitted to me for approval, through the Assistants to the President for Homeland Security and Counterterrorism and National Security Affairs, not later than 120 days after the date of this directive.

Aviation Transportation System Recovery. Rapid recovery from an attack or similar disruption in the Air Domain is critical to the economic well-being of our Nation. A credible capacity for rapid recovery will minimize an incident's economic impact and serve as a deterrent. In support of this effort, the Secretaries of Homeland Security and Transportation -- in coordination with the Secretaries of Defense, State, the Treasury, and Commerce and the Attorney General, and in consultation with key industry stakeholders -- shall develop an Aviation Transportation System recovery plan that includes recommended measures to mitigate the operational and economic effects of an attack in the Air Domain, as well as measures that will enable the Aviation Transportation System and other affected critical government and private sector elements to recover from such an attack as rapidly as possible.

The recommended measures shall include national "end state" aviation security goals and contingency plans to continue the flow of commerce vital to the national security of the United States in the event of an incident necessitating total or partial closure of the U.S. National Airspace System. The Plan shall be submitted to me for approval, through the Assistants to the President for Homeland Security and Counterterrorism and National Security Affairs, not later than 120 days after the date of this directive.

Air Domain Surveillance and Intelligence Integration. In order to have effective knowledge of the threats to the United States and U.S. interests in the Air Domain, the United States Government must have a plan to coordinate requirements, priorities, and implementation of national air surveillance resources and the means to share this information with appropriate stakeholders. It is critical that the United States develop enhanced surveillance capability to detect and deter threats that could either lead to an attack on the U.S. Aviation Transportation System or use of the Aviation Transportation System to carry out an attack. The plan must address current and future aviation threats, including airborne aircraft, low observable aerial vehicles, other aerial vehicles, and ground-based threats in the Air Domain.

The plan must also address the integration of surveillance and intelligence capabilities on a global basis, regarding the location, identity, and operational capabilities and intentions of potential threats to U.S. interests in the Air Domain and how best to distribute that information to support and facilitate a rapid response. Additionally, the plan will address the sharing of intelligence and operational information, including surveillance data, as called for in Executive Order 13388 of October 25, 2005, to enable the most effective, rapid United States Government response to threats in the Air Domain.

In support of this effort, the Secretary of Defense and the Director of National Intelligence -- in coordination with the Attorney General and the Secretaries of State, Transportation, and Homeland Security -- shall develop a national plan for air domain surveillance and intelligence sharing. This plan will improve aviation surveillance capability and Air Domain intelligence and information sharing by resolving how best to provide for a common United States Government operating picture for the Air Domain. It shall include near-term and long-term objectives, required program and resource implications, including allocation of interagency cost sharing, and any recommendations for organizational or policy changes. The plan shall be completed not later than 120 days after the date of this directive and shall take effect upon approval by the Secretary of Defense and the Director of National Intelligence.

International Aviation Threat Reduction Plan. Efforts to reduce threats to aviation security have not been limited to domestic activity, because attacks against foreign aviation transportation systems could have a significant impact on American citizens and interests as well. There are certain actions taken by the United States abroad that will continue to reduce the threat to U.S. and foreign aviation transportation systems. We seek to avert attacks against civilian and military aircraft at home and abroad by preventing the illicit acquisition and use of stand-off weapons systems by terrorists, other criminals, and other hostile individuals or groups. In support of this effort, the Secretary of State -- in coordination with the Secretaries of Treasury, Defense, Transportation, and Homeland Security, the Attorney General, and the Director of National Intelligence, supported by the Director of the National Counterterrorism Center -- shall develop a plan that will institutionalize ongoing U.S. international activities that counter this illicit acquisition and use by terrorists, other criminals, and other hostile individuals or groups of those stand-off weapons systems that pose the most significant risks to lawful civilian and military use of the Air Domain.

The plan shall be completed not later than 120 days after the date of this directive and shall take effect upon approval by the Secretary of State.

Domestic Outreach. The successful implementation of this directive must include coordination with State and local authorities and consultation with appropriate private sector persons and entities. In support of this effort, the Secretaries of Transportation and Homeland Security -- in coordination with the Secretaries of State, Defense, and Commerce and the Attorney General, and in consultation with appropriate industry representatives -- shall lead the development of a comprehensive engagement plan that ensures that the interests of State and local governments and the private sector are considered in the Federal Government's implementation of this directive. The plan shall be completed not later than 120 days after the date of this directive and shall take effect upon approval by the Secretaries of Transportation and Homeland Security.

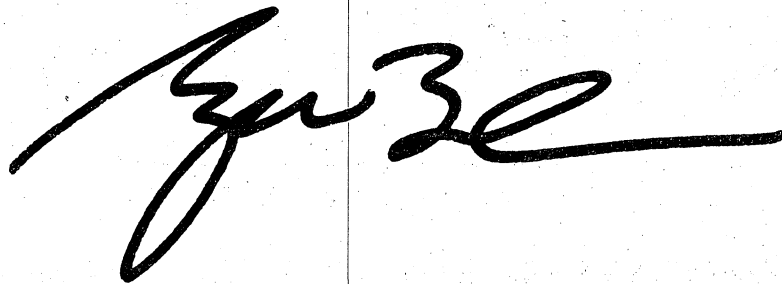
International Outreach. Ensuring the security of the United States and U.S. interests, and the interests of allies and international partners, in the Air Domain must be a global effort. United States Government efforts must be developed with the cooperation of other governments and international organizations to achieve lasting international cooperation. All executive departments and agencies shall coordinate with the Department of State on policies, programs, and initiatives relating to the implementation of this directive that could affect the conduct of foreign policy. In addition, the Secretary of State -- in coordination with the Secretaries of Defense, Commerce, Transportation, and Homeland Security and the Attorney General, and in consultation with appropriate private sector persons and entities -- shall develop a comprehensive plan to solicit international support for an improved global aviation security network. This plan shall be completed not later than 120 days after the date of this directive and shall take effect upon approval by the Secretary of State.

VI. GENERAL

This directive shall be implemented in a manner consistent with applicable law and presidential guidance, and subject to the availability of appropriations. This directive does not alter existing authorities or responsibilities of the department and agency heads, including their authorities to carry out operational activities or to provide or receive information. This directive is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit enforceable at law or in equity by any party against the United States, its departments, agencies, entities, officers, employees, or agents, or any other person.

Nothing in this directive impairs or otherwise affects the authority of the Secretary of Defense over the Department of Defense, including the chain of command for military forces from the President as Commander in Chief, to the Secretary of Defense, to the commanders of military forces, or military command and control procedures.

The implementation of the Strategy and supporting plans will be effected through incorporation into the National Exercise Program administered by the Department of Homeland Security. This exercise program shall provide for coordination with State, local, and private sector partners and for cooperation with foreign governments and international entities as appropriate.

A large, stylized handwritten signature in black ink, which appears to be "GWB", is centered on the page. The signature is fluid and cursive, with a long horizontal stroke extending to the right.