

### § 15.3

under section 214 of the Homeland Security Act, the receipt, maintenance, or disclosure of such information by a Federal agency or employee is governed by section 214 and any implementing regulations, not by this part.

(b) *Delegation*. The authority of the Secretary under this part may be further delegated within DOT.

#### § 15.3 Terms used in this part.

In addition to the terms in §15.3 of this chapter, the following terms apply in this part:

*Administrator* means the Under Secretary of Transportation for Security referred to in 49 U.S.C. 114(b), or his or her designee.

*Coast Guard* means the United States Coast Guard.

*Covered person* means any organization, entity, individual, or other person described in §15.7. In the case of an individual, *covered person* includes any individual applying for employment in a position that would be a covered person, or in training for such a position, regardless of whether that individual is receiving a wage, salary, or other form of payment. *Covered person* includes a person applying for certification or other form of approval that, if granted, would make the person a covered person described in §15.7.

*DHS* means the Department of Homeland Security and any directorate, bureau, or other component within the Department of Homeland Security, including the United States Coast Guard.

*DOT* means the Department of Transportation and any operating administration, entity, or office within the Department of Transportation, including the Saint Lawrence Seaway Development Corporation and the Bureau of Transportation Statistics.

*Federal Flight Deck Officer* means a pilot participating in the Federal Flight Deck Officer Program under 49 U.S.C. 44921 and implementing regulations.

*Maritime facility* means any facility as defined in 33 CFR part 101.

*Record* includes any means by which information is preserved, irrespective of format, including a book, paper, drawing, map, recording, tape, film, photograph, machine-readable material, and any information stored in an

### 49 CFR Subtitle A (10–1–20 Edition)

electronic format. The term *record* also includes any draft, proposed, or recommended change to any record.

*Security contingency plan* means a plan detailing response procedures to address a transportation security incident, threat assessment, or specific threat against transportation, including details of preparation, response, mitigation, recovery, and reconstitution procedures, continuity of government, continuity of transportation operations, and crisis management.

*Security program* means a program or plan and any amendments developed for the security of the following, including any comments, instructions, or implementing guidance:

(1) An airport, aircraft, or aviation cargo operation;

(2) A maritime facility, vessel, or port area; or

(3) A transportation-related automated system or network for information processing, control, and communications.

*Security screening* means evaluating a person or property to determine whether either poses a threat to security.

*SSI* means sensitive security information, as described in §15.5.

*Threat image projection system* means an evaluation tool that involves periodic presentation of fictional threat images to operators and is used in connection with x-ray or explosives detection systems equipment.

*TSA* means the Transportation Security Administration.

*Vulnerability assessment* means any review, audit, or other examination of the security of a transportation infrastructure asset; airport; maritime facility, port area, vessel, aircraft, train, commercial motor vehicle, or pipeline, or a transportation-related automated system or network, to determine its vulnerability to unlawful interference, whether during the conception, planning, design, construction, operation, or decommissioning phase. A *vulnerability assessment* may include proposed, recommended, or directed actions or countermeasures to address security concerns.

#### § 15.5 Sensitive security information.

(a) *In general*. In accordance with 49 U.S.C. 40119(b)(1), SSI is information