	<p style="text-align: center;"><b>SENSITIVE SECURITY INFORMATION POLICY</b></p> <p style="text-align: center;"><b>LEG-103</b></p> <p style="text-align: center;"><b>Legal</b></p>	<p><b>Issued: August 2022</b></p> <p><b>Approved by: Greg Canally</b> <b>Interim Executive Director</b></p>
<p><b>PURPOSE</b></p>		
<p>To specify the requirements Austin Transit Partnership (ATP) Board members, committee members, employees and contractors must follow to mark, store, control, transmit, destroy, and manage the release or withholding of Sensitive Security Information (SSI) in accordance with 49 CFR Parts 15 and 1520. This policy covers SSI in every form, including paper, electronic, digital, audio, video and any other media.</p>		
<p><b>POLICY</b></p>		
<p>ATP employees and contractors must maintain, safeguard and disclose records and information that is determined to be Sensitive Security Information in accordance with this policy.</p>		
<p><b>RESTRICTIONS ON DISCLOSURE OF SSI</b></p>		
<p>Employees and contractors will take reasonable steps to safeguard records that contain SSI in that person's possession or control from unauthorized disclosure. When a person is not in physical possession of a record containing SSI, the person must store the Record in a secure container, such as a locked desk or file cabinet or in a locked room.</p>		
<p>Employees and Contractors will provide access only to persons who have a <b>need to know</b>, unless otherwise authorized. Generally, a person has a need to know SSI when:</p>		
<ul style="list-style-type: none"> <li>• The person requires access to SSI to carry out, train for, or supervise individuals who carry out transportation security activities approved, accepted, funded, recommended or directed by the Department of Homeland Security or the Department of Transportation, or is training to carry out such activities;</li> <li>• The information is needed to provide technical or legal advice regarding transportation security requirements of Federal law; or</li> <li>• The information is necessary for the performance of the employee's duties or for the performance of a contract.</li> </ul>		
<p><b>REQUIREMENT TO MARK SSI</b></p>		
<p>For paper Records that contain SSI, an employee or contractor must mark the Record as follows:</p>		
<ul style="list-style-type: none"> <li>• Place the following protective marking on the top of the page: "SENSITIVE SECURITY INFORMATION."</li> <li>• Place the following distribution limitation statement on the bottom of each page: "<b><u>WARNING: This document contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this document may be released to persons without a need to know, as defined in 49 CFR parts 15 and 1520, except with the written permission of the Transportation Security Administration or Secretary of Transportation. Unauthorized release may result in civil penalty or other actions. For U.S. Government agencies, public release is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.</u></b>"</li> <li>• The protective marking and the distribution limitation statement must be placed on: <ul style="list-style-type: none"> <li>○ The outside of any front and back cover, including a binder cover, if any;</li> <li>○ Any title page; and</li> <li>○ Each page of the document.</li> </ul> </li> </ul>		

For non-paper records that contain SSI, such as films, videotape recordings, audio recordings, and electronic and magnetic records, an employee or contractor must clearly and conspicuously mark the records with the protective marking and the distribution limitation statement so the viewer or listener is reasonably likely to see or hear them when obtaining access to the contents of the record.

If a Board member, committee member, employee or contractor receives a record containing SSI that is not marked as required by this policy, then the person must (i) mark the record in accordance with this policy; and (ii) inform the sender that the record must be marked.

**DESTRUCTION OF SSI**

A Board members, committee member, employee or contractor must destroy a record containing SSI completely to preclude recognition or reconstruction of the information when the SSI is no longer needed to carry out transportation security measures, subject to ATP’s record retention policy.


**DUTY TO REPORT**

An employee or contractor who becomes aware of the release of SSI to persons who do not have a “need to know” or other violations of this policy must promptly report it to the Legal Department. Persons who violate this policy, including the duty to report, may be subject to discipline up to and including termination, or other action.

**DEFINITIONS**

Sensitive Security Information (SSI)	<p>“SSI” means information obtained or developed in the conduct of security activities, including research and development, the disclosure of which the Transportation Security Administration (TSA) or the Department of Transportation (DOT) has determined would:</p> <ol style="list-style-type: none"> <li>1) Constitute an unwarranted invasion of privacy (including but not limited to, information contained in any personnel, medical, or similar file),</li> <li>2) Reveal trade secrets or privileged or confidential information obtained from any person,</li> <li>3) Be detrimental to the security or safety of transportation.</li> </ol> <p>Examples of SSI are security programs and contingency plans, security directives, vulnerability assessments, security inspection or investigative information, threat information, and security measures.</p>
Record	<p>“Record” means any means by which information is preserved, irrespective of format, including but is not limited to, a book, paper, drawing, map, recording, tape, film, photograph, or any information stored in electronic format. The terms record also includes any draft, proposed, or recommended change to any record.</p>

Approved by:

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 Casey Burack  
 General Counsel and Chief Administrative Officer

8/8/2022  
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 Greg Canally  
 Interim Executive Director

8/8/2022  
 Date: \_\_\_\_\_