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Victor Parker
Surface Division, Policy, Plans, and Engagement, TSA-28

David Kasminoff
Senior Counsel, Regulations and Security Standards

Transportation Security Administration
Washington, DC 20510

Ref: “Enhancing Surface Cyber Risk Management;” Docket No. TSA-2022-0001

Dear Messrs Parker and Kasminoff,

The TIC Council Americas is pleased to provide comment on “Enhancing Surface Cyber Risk Management;” Docket No. TSA-2022-0001. The cybersecurity of infrastructure and related internet-of-things (IoT) functional devices which support such infrastructure require a robust regulatory framework to protect the security of those systems and the data stored by them.

Independent third-party testing, inspection, and certification (“TIC”) organizations play a critical role in confirming the compliance of products, systems, and services to US regulations, industry requirements, and international standards. Our members support all efforts to address cybersecurity in connected infrastructure¹, systems, components, devices and software and look forward to our ongoing engagement and discussion on this topic.

As outlined in our papers on cybersecurity of industrial control systems² and consumer products³, using a combination of cybersecurity standards such as IEC 62443 and the NIST National Framework for Improving Critical Infrastructure Cyber Security 1.1, evaluation, and certification will improve systems security and risk management, through metrics, measurements, and benchmarks that support acquisition requirements.

Conformity assessment is a reasonable and responsible model for addressing the challenges of acquisition and cybersecurity and improving cybersecurity posture throughout our pipeline and rail sectors. And trusted, independent third-party conformity assessment is a cost-effective policy solution as it provides the highest level of confidence and helps government leverage private-sector resources.

In a recent study entitled “Value of TIC”⁴ developed by Europe Economics and International Law firm Steptoe and published on the TIC Council website in June 2021, researchers found that when third party TIC was used, such as third-party certification bodies, it resulted in “higher levels of regulatory compliance.” Additionally, the study shows that “Businesses may achieve medium- and long-term cost savings through reliance on independent third-party conformity assessment services” and that third Party TIC services are trusted sources

¹ The International TIC Sector Supports Efforts to Address Cybersecurity in Connected Devices, https://www.tic-council.org/application/files/5915/5775/4670/IFIA_One_Pager_IoT_and_Cybersecurity.pdf

² The TIC Council Supports a Robust Cybersecurity Framework for Industrial Control Systems, 2021, https://www.tic-council.org/application/files/9316/2489/1094/2021_TIC_Council_Americas_position_paper_Cybersecurity_final.pdf

³ Strong Cybersecurity Protections Support a Safe and Secure Product Infrastructure, 2022, https://www.tic-council.org/download_file/1024/278

⁴ Value of TIC, https://www.tic-council.org/application/files/1216/2211/4719/Value_of_the_Testing_Inspection_and_Certification_Sector_-_2020-12-23_Final_report.pdf

for confirming compliance, which enables industry to enter new markets and gain access to new customers.


TIC Council is a global association representing over 100 international independent third-party testing, inspection, certification, and verification organizations. Testing, Inspection and Certification (TIC) companies cater to a diverse range of industry sectors and a variety of standards and legislation. The industry represents an estimated one million employees across the world with annual sales of approximately USD 200 billion.

We thank the Transportation Security Administration for considering our comments and look forward to continuing to engage on this critical topic. Should you have any questions, please don't hesitate to contact Karin Athanas at +1 240 762 8069 / kathanas@tic-council.org.

Sincerely,



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