DHS Continues Focus on Border Security With Enhanced Aviation Security Measures

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On June 28, 2017, Secretary of Homeland Security John Kelly announced the implementation of enhanced security measures for all commercial flights arriving in the United States. These enhanced procedures are set to affect 280 airports in 105 countries. Citing the increased need to “raise the global baseline of aviation security” in light of continued terrorism concerns, Secretary Kelly emphasized that the goal is to cooperatively work with airlines and airports to adopt more modern and sophisticated screening methods, but that “security is [the] number one concern.”

The enhanced security measures will include but are not limited to the following:

- Enhancing overall passenger screening
- Conducting heightened screening of personal electronic devices
- Increasing security protocols around aircraft and in passenger areas
- Deploying advanced technology, expanding canine screening, and establishing additional preclearance locations

As a matter of national security, specifics on the exact nature of the new aviation security enhancements, or when they might be implemented, are not being released. Media reports are suggesting that travelers may expect “explosive trace detection screening, increased vetting of airports’ staff and additional detection dogs.” However, the enhancements are expected to be rolled out in stages and based on the ability and/or willingness of individual airports to comply.

These enhanced security measures represent the administration’s continued focus on strengthening border security, coming just a few months after the so-called “laptop ban,” which was implemented in March of 2017. Under that policy, “large electronic devices,” including laptops, tablets, and cameras, were prohibited from the cabin area on foreign carrier flights departing from 10 of the largest airports in the Middle East. The U.S. Department of Homeland Security (DHS) reportedly moved to implement the June 28, 2017, security enhancements in an effort to avoid expanding the current laptop ban to domestic carriers. Other recent administration efforts to enhance border security include the heavily litigated travel ban and the implementation of extreme vetting procedures for visa applicants.

Despite suggestions that the additional security procedures may make travel more difficult, some airlines have already begun working with DHS to tighten security checks. DHS’ confidence in these airlines’ strengthened security procedures has resulted in the laptop ban being lifted for those airlines specifically. Additionally, as
part of the new program, DHS will encourage more airports to become preclearance locations (locations that facilitate the customs process pre-flight) thereby streamlining the overall travel process.

A recent survey conducted by a travel advocacy group indicates that business travel to the United States would likely be dramatically reduced if the laptop ban were expanded. Employers surveyed cited concerns about information security and loss of productivity should employees not be in possession of a necessary device while on an aircraft. While the expanded “laptop ban” has been avoided for the present and the details and impact of the new enhancements remain unknown, employers may want to prepare for the possibility that employees may encounter additional screenings and increased wait times to pass through security checkpoints.