APPENDIX 4 – SECURITY BADGE PROGRAM

The following changes were made to this appendix since the initial release, dated November 2020:

Date of Revision	Section	Pages	Subject
December 2022	A,B	2-3	Technical changes
December 2022	F	6-8	Technical changes

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SECURITY BADGE PROGRAM

A. Security Badge Office

The Ontario International Airport Authority (OIAA) Security Badge Office is responsible for the implementation of Transportation Security Administration (TSA) Rules and Regulations pertaining to the issuance of identification media to persons doing business on Airport property, including persons accessing Airport restricted areas (e.g., Air Operations Area (AOA) and Passenger Terminals), as outlined in Title 49 Code of Federal Regulations (CFR) Part 1542 – Airport Security.

Security Badge Office - North	International Arrivals Terminal 2222 International Way, Ontario, CA 91761.
Security Badge Office - South	Ontario International Airport Administrative Bldg. 1923 E. Avion St., Ontario, CA 91761.
Contacts	Office: (909) 544-5170 Fax: (909) 937-2513 Email: ontsecuritybadgeoffice@flyontario.com
Hours of Operation	• Monday-Friday • 8:00 a.m. to 3:30 p.m. • All major holidays are observed • Appointments are scheduled by visiting www.flyontario.com/security.

B. Security Badges

a. Any person who works or does business on Airport property on a permanent or temporary basis, must hold a security badge issued or approved by the Airport. Airport property includes public and restricted areas.

b. Any person holding an Airport-issued security badge does so as a privilege and not a right. The Airport shall retain ownership of all security badges, and the Airport Security Coordinator (ASC) or designee reserves the right to deny new applicants a security badge, suspend an existing security badge, and, with cause, revoke a security badge and unescorted access privileges.

c. The ASC and or designee may also require security badges for individuals performing work in airport public and/or controlled areas. Accordingly, in accordance with this section, those individuals shall also be required to pass a Security Threat Assessment and Criminal History Records Check before being issued a security badge.

d. Security badges must be used pursuant with this section, Appendix 4 - Security and Airfield Enforcement Program, and the Airport Security Program (ASP). This includes the proper display, access control procedures, and the critical requirement to immediately deactivate and return the security badge upon its expiration, a badgeholders' separation of employment, expiration of operational need, or upon demand of Airport Officials.

e. The misuse or willful failure to surrender or return a security badge shall be subject to appropriate enforcement under Appendix 4 - Security and Airfield Enforcement Program.

C. AUTHORIZED SIGNATORY RESPONSIBILITIES

The Security Badge Office will only issue a security badge to an individual upon the request of a designated Authorized Signatory of an Airport contractor, tenant, vendor, or permit holder. The Authorized Signatory, on behalf of the Airport contractor, tenant, vendor, or permit holder, is responsible for verifying that such individual is employed or authorized to perform duties or services on Airport property. The employer or sponsor of the Authorized Signatory and security badgeholder shall remain responsible for the security badgeholder's compliance with these Rules and Regulations.

a. Applications must be completed using the most current fillable forms provided by the Security Badge Office; handwritten applications will not be accepted.

b. Applications must only be provided to the Security Badge Office after the applicant and Authorized Signatory have both completed their respective sections, and printed, signed, and dated the application. Original signatures and dates are required.

c. The Authorized Signatory's signature must be dated no more than seven (7) calendar days prior to the date the application is provided to the Security Badge Office.

d. All Authorized Signatory signatures must be authentic and match the Authorized Signatory's signature on file; stamped or photocopied signatures are prohibited and shall be rejected.

e. Should an application be signed by an Authorized Signatory before the employee

sections have been completed, or if a signed application is lost and unreported to the Security Badge Office, the Authorized Signatory may be subject to immediate corrective action(s), to include having his/her Authorized Signatory privileges and/or security badge revoked or suspended.

D. SECURITY BADGE ISSUANCE

a. Initial Security Badge Issuance

At the time of fingerprinting, applicants must present the Security Badge Office with the following:

1) Fingerprint Application. The applicant must complete, sign, and date the most current application form(s), as approved and provided by the Security Badge Office. Applications must be signed and dated by the Authorized Signatory; and

2) Valid Government-Issued Photo Identification / Employment Eligibility Documents: Two valid forms of identification must be presented with the application:

   - Government issued photo identification, and
   - Employment Eligibility Document. Acceptable employment eligibility documents shall be pursuant with US Citizenship and Immigration Services (USCIS) Form I-9, List of Acceptable Documents; and

3) All applicant biographical information on both forms of identification must be consistent and verifiable. If the individual will have airfield driving privileges, a valid driver's license must also be presented; and

4) As described in this section, pass a Criminal History Record Check & Security Threat Assessment. Clearance notifications are provided by the Security Badge Office to the respective Authorized Signatory. All applicants must complete the badging process, to include applicable training, within thirty (30) calendar days of the clearance notification.

5) As described in Section 9, all applicants requesting to operate a vehicle on the AOA must successfully pass the ONT AOA Restricted Area Driver Permit Training Program.

6) All applicants must complete applicable security training and pass the corresponding test(s) to ensure a comprehensive understanding of the ONT Rules and Regulations and the Airport Security Program (ASP). General training requirements may be found online at the Electronic Code of Federal

Regulations (e-CFR), at www.ecfr.io/Title-49/se49.9.1542_1213 (Reference 49 CFR §1542.213 Training).

Special Circumstances

Reasonable accommodations will be considered for SIDA training. Please contact the Security Badge Office to request accommodations prior to scheduling your training.

b. Security Badge Renewal

Security badges expire on the date printed on the front of the badge and may be renewed up to sixty (60) calendar days prior to the respective expiration date. To renew a security badge, in coordination with the Authorized Signatory, the security badgeholder must complete the following:

1) Complete and sign a Fingerprinting and Badging Application form and obtain approval from the employee's Authorized Signatory no more than thirty (30) calendar days prior to the date the form is presented to the Security Badge Office.

2) The security badgeholder must present two (2) forms of identification. If driving privileges are requested, a valid driver's license must be included.

3) As described in this section, the security badgeholder must pass a Criminal History Record Check & Security Threat Assessment. Clearance notifications are provided by the Security Badge Office to the respective Authorized Signatory. At the discretion of the Security Badge Office, the security badgeholder may be required to complete an additional fingerprinting process.

4) The security badgeholder must complete required training and pass the corresponding test(s) to ensure a comprehensive understanding of the ONT Rules and Regulations, and the ASP.

5) For security badges that have expired, the employee must be fingerprinted, clear a Criminal History Records Check, and have a valid Security Threat Assessment before a security badge can be re-issued.

6) If a security badge issued with an Aircraft Operator's Criminal History Records Check Certification has expired, the respective air carrier's Authorized Signatory must provide a new certification to the Security Badge Office and have a valid STA before a security badge can be re-issued.

E. SECURITY THREAT ASSESSMENTS (STA)

Unless specifically exempted by the TSA, any person requesting a security badge must pass an STA performed by the TSA. Concurrent with the security badge application process, the Security Badge Office shall collect and submit the required STA information. Prior to issuance of a security badge, the Security Badge Office must receive TSA's confirmation of the applicant's successful completion of an STA.

F. Criminal History Record Check (CHRC)

Unless specifically exempted by the TSA, any person requesting a security badge must be fingerprinted and pass a CHRC. The Airport Security Coordinator (ASC) or designee will conduct a computerized Federal Bureau of Investigations (FBI) CHRC of any individual applying for a security badge, to include renewals. After receiving an applicant's authorization to perform the CHRC, the ASC or designee shall request, receive, and review the criminal history data, if any, to ensure the applicant does not have a conviction for a disqualifying crime, as described in this section, or has been charged with a disqualifying crime and awaiting judicial disposition.

a. CHRC Approval

A successful CHRC means the employee shall not have been: 1) convicted, 2) given a deferred sentence, 3) found not guilty by reason of insanity, or 4) have been arrested and awaiting judicial proceedings for any crimes listed in 49 CFR §1542.209; or any felony during the ten (10) years before the date of the individual's application for unescorted access authority, or while the individual has unescorted access authority.

b. CHRC Denials

If an applicant will be denied a security badge as the result of the CHRC, the ASC or designee will provide written notification of the reason for denial, applicable grievance procedures, and advise the applicant may submit competent evidence to the ASC or designee, to include, at minimum, the revised FBI record and/or certified true copy of the information from the appropriate court.

c. Aircraft Operator CHRC Certifications

The ASC may accept a certification from an aircraft operator subject to 49 CFR Part 1544 (Domestic Aircraft Operator) indicating it has complied with the CHRC requirements of 49 CFR §1544.229 for their employees and contractors seeking unescorted access authority. The approved CHRC certification must verify the employee has not been: 1) convicted, 2) given a deferred sentence, 3) found not guilty by reason of insanity, 4) arrested and awaiting judicial proceedings for any crimes listed in 49 CFR §1542.209; or any felony conviction during the ten (10) years before the date of the individual's application for unescorted access authority, or while the individual has

unescorted access authority. If such certifications are authorized and accepted by the ASC, the SBO shall not require the Aircraft Operator to provide a copy of the respective CHRC.

d. Disqualifying Criminal Offenses

Any individual has a disqualifying criminal offense if the individual has been convicted, or found not guilty by reason of insanity, of any of the following disqualifying crimes (1-28) in any jurisdiction during the 10 years before the date of the individual's application for unescorted access authority, or while the individual has unescorted access authority.

1) Forgery of certificates, false marking of aircraft, and other aircraft registration violation; 49 U.S.C. 46306.
2) Interference with air navigation; 49 U.S.C. 46308.
3) Improper transportation of a hazardous material; 49 U.S.C. 46312.
4) Aircraft piracy; 49 U.S.C. 46502.
5) Interference with flight crew members or flight attendants; 49 U.S.C. 46504.
6) Commission of certain crimes aboard aircraft in flight; 49 U.S.C. 46506.
7) Carrying a weapon or explosive aboard aircraft; 49 U.S.C. 46505.
8) Conveying false information and threats; 49 U.S.C. 46507.
9) Aircraft piracy outside the special aircraft jurisdiction of the United States; 49 U.S.C. 46502(b).
10) Lighting violations involving transporting controlled substances; 49 U.S.C. 46315.
11) Unlawful entry into an aircraft or airport area that serves air carriers or foreign air carriers contrary to established security requirements; 49 U.S.C. 46314.
12) Destruction of an aircraft or aircraft facility; 18 U.S.C. 32.
13) Murder.
14) Assault with intent to murder.
15) Espionage.
16) Sedition.
17) Kidnapping or hostage taking.

18) Treason.

19) Rape or aggravated sexual abuse.

20) Unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon.

21) Extortion.

22) Armed or felony unarmed robbery.

23) Distribution of, or intent to distribute, a controlled substance.

24) Felony arson.

25) Felony involving a threat.

26) Felony involving -

- Willful destruction of property;
- Importation or manufacture of a controlled substance;
- Burglary;
- Theft;
- Dishonesty, fraud, or misrepresentation;
- Possession or distribution of stolen property;
- Aggravated assault;
- Bribery; or
- Illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than 1 year.

27) Violence at international airports; 18 U.S.C. 37.

28) Conspiracy or attempt to commit any of the criminal acts listed above.

An Authorized Signatory receiving an applicant's security badge application and/or CHRC application acknowledging an arrest and conviction for any disqualifying criminal offense described above, shall advise the applicant of their disqualification.

All individuals charged with a disqualifying crime must receive judicial disposition prior to applying for a security badge.

As determined by the ASC or designee, the OIAA shall reserve the right to confiscate a security badge, revoke a security badge and/or deny unescorted or escorted access to the secured area, sterile area, and/or airport designated controlled area(s), to any applicant or current security badgeholder, for any instance(s) of criminal activity.

e. CHRC Records

A copy of the criminal record received from the FBI will be provided by the ASC or designee upon written request from an applicant or current security badgeholder. The ASC or designee is the individual's point of contact if he or she has questions about the results of the CHRC.

f. CHRC Adjudications

All security badge applicants having criminal records for any disqualifying criminal offense without disposition, are subject to CHRC adjudication.

1) Security Badge Applicants

When a CHRC discloses an applicant's arrest for any disqualifying criminal offense without indicating a disposition, in coordination with the applicant and respective Authorized Signatory, the ASC or designee shall adjudicate the matter to ensure the arrest did not result in a disqualifying offense prior to issuing a security badge.

i. Before making a final decision to deny issuing a security badge, the ASC or designee will provide written notification to the applicant of the following:

ii. The FBI criminal record discloses information that would disqualify him or her from receiving and/or retaining a security badge; or

iii. Based upon the totality of criminal activity disclosed by the FBI criminal record, the ASC or designee has made the determination to deny issuing a security badge.

2). Correction of CHRC Records

i. Upon receiving the ASC's notification of disqualification, should the applicant believe the FBI criminal record contains inaccurate information, the applicant, within thirty (30) days of receipt, may notify the ASC in writing of his or her intent to correct any FBI criminal record information he or she believes to be inaccurate. The applicant is encouraged to contact the local jurisdiction responsible for the information and the FBI to complete or correct the information contained in his or her record.

ii. If the applicant's written notification of intent to correct FBI records is not received by the ASC within thirty (30) days, the provided written notification of disqualification shall serve as the ASC's final determination to deny issuing a security badge.

iii. If the ASC receives the applicant's notification within thirty (30) days, the applicant, prior to re-consideration of security badge issuance, must provide the ASC with a copy of the revised FBI record and/or certified true copy of the information from the appropriate court. Upon considerations of any revised FBI record and/or certified true copy of the information from the appropriate court, the ASC will either approve the issuance of a security badge or provide written notification to the applicant that a final decision has been made to deny the issuance of a security badge.

g. Current Security Badgeholders

i. Security badgeholders, in coordination with their Authorized Signatory, must notify the ASC or designee within twenty-four (24) hours, if he or she has been arrested for any disqualifying offense; or, if he or she has been: 1) convicted, 2) given a deferred sentence, or 3) found not guilty by reason of insanity for any disqualifying offense.

ii. Upon disclosure by a security badgeholder and/or the security badgeholder's CHRC provides the airport notification of any arrest for a disqualifying criminal offense without indicating a disposition, the ASC or designee shall adjudicate the matter with the security badgeholder and Authorized Signatory, not to exceed forty-five (45) days, to ensure the disposition does not result in a disqualifying offense. After forty-five (45) days, the security badge shall be surrendered to the ASC or designee, which shall be suspended until such time demonstration of judicial disposition is provided by the individual indicating a non-disqualifying criminal offense.

iii. Security badgeholders convicted, given a deferred sentence, or found not guilty by reason of insanity for any disqualifying offense, must surrender their security badge to the Security Badge Office within twenty-four (24) hours of the disqualifying offense conviction.