

**UNITED STATES DEPARTMENT OF HOMELAND SECURITY
TRANSPORTATION SECURITY ADMINISTRATION**

Statement of

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Before the

**SUBCOMMITTEE ON TRANSPORTATION SECURITY
AND INFRASTRUCTURE PROTECTION
COMMITTEE ON HOMELAND SECURITY
UNITES STATES HOUSE OF REPRESENTATIVES**

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Good afternoon Chairwoman Jackson Lee, Ranking Member Dent, and distinguished Members of the Subcommittee. I am pleased to appear before you today to update you on our progress in implementing a system for screening 100 percent of cargo carried aboard passenger aircraft. First, let me thank you for the ongoing guidance and oversight your Subcommittee has provided and continues to provide as we work through this considerable challenge. I would also like to thank the Government Accountability Office, whose professionalism and expertise have provided additional assistance as we proceed forward.

My message to you today is twofold: First, both we and the industry are ready—as of August 1, 2010, no unscreened cargo will be uploaded onto a passenger aircraft departing an airport in the United States. Quite simply, if it isn't screened, it won't fly. All segments of the air cargo community are prepared, and we expect that this will happen with little disruption.

Second, international inbound air cargo on passenger aircraft is more secure than it has ever been, with 100 percent of currently identified high-risk cargo now being screened. Although 100 percent screening of all inbound air cargo cannot reasonably be achieved by August 1, 2010, we are making substantial progress toward meeting the 100 percent mark in the next few years.

Security of Domestic Cargo – The Certified Cargo Screening Program

As you know, from the time the 100 percent screening requirement was enacted in August 2007 as part of the Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act), everyone recognized that the air carriers could not do it alone. Thus began the Transportation Security Administration's (TSA) unprecedented outreach to all elements of the cargo industry in the United States (to over 100,000 companies) and an intense collaborative effort among TSA,

air carriers, freight forwarders, the shipping community, and major associations such as Air Forwarders Association and the Air Transport Association.

The centerpiece of this program continues to be the Certified Cargo Screening Program (CCSP), under which responsibility for the screening of cargo is distributed throughout the supply chain to improve security while minimizing the potential negative impact on the integrity and movement of commerce—precisely what would happen if we allowed a screening bottleneck to occur at the Nation’s airports. After piloting the concept, the CCSP was permanently established in 2009 through an Interim Final Rule. As of today, TSA has certified more than 760 entities as Certified Cargo Screening Facilities, which are currently contributing over 47 percent of the screened cargo volume (by weight) transported on passenger aircraft departing U.S. airports. These entities have reported that they already have capacity to screen nearly the entire remaining unscreened volume as we approach the August 2010 deadline, if it becomes necessary.

Beginning in October 2008, TSA has been steadily increasing the required percentage of screened air cargo. As of October 1, 2008, TSA has required 100 percent screening of cargo transported on narrow body aircraft, resulting in full protection of 96 percent of all domestic passenger flights. And as we know, it is about the passengers, not the boxes; it is more than noteworthy that screening of cargo on these flights translates into protection of more than 86 percent of all passengers flying domestically.

While industry is positioned to achieve the 100 percent screening mandate, challenges remain in screening specific commodity types and cargo configurations such as bulk configurations (*i.e.*, large skids and pallets), perishables, electronics, chemicals, and pharmaceuticals. Nonetheless, there continue to be limits on the capability of specific screening technologies. In the past two years, TSA has qualified or approved 77 different screening technology models to help industry make effective capital investment decisions and provide screening options to meet the requirement.

Screening Inbound International Air Cargo

As TSA has consistently indicated in many settings, including in prior testimony before this Subcommittee, the challenges presented by the international setting have made it unlikely that Congress’s ambitious schedule for 100 percent screening could be met with respect to inbound air cargo. The genesis of the challenge is simple: an estimated 2.8 billion pounds of air cargo arrives on passenger aircraft from 94 different sovereign nations annually via a global air cargo supply chain with a vast number of participants. Those 94 nations have unique air cargo security programs and regulatory requirements, many of which differ significantly from those required by TSA.

Accordingly, TSA’s approach to international inbound air cargo must necessarily be flexible and diplomatic. We have been pursuing many options that have already significantly increased the security of inbound air cargo and are finalizing a strategy for achieving 100 percent screening.

In general, the milestone can be reached via two major avenues—cooperation with key foreign government partners to explore possible recognition of national air cargo security programs that we have examined and determined to be commensurate with U.S. standards; and by imposing a timeline for requiring additional screening by air carriers. The former is the preferred course, as it would permit airlines flying into the United States to adhere to either the TSA security program or a foreign country's commensurate security program.

In the meantime, we are also working with stakeholders, including Federal agencies and international partners, to continually strengthen security standards for inbound air cargo. TSA's efforts focus on strengthening air cargo security standards through information sharing and direct engagement with international organizations and partner countries. TSA is currently engaged in multiple bilateral and multilateral initiatives and has made significant progress recently in its work with the European Commission (EC) to assess the comparability of air cargo security standards of European Union Member States. Engaging in such initiatives and establishing partnerships increases the cross-sharing of information regarding international air cargo security best practices and will identify potential candidate countries whose security regimes can be recognized as national cargo security programs (NCSP), that is, programs with security standards commensurate with those of the United States.

In March 2009, TSA's proposal to the International Civil Aviation Organization (ICAO) to incorporate key air cargo supply chain security and threat detection concepts into the security Standards and Recommended Practices (SARPs) of Annex 17 to the Convention on International Civil Aviation of 1944 (the Chicago Convention) was accepted by ICAO's Aviation Security Panel. The proposal, which strengthens ICAO's standards by stressing the importance of detection methods in screening over security controls alone, is currently being reviewed by ICAO Contracting States, after which it will be submitted to the ICAO Council for consideration and approval. TSA worked closely with the International Air Transport Association (IATA) and foreign government partners on this effort.

TSA is also working closely with U.S. Customs and Border Protection (CBP) to explore the feasibility of leveraging CBP's Automated Targeting System (ATS) to collect, pre-departure, information on international inbound air cargo, which will allow TSA to perform baseline threshold targeting. Though it will not fulfill the screening requirement of the 9/11 Act, the use of ATS will provide a greater level of shipment information, thereby enabling TSA to even more effectively identify elevated-risk cargo that would be subject to additional screening prior to departure.

As with our domestic screening, program TSA's stakeholder outreach has been vigorous. TSA's international outreach efforts have included the IATA and other industry associations such as the International Air Cargo Association, as well as numerous U.S.- and foreign-flag air carriers. TSA has participated in meetings and conferences throughout the world, directly engaging with industry representatives and also continues to engage with its foreign government counterparts

around the globe. This is evidenced by TSA's recent participation in the Asia Pacific Economic Cooperation Air Cargo Security Conference in Singapore, recent meetings with the European Commission, and participation in the Association of Asia Pacific Airlines conference in Kuala Lumpur, Malaysia. TSA will continue to focus on comprehensive outreach activities and engage all stakeholders as it moves forward with these efforts.

The success of a 100 percent screening requirement will depend in part on an effective inspection and enforcement program--we cannot simply impose a requirement and declare victory. The domestic screening program will be monitored by a robust, ongoing process of inspection and enforcement. We currently have 500 cargo inspectors in the United States who are already conducting focused inspections to ensure compliance. In the international milieu, many of the same considerations that are challenging us in creating a screening program will also be a challenge with respect to inspection of that program. TSA cannot enter and inspect in foreign countries without the consent of the host country, and even with consent, would not have nearly the same level of access as we have in the United States. As with other aspects of international screening we will have to rely on foreign government programs to validate that the screening is occurring as required. This can only be accomplished through the recognition and acceptance of NCSPs, through which we would have access to their inspection data.

In closing, it bears repeating that our success in this endeavor thus far and going forward depends upon the dedication of and collaboration among all of our partners—the aviation industry, freight forwarders, shippers, as well as our international partners. Together, and with the continued guidance and oversight of this Subcommittee, I am confident that the goal of 100 percent screening of domestic air cargo by August 1, 2010, will be achieved. In concrete terms, this means the domestic screening program will be securing 250 million pounds of cargo per month, or over 3 billion pounds of cargo per year. I am likewise confident that, working with industry and our international partners, we will continue to address and overcome the unique challenges of securing inbound international air cargo to achieve the same milestone in the next few years.

Thank you again for the opportunity to testify. I am happy to take any questions you may have.