

*“Implementing Recommendations of the  
9/11 Commission Act of 2007”*



Statement of John Meenan  
Executive Vice President and COO  
Air Transport Association

Before House Committee on Homeland Security  
Transportation Security and Infrastructure Protection s

July 15, 2008



AIR TRANSPORT ASSOCIATION

On behalf of our member airlines, please accept our thanks for the opportunity to appear before the subcommittee today to discuss both our commitment to meeting the cargo screening requirements of the “Implementing Recommendations of the 9/11 Commission Act of 2007” and to outline a few concerns, which must be addressed quickly in order to facilitate our meeting that commitment.

First, as to our commitment, our member airlines are well along in developing their individual compliance plans, enabling them to meet the February 2009 deadline for screening 50 percent of all cargo shipments aboard passenger aircraft. These plans vary from carrier to carrier depending on the nature and scope of each particular cargo operation. These plans involve equipment acquisition, development of appropriate procedures and, in some cases, contractual arrangements with cargo handling partners. To a limited extent, they may also involve a termination of cargo services at certain locations where the business benefits do not outweigh the security expenses.

These compliance plans are, however, dependent on key assumptions about equipment and processes for which we are awaiting Transportation Security Administration (TSA) approvals. For example, we need the TSA to provide a “Qualified Products List” specifying exactly what equipment – already purchased or currently available for purchase – is approved by the TSA for screening cargo. Because there is no certified technology to efficiently screen cargo, airlines remain hesitant to purchase technology absent a qualified list and the specific operational protocols, which help determine the number of units necessary. We are also expecting clear and detailed guidance on the use of X-ray equipment to screen shipper-built cargo skids. Even more importantly, we are awaiting approval of “batch” Explosive Trace Detection Screening procedures. These approvals, we have been assured, are “in process” and just about to be provided. This promise, while welcome, has been outstanding for some time and we are increasingly concerned that we do not yet have final, actionable commitments from the TSA. Obviously, as we move closer to the February compliance date, our ability to expeditiously implement any unanticipated TSA initiatives becomes more problematic.

It bears noting that because of the intense focus on baggage and passenger screening, budgetary limitations and “other” Office of Science and Technology priorities at the Department of Homeland Security, research and development of cargo screening technology has been a low priority. To date, with the exception of canine screening, we have no certified method to effectively and efficiently screen cargo. We would urge that the subcommittee focus on advancing this as a much higher priority issue. Perhaps consideration should be given to the creation of a TSA grant program to serve as an incentive for manufacturers to develop cargo screening technology.

Another area of extremely serious concern relates to TSA’s announced plan to require 100 percent screening of cargo aboard narrow-body passenger aircraft by October 2008, as opposed to 50 percent of cargo aboard all passenger flights as required by law. Rather than mandating yet another new and unnecessary program, which would pose significant operational challenges to airlines operating mixed wide- and narrow-body fleets, we have indicated repeatedly that airlines must be allowed to comply with the 9/11 Act’s 50 percent mandate established by Congress. With TSA approval of the technology and procedures that we are currently anticipating – which, as noted previously, we need as soon as possible – our airlines are preparing to meet the requirements of the law. They should not be expected to significantly exceed those requirements. One hundred percent narrow-body cargo screening certainly has a role as a compliance option, but there is no reason for yet another unnecessary mandate. As a practical matter, this initiative would force mixed-fleet operators to create a bifurcated cargo acceptance and screening processes that would pose significant operational challenges and inefficiencies.

Looking out further to the legislatively mandated 100 percent cargo screening deadline of August 2010, we know to a certainty that success is dependent on TSA's full implementation of a robust Certified Cargo Screening Program (CCSP). Under this program, large-volume shippers and freight forwarders would be certified to screen cargo, which would then be transported directly to the airline. In view of the fact that approximately 80 percent of air cargo is shipped by just 20 percent of our cargo customers, there is clearly great value in this type of screening program, which has been demonstrated to be effective in other countries. We believe that this program could significantly advance compliance with the coming February 2009 deadline and that it is essential to meeting the August 2010 full-screening deadline. We are, however, concerned with the pace of program development and would encourage the subcommittee to favorably consider any request that TSA might put forward to significantly accelerate this initiative.

Finally, I would be remiss in not bringing the subcommittee's attention to the devastated economic condition of the airline industry. As a direct result of the current fuel price situation, we are seeing a substantial reduction in the size of the industry. Roughly 100 communities have already been advised that they will no longer have scheduled air service, close to 30,000 jobs have been eliminated and hundreds of aircraft are being removed from service. Going forward, unless fuel prices moderate, things will get worse. While not relevant to today's discussion, we are actively pursuing measures to address unhealthy oil speculation while also managing supply and demand issues. We would ask that the subcommittee work with us going forward to assure that the government plays its proper role in providing aviation security and that we all understand the limits of industry resources.

Thank you for the opportunity to appear before you today.