

TSA Explores Ways to Streamline International Air Cargo Screening

The Transportation Security Administration (TSA) recently published a request for information (RFI) soliciting input from the air cargo industry regarding new international screening standards for air cargo. Under the RFI, TSA requests information and proposals from the air cargo industry — including airlines, logistics companies, manufacturers, shippers, suppliers, warehouses, and e-commerce fulfillment centers — on ways to reduce the burden on U.S. and foreign all-cargo aircraft operators to comply with new international standards, which could pose substantial operational and logistical challenges for the air cargo industry.

In March 2013, the International Civil Aviation Organization (ICAO), an agency of the United Nations, revised an international air cargo security standard to require that the same security screening measures apply to cargo traveling on passenger as on all-cargo aircraft (previously, the applicable screening measures differed). Under the new standard, all international air cargo transported on commercial aircraft — whether passenger or cargo — must either be (1) screened to a level intended to identify and/or detect the presence of concealed explosive devices or (2) under appropriate security controls throughout the cargo supply chain to prevent the introduction of concealed explosive devices. These new requirements must be implemented in all ICAO member states (including the United States) no later than June 30, 2021.

TSA is seeking proposals from industry that would mitigate the burden of applying the 100 percent screening requirement to all-cargo aircraft. TSA notes that “U.S. requirements consistent with [the new standard] already are in place for ... commercial passenger transportation, because U.S. law already requires 100 percent of cargo loaded aboard commercial passenger aircraft to be screened.” TSA is interested in “options to ... mitigate the burden of applying additional security requirements ... to all-cargo aircraft,” because “a 100 percent screening requirement will increase the cost of transporting air cargo.” TSA invites comment on less costly alternatives.

Specifically, TSA is considering (among other options) whether it could “rely[] on other security controls ... [that] could be applied to entities not currently regulated by TSA” within the supply chain to ensure a level of security commensurate with the screening of cargo before transport. This would “enable manufacturers, warehouse operators, or other shipping or logistics services providers to be recognized by TSA as having a system of security controls that are sufficient to allow them to introduce cargo into the secure supply chain for all-cargo aircraft, without a need for screening.” Such a screening mandate could present new business opportunities for manufacturers, warehouse operators, and logistics and shipping companies that have the capability to implement secure supply chain controls.

Comments on the RFI are due to TSA by July 9, 2020.



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