Statement of

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"Promoting Safe Skies through Scanning and Screening: Oversight of Air Cargo Security"

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Good Morning, Chairman Sullivan, Ranking Member Markey, and distinguished members of the subcommittee. Thank you for inviting me to testify on the Transportation Security Administration's (TSA) Certified Cargo Screening Program (CCSP). I am John Beckius, Executive Director of TSA's Air Cargo Division. I am honored to be here and grateful for the subcommittee's continued support for TSA and its critically important mission to secure the nation's transportation system while ensuring the freedom of movement for people and commerce. TSA remains resolute in countering threats to aviation and protecting both the civil aviation system and traveling public. To that end, TSA continuously evaluates ways to raise the baseline for all elements of aviation security, including air cargo security. My testimony will

highlight the benefits provided by CCSP, areas where the program can be strengthened based on our recent review of the program, and the actions we are taking to address those matters.

The October 5, 2018 enactment of the *TSA Modernization Act,* the agency's first comprehensive reauthorization since inception, has significantly enhanced our ability to execute our mission, and its implementation is a priority for the Agency. As of today, TSA has completed nearly 80 percent of the Act's requirements that have deadlines. Of particular relevance to this hearing, the *TSA Modernization Act* includes a number of critically important provisions associated with air cargo security. These provisions include direction to establish an air cargo division, which is the organization I now lead, to complete a feasibility study and pilot program regarding the use of computed tomography units for air cargo screening, and to conduct a review of the CCSP.

TSA established the CCSP in 2009 as part of its strategy to meet the *Implementing the Recommendations of the 9/11 Commission Act of 2007 (9/11 Act)* mandate to screen 100 percent of cargo transported on passenger aircraft by August 3, 2010. Prior to the enactment of the *9/11 Act* and the existence of the CCSP, only passenger air carriers were authorized to screen air cargo transported on their aircraft. To meet that requirement, TSA established a regulatory program that allows United States-located air cargo screening facilities to become certified to screen air cargo under the CCSP, and receive designation as Certified Cargo Screening Facilities (CCSF).

There are currently 714 CCSFs throughout the United States, located primarily in close geographic proximity to the largest commercial airports. The CCSP was specifically developed to allow air cargo supply chain Shippers and Indirect Air Carriers (IACs) located in the United

States to screen their air cargo before tendering it to domestic and foreign passenger carriers, helping to alleviate the cargo screening burden on the carriers.

Through CCSP, Shippers and IACs may screen air cargo so long as they abide by TSA air cargo screening regulations. The TSA application process to become a CCSP holder and establish a CCSF screening location(s), requires the applicant to provide their legal operating business name, copies of government issued identifications of required employees, and a Security Threat Assessment for all required individuals. In order to become certified, a potential CCSF location must ensure TSA standards for physical access control to the facility, personnel security through employee vetting, procedural security to properly screen and maintain chain of custody for screening cargo, internal facility physical and security controls preventing access to screened cargo by unauthorized individuals. Once the information is reviewed and vetted by TSA, the applicant must have TSA certify a potential CCSF location not less than 90 calendar days before the applicant intends to begin operations.

Once certified, CCSFs are required to screen cargo using only TSA-approved screening technologies and methods. These include Advance Technology X-ray (AT X-ray), Explosive Trace Detection (ETD), Electronic Metal detection (EMD), Explosive Trace Detection (EDS), third party canines, and physical search. Once screened, the CCSF must implement chain-of-custody measures within their facility and during transport to a passenger carrier or airport. Air cargo may only be screened and handled by employees vetted through a Security Threat Assessment (STA.) These processes help ensure the security of the screening process and the screened cargo throughout the air cargo supply chain prior to tendering it to a passenger aircraft.

TSA, through its Compliance Directorate and Transportation Security Inspectors, conducts inspections of CCSFs to determine compliance with 49 Code of Federal Regulations

Part 1549, the Certified Cargo Screening Standard Security Program (CCSSSP), and other applicable TSA security requirements. Inspections of CCSFs address the full scope of cargo security requirements – from acceptance of air cargo to transfer of air cargo to a passenger aircraft – to determine compliance, as well as identify any security vulnerabilities.

Currently there are 377 TSA Cargo Inspectors nationwide. In Fiscal Year 2019, TSA conducted 1,810 CCSF inspections. As a result of these inspections, there were 379 individual findings of violations of TSA security requirements, ranging from lower risk areas such as administrative and training requirements to 63 findings of violations that were subsequently investigated in high risk areas such as how cargo is accepted and screened. TSA may also address violations through on-the-spot discussion or corrections, dependent on the nature of the violation. TSA conducts at least one comprehensive inspection annually of each independent and Indirect Air Carrier CCSF.

As required by the *TSA Modernization Act,* TSA reviewed the CCSP last year to evaluate the program, identify vulnerabilities, and assess the effectiveness of information sharing with air cargo security stakeholders. The report provided to Congress in July 2019 details our findings, improvements made, and planned actions.

During our review, TSA has found that the CCSP has contributed to the unimpeded movement of goods through a secure U.S. supply chain and many shippers view it as their preferred solution to transport commodities across the United States and abroad. The program also allows regulated entities to contract with another entity to screen air cargo, if the regulated entity can not or does not want to screen air cargo.

The review also found that TSA effectively shared information with air cargo security stakeholders through a variety of ways. For instance, TSA industry engagement managers work

directly with air cargo associations and other industry stakeholders at the executive level, while TSA principal security inspectors provide CCSF-level engagement for policy interpretation and general guidance. TSA also shares information through the Aviation Security Advisory Committee (ASAC) Air Cargo subcommittee, industry working groups, industry conferences, speaking engagements, and secure TSA web boards.

Through our review, TSA learned of a number of program vulnerabilities, including identified instances of ineffective screening or a failure to screen; differences between the vetting requirements for cargo screeners at CCSFs and the higher requirements for air cargo screeners employed by or acting as an authorized representative for a passenger air carrier; and, potential shortfalls in screening capacity. TSA has taken numerous steps to improve the screening program and the vulnerabilities identified in it.

From a screening perspective, TSA is supporting innovative ways to improve both security effectiveness and efficiency. To that end, TSA created and implemented a CCSP canine program (CCSP-K9), generally known as "third-party canine." This cargo screening program permits private canine companies to apply to become a TSA-regulated entity which is authorized to screen air cargo. The implementation of CCSP-K9 provides another effective option to screen air cargo and may offset potential vulnerability issues due to expected increases in screening volume when International Civil Aviation Organization (ICAO) screening requirements for explosive detection for full all-cargo carriers takes effect in June 2021.

TSA regularly updates the CCSP to address vulnerabilities identified by TSA reviews, TSA inspections, engagement with industry, and threat intelligence. For example, in December 2018, TSA enhanced existing security measures and established new procedures related to air cargo chain-of-custody, tendering, and screening technologies.

In addition to what is currently being done to address the identified vulnerabilities, TSA is in the midst of planning new policies and procedures to improve the CCSP moving forward. For example, TSA is enacting new security policies consistent with heightened air cargo security standards approved by ICAO; working with screening technology developers to increase the affordability and expand the use of Computed Tomography (CT) technology in the cargo screening environment; and, exploring ways to apply screening best practices and options to require all CCSF employees to undergo a criminal history records check in addition to the current security threat assessment.

Securing the Nation's aviation transportation system is a complex task and we cannot do it alone. The CCSP is an important tool that helps address evolving threats while also meeting the needs of the air cargo industry to ensure air cargo commerce remains both secure and efficient. The CCSP will continue to serve as a tool for the air cargo industry to meet the 100 percent screening requirements of the *9/11 Act* and ensure the security of air cargo and the safety of the traveling public. With new innovative solutions, such as the CCSP-K9, the CCSP is well positioned to serve as a means to meet the expected increase in demand for air cargo screening capacity resulting from the change in ICAO standards, which take effect in June 2021. TSA will continue to engage with stakeholders and Congress as we look to continue enhancing the security posture and screening effectiveness of air cargo screening overall.

Chairman Sullivan, Ranking Member Markey, and members of the subcommittee, thank you again for the opportunity to testify before you today. I look forward to your questions.