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Document Management Facility
U.S. Department of Transportation
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Washington, DC 20590
Docket No. TSA-2009-0018

Transportation Security Administration:

Thank you for providing the opportunity for industry to comment on the Certified Cargo Screening Program (CCSP). The Aerospace Industries Association (AIA) and our member companies share the Transportation Security Administration's (TSA) goal of safe and secure air cargo and we look forward to working with TSA to implement this objective. AIA also appreciates the flexibility the interim final rule provides our members – companies retain the option of becoming a certified cargo screening facility or they can pass that responsibility up the supply chain. Industry has made great strides in achieving 50% scanning of air cargo. However the remaining 50% will prove to be increasingly difficult. AIA would like to voice our concerns as we approach the August 2010 deadline of 100% screening for all cargo transported on a passenger aircraft.

The goal of 100% screening requires a sufficient number of Certified Cargo Screening Facilities (CCSF). To date, the CCSF infrastructure is not capable of handling the 100% requirement. It can take upwards of six months for a facility to become a CCSF. This lag time will undoubtedly result in shipping facilities waiting for certification as the August deadline passes.

Additionally, companies that decide to pursue CCSF certification for a facility also must seek important SAFETY Act coverage for that facility. As the regulations are currently written, a company must start shipping from a CCSF no more than 90 days after certification. However it takes 60 days for that facility to earn SAFETY Act accreditation and the accreditation process can only begin after CCSF certification. This leaves a narrow 30 day window for the company to start shipping after SAFETY Act coverage but before CCSF expiration. This 30 day window is a best case scenario and assumes there are no delays in obtaining coverage.

There are also redundant features of the CCSP. Companies are required to submit their employees to TSA background checks. In most cases these companies already conduct thorough background checks before a candidate is hired. A system whereby TSA and industry work together to determine the appropriate level of review or mutually recognize each other's background checks would help streamline the CCSP process and reduce costs for companies.

Additionally, many facilities of AIA member companies are required to adhere to the Department of Defense (DoD) National Industrial Security Program Operating Manual (NISPOM) regulations. The security measures of NISPOM facilities should address the goals of the CCSP. Imposing CCSP requirements on a NISPOM facility is redundant, burdensome, and costly. NISPOM standards and DoD clearances should ameliorate TSA security concerns.

Further complicating the cargo screening process is the nature of the product our companies manufacture. AIA members produce sensitive military technology that is subject to International Traffic in Arms Regulations (ITAR) and Export Administration Regulations (EAR). Air carriers and freight forwarders employ some non-U.S. citizens; inspections by these employees could violate U.S. export control restrictions.

The technological capability to adhere to CCSP requirements has yet to catch up to the regulations. CCSFs are unable to effectively screen large pallets of cargo. This cargo must be broken down from its pallet and screened at the piecemeal level, which slows down and complicates supply chain management. Air carriers and forwarders also face liability issues when dismantling pallets. TSA should recognize the technological challenges facing 100% cargo scanning and provide some type of relief when possible.

AIA understands there have been some discussions regarding mutual recognition of TSA's CCSP and Customs and Border Protection's (CBP) Customs – Trade Partnership Against Terrorism (C-TPAT) programs. We encourage TSA and CBP to recognize overlapping goals in each other's security objectives.

AIA shares TSA's goal of a safe and secure supply chain. We look forward to working with TSA to implement a CCSP which benefits both our national security and our supply chain. You will find a committed partner in AIA going forward.

Best regards,



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