

**WRITTEN SUBMISSION OF THE
AIR LINE PILOTS ASSOCIATION, INTERNATIONAL
TO THE
TRANSPORTATION AND PROTECTIVE SECURITY
SUBCOMMITTEE
HOMELAND SECURITY COMMITTEE
UNITED STATES HOUSE OF REPRESENTATIVES
ON
“SECURING AIR CARGO: INDUSTRY PERSPECTIVES”
JULY 25, 2017**

The Air Line Pilots Association, International (ALPA), represents more than 57,000 professional airline pilots flying for 33 airlines in the United States and Canada. ALPA is the world’s largest pilot union and the world’s largest non-governmental aviation safety organization. We are the recognized voice of the airline piloting profession in North America, with a history of safety and security advocacy spanning more than 85 years. As the sole U.S. member of the International Federation of Airline Pilots Associations (IFALPA), ALPA has the unique ability to provide active airline pilot expertise to aviation safety and security issues worldwide, and to incorporate an international dimension to safety and security advocacy.

Overview

We applaud the Subcommittee’s demonstrated interest in cargo security by holding this hearing. ALPA was at the forefront of today’s adoption of risk-based security because airline pilots have a vested interest in ensuring the safety and security of their flights to the maximum, practical extent. Airline pilots feel a strong moral and professional obligation to safeguard the millions of passengers and tons of freight carried on their aircraft each year. Our members are concerned that another successful, large-scale terrorist attack against aviation could severely damage the North American and/or world’s economies and greatly harm, or even destroy, their profession and livelihood.

In the world of cargo operations, however, the level of concern is especially acute. Since September 11, 2001, and the establishment of the Department of Homeland Security and its sister organization, the Transportation Security Administration, there have been significant improvements made to address security threats to passenger airline operations. From the reinforcement of cockpit doors, advances in screening technologies, to the expansion of the Federal Air Marshal Service and other layers of security, passenger airline security measures have been aggressively deployed to address emerging threats. Unfortunately, the same cannot be said regarding all-cargo operations which in many ways continue most of the same security measures that were in place on September 11th. This situation exists despite evidence that, according to intelligence sources, terrorists continue to show the desire to utilize cargo aircraft as a weapon against the United States, and our allies.

On October 28, 2010, British police were called to the East Midlands airport at 3:28 a.m. to check out a suspicious package that was shipped aboard a UPS airplane. The parcel contained a printer with an ink cartridge and protruding wires, and a circuit board partly covered in a white powder; it was ultimately determined that the parcel contained explosives. After further investigation, a plot originating in Yemen was uncovered that included similar explosives loaded onto a total of four cargo aircraft, which were to be used in a coordinated attack.

At the recent Council for New American Security Conference, Homeland Security Secretary John Kelly stated, "The threat has not diminished. In fact, I am concerned that we are seeing renewed interest on the part of terrorist groups to go after the aviation sector—from bombing aircraft to attacking airports on the ground."

The threat continues to be real, ever-evolving, and is not focused solely on passenger carriers.

Needed Cargo Security Improvements

All-cargo airlines fly the same types of aircraft, take off from the same airports, use the same airspace, and fly over the same cities as passenger aircraft. From both safety and security standpoints, therefore, there is every reason to hold cargo operations to the same standards as passenger operations.

The air-cargo supply chain is a complex, multifaceted mechanism. It begins when a shipper tenders goods for transport, and it potentially involves numerous intermediary organizations such as Indirect Air Carriers (IACs), freight forwarders, and other

industry personnel who accommodate the movement of goods. Ultimately, a shipment is received by air carrier personnel, loaded on an airliner, and delivered to its intended destination. An effective air-cargo protective system must focus on the components of the entire supply chain, and anticipate opportunities for, and provide reasonable measures to prevent or interrupt, the perpetration of malicious acts. Such a system must certify the integrity of the goods that are offered and the reliability of the shipper, verify the trustworthiness and proper training of all personnel who maintain access to shipments, and ensure a reliable, secure operating environment as tendered goods move through the system. Significant progress has been made in better securing the portion of the air-cargo supply chain that is facilitated by passenger airline operations, but there is considerably more work to do in the all-cargo domain. Following are several areas in which we see ongoing threats and our recommendations for addressing them.

Fortified Cockpit Doors: After September 11, 2001, the federal government required existing and future passenger airliners, but not all-cargo airliners, to be equipped with reinforced flight deck doors. Notwithstanding this fact, some cargo airlines have voluntarily installed hardened flight deck doors on their aircraft. Today, however, a significant number of all-cargo airliners are still operated without the benefits of hardened flight deck doors, leaving them without a means of adequately separating the flight crew from personnel riding aft of the bulkhead and potential cargo-hold stowaways. In fact, new wide-body cargo airplanes are being built and delivered to all-cargo operators without the protections afforded by the reinforced door. The potential for a significant lapse in security due to these conditions is magnified by the fact that all-cargo airliners frequently carry third-party, non-crew personnel (known as “supernumeraries”), such as couriers and animal handlers. This situation is exacerbated by the fact that all-cargo airliners and their cargo are not afforded the same security protections as their passenger-carrying counterparts while on the ground.

The lack of a mandate for reinforced flight deck doors on cargo aircraft is hard to justify when the government has stated that it considers the hostile takeover of an all-cargo aircraft to be a critical risk. Events in the post-9/11 era have proven that stowaways represent a very real and significant threat to all-cargo airliners. To deter those persons with malicious intent and impede their ability to attack all-cargo flight crewmembers, gain access to aircraft controls, or otherwise execute a hostile takeover of an all-cargo airliner, physical barriers must be designed and installed to separate the all-cargo airliner’s flight deck from accessible passenger and cargo areas. All-cargo flight decks must be clearly delineated and physically protected in the same fashion as the flight

decks of passenger airliners, including the provision of reinforced flight deck doors and enhanced flight deck access procedures for crewmembers.

All-Cargo Aircraft Security on the Ground: The lack of protection of all-cargo aircraft at airports is one of the most significant differences between passenger and all-cargo security practices. Employees at passenger airlines and around passenger terminals must go through an extensive security process as well as security screening in many instances to be granted authority to enter security identification display areas (SIDA) unescorted. Flight ramps and gates for passenger operations all fall within the SIDA. In contrast, ramp areas used by cargo aircraft may not be required to be included in an airport operator's SIDA, and if not, they are more easily accessible. In some cases, they are protected solely by a locked door or a chain-link fence, neither of which may be monitored. SIDA protections should be mandated for air operations areas of all airports that support FAR Part 121 aircraft operations.

Criminal History Records Checks (CHRCs): All-cargo operations face security threats that are not always immediately apparent. For example, all-cargo aircraft often carry live animals, and animal handlers accompany them on the flight. In many circumstances, these handlers carry tranquilizing drugs for use on the animals during flight. Most of the animal handlers are not airline employees, and many are foreign nationals, which limits the ability to conduct a criminal history records check on these individuals. This creates a significant risk to the cargo flight and crew when they are not protected from these potential threats by an intrusion-resistant cockpit door. We believe that any individual traveling on an all-cargo flight should be subject to the same level of security vetting and screening as flight crew members. Fingerprint-based Criminal History Records Checks (CHRCs) should be conducted on all employees and agents of aircraft operators, foreign air carriers and indirect air carriers (IACs) in the US, who have unescorted access to FAR Part 121 all-cargo aircraft and to cargo intended to be shipped on them.

All-Cargo Common Strategy: Anti-hijacking procedures referred to as the "common strategy" were created in the early 1970s by the FBI, the FAA, airlines, and ALPA, and revised after 9/11. They are intended to address all types of security threats encountered during passenger and all-cargo operations, and are based on the premise that there will be aircraft equipped with intrusion-resistant cockpit doors, properly trained people, and procedures for handling direct security incidents and threats. This approach is

sound and provides for needed layers of security, if all three measures are available. Unfortunately, for cargo aircraft not equipped with these intrusion-resistant cockpit doors, the tactics, techniques, and, therefore, procedures designed to provide crews with sufficient time to react to threats to the cockpit are meaningless. In addition, all-cargo flight crews are not required to be trained in the common strategy to the same degree as passenger crews, which defeats the purpose of the common strategy, which is intended to be used by all crews during line operations. If the crew is not properly trained and required to utilize the strategy, there is no way it can be implemented effectively. ALPA believes an all-cargo common strategy and training curriculum should be mandated for all-cargo operations.

FOIA Protection for Security Reports: While voluntary safety reporting programs, including the Aviation Safety Action Program (ASAP), have proven to be a significant benefit to the safety of our industry, we do not yet have similar programs in place for frontline employees to confidentially report security-related events and incidents. Airline pilots and other frontline aviation employees are well suited to serve as the “eyes and ears” of the industry. They know their workplace very well, they will recognize something that is out of place or suspicious because of their intimate knowledge of the aviation domain, and they want to help make aviation more secure. Developing and implementing a security-focused enhancement to ASAP would provide TSA and FAA with near real-time data that could be used to identify security risks to our aviation system and enhancements to mitigate those risks.

One of the impediments to developing and implementing confidential reporting programs for security is the lack of protections from Freedom of Information Act (FOIA) disclosure by TSA of voluntarily submitted information. For FAA safety ASAP reports, the confidential data submitted is exempted from FOIA disclosure per legislation in the Federal Aviation Reauthorization Act of 1996 (P.L. 104-264). That exemption should be extended to TSA for confidential security-reporting programs.

Recommendations

- Congress should ensure one level of safety and security for all-cargo and passenger airline operations.
- The FAA should mandate the installation of intrusion-resistant flight deck doors on Part 121 all-cargo aircraft manufactured after a specified date.

- FAR Part 121 cargo operations should be required to be conducted within a SIDA.
- Congress should require TSA to implement all-cargo common strategy training and procedures.
- All animal handlers, escorts, or couriers traveling on all-cargo aircraft should be subject to the same screening and security procedures as flight deck crewmembers, including a criminal history records check, or be restricted to operations on aircraft equipped with intrusion-resistant doors.
- Congress should expand the FOIA exemption already in force for ASAP reports submitted to the FAA per the Federal Aviation Reauthorization Act of 1996 (P.L. 104-264) to security-related reports submitted to the TSA.
- TSA, in collaboration with the FAA and industry partners, should expand the use of the ASAP reporting process—along with its enforcement protections for the reporting employee—to specifically include security-related information from frontline employees.

Summary

ALPA appreciates the opportunity to provide this statement to the Subcommittee. The TSA has a difficult, thankless job in keeping transportation secure, and support from Congress to bring all-cargo airline security measures up to par with their passenger airline counterparts is clearly needed. We stand ready to assist.