

# Committee Corner

## News from ALPA's Committees

### Let's Close the Holes in the Air Cargo Security Net

*Adapted from the third in a series of "white papers" on airline security that ALPA's National Security Committee has issued.*

ALPA supports the concept of "One Level of Safety and Security" in regulations, policies, and procedures related to all aspects of airline operations, including carrying cargo on both passenger and all-cargo airliners.

After the terrorist attacks of Sept. 11, 2001, the U.S. Congress promptly passed legislation that created the Department of Homeland Security, the Transportation Security Administration, and numerous regulations affecting aviation security. Government-sponsored working groups of aviation and security experts convened to enhance protective measures primarily affecting passenger airline operations. Some of the resulting improvements included dramatic expansion of the Federal Air Marshal Service, hardened cockpit doors, revision of the "Common Strategy" for dealing with hijackers or terrorists, and creation of the Federal Flight Deck Officer program.

The revitalized focus on airline security revealed that regulations pertaining to protecting all-cargo operations were inadequate and that the all-cargo airline industry was often exempted from complying with the stricter policies that were mandated for passenger airlines. As an example, all-cargo airlines were not required to install hardened cockpit doors, and all-cargo pilots were initially excluded from participating in the FFDO program. "Known Shipper" rules did not apply in the all-cargo sup-



ply chain, and no Common Strategy training guidance was offered to flight crews of all-cargo airliners. This imbalance in regulatory requirements afforded all-cargo operations only a fraction of the protections that were being implemented by passenger airlines.

To address these and other issues, the TSA created three Air Cargo Working Groups through the Aviation Security Advisory Committee process in May 2003 to examine and recommend security protocols related to three topics: shipper acceptance procedures, indirect air carriers, and security of all-cargo aircraft. In October 2003, the Working Groups provided to the TSA 43 recommendations, which ultimately served as the foundation for an

Air Cargo Strategic Plan that DHS Secretary Thomas Ridge approved in January 2004.

In November 2004, the TSA published an NPRM titled *Air Cargo Security Requirements*, which was based in large measure on the recommendations of the Air Cargo Working Groups. Although the NPRM proposed a number of significant improvements to the security of the air cargo supply chain, it failed to apply an equal standard to the security of passenger and all-cargo airline operations in critical areas. ALPA voiced its concerns in comments pro-

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vided in January 2005. No final rule has been promulgated as of March 2006.

The air cargo supply chain is a complex, multifaceted mechanism that begins when a shipper tenders goods for transport. It potentially involves numerous intermediate organizations such as freight forwarders, indirect air carriers (IACs), and other industry personnel who accommodate the movement of goods. The process culminates when a shipment is received by airline personnel, loaded on an aircraft, and delivered to its intended destination.

A thorough system for protecting air cargo must focus on the entire supply chain. Such a protective system must determine opportunities and provide reasonable measures for preventing or stopping malicious acts. It must certify the integrity of the goods that are offered and the reliability of the shipper; properly educate, and verify the trustworthiness of, all personnel who maintain access to shipments; and ensure a secure operating environment. Because the movement of goods is often time-critical, these requirements present a daunting challenge.

### Recommendations

Since Sept. 11, 2001, few significant changes have been made in all-cargo airline operations. Being mindful that enhancements must accommodate the flow of commerce and be cost-justified, ALPA recommends the following:

- **Create a Mandatory Standard Security Program for All-Cargo Airlines**—The TSA has proposed requiring a Standard Security Program for all-cargo airline operations conducted with airplanes weighing more than 45,500 kilograms (100,000 pounds). ALPA agrees with this proposal.

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- **Make Greater Use of Technology**—The air cargo strategic plan must incorporate more-effective, strategically located screening and inspection technology. This includes the technical means to detect radiological, chemical, and biological weapons and contaminants. Equipment must accommodate standardized industry practices relative to the movement of goods.

- **Use Known-Shipper Concept for All-Cargo Operations**—Measures have been taken via the Known-Shipper (KS) program to minimize the threats that cargo shipments present to passenger airliners. However, the same protective standards are not applied to all-cargo airlines. Cargo and passenger airliners should be viewed equally in terms of exposure to risks associated with improvised explosive devices and chemical, biological, and radiological hazards.

The KS system must include an effective methodology for maintaining accuracy and reliability. The TSA proposes to vet applications to join the KS system against terrorist and law enforcement databases. Any decision-making process designed to evaluate an organization seeking inclusion in the KS database should incorporate sufficient criteria, beyond a link to terrorism, that will indicate the character, reliability, and susceptibility to compromise of the persons involved, or the potential for disruption of the air transportation system for political or economic purposes that are contrary to the best interests of the United States.

The TSA has proposed, and ALPA concurs, that airlines operating under an all-cargo security program accept cargo only from a shipper with a security program comparable to that of the airline.

- **Implement a Freight Assessment System**—A recent Government Accountability Office investigative report, plus risk assessments offered by air-cargo stakeholders and security experts, suggests that the effectiveness of the KS program is limited at best and that the program should not be relied upon as the primary method of securing the passenger air-cargo supply chain.

Recognizing certain inherent weaknesses in the KS program, the TSA established the ongoing Freight Assessment System (FAS) initiative through the Aviation Security Advisory Committee process. FAS incorporates a working group of subject-matter experts, including ALPA, chartered to develop an information-based threat management system that evaluates specific information about shippers and the goods they tender, and then assigns corresponding risk scores to identify cargo considered to be of elevated risk. The KS program, coupled with the TSA's proposed FAS, would resolve this issue. The FAS initiative should be expanded to incorporate goods transported by all-cargo airliners.

- **Require Creation of SIDA for All-Cargo Ramps**—While the TSA's NPRM specifies that Secure Identification Display Area (SIDA) requirements should be implemented on all-cargo ramps at airports currently hosting passenger airline operations, the proposed rule fails to



require this safeguard at airports serving only all-cargo operations, which are generally conducted on scarcely populated remote ramps, not situated within the SIDA perimeter, under a severely reduced level of security. SIDA requirements—detailed perimeter security protocols, clearly defined entry and exit procedures, specific identification display and ramp security procedures, and a mandatory 10-year, fingerprint-based criminal history record check (CHRC) for employees who maintain unescorted-access privileges within the SIDA—would enhance the physical security of shipments and parked all-cargo aircraft, and would greatly improve the screening standards applied to ramp personnel. The plan will be effective only if all existing SIDA requirements are incorporated within it.

Regarding security of all-cargo airliners and operations at those airports currently without SIDs, the TSA proposes to require airlines to implement measures that will prevent unauthorized access to operations areas during loading and unloading of cargo. The TSA also proposes to require that a security inspection of the airliner be conducted before placing it back in service after a period spent unattended. The intent of these measures is to reduce the likelihood of successful tampering, a stowaway boarding, or someone placing an improvised explosive device or other destructive substance or item on an airplane.

ALPA recommends that all airports serving regularly scheduled, all-cargo operations using aircraft with a take-off weight greater than 45,500 kg (100,000 pounds) be required to maintain a security plan and SIDA for such operations. Where SIDA requirements are not in place, the TSA must ensure that airlines adequately address the vulnerabilities posed by non-SIDA operations areas, to include maintaining proper staffing and training of per-

sons who will be responsible for performing the requisite security functions.

• **Install Hardened Cockpit Doors and Secondary Barriers on All-Cargo Aircraft**—A significant number of all-cargo airliners lack both bulkheads and cockpit doors and thus have no partitions to separate the cockpit from the rest of the airplane's interior. To deter persons with malicious intent and make far less likely their attacking flight-crew members, gaining access to aircraft controls, or otherwise executing a hostile takeover of an airliner, physical barriers must separate the cockpit from cargo areas and the airplane interior.

All-cargo cockpits must be clearly delineated and protected in the same way as passenger airliner cockpits, including having hardened cockpit doors and secondary cockpit barriers.

• **Vet Persons Who Have Access to Cargo and All-Cargo Airliners**—Persons with unescorted access to shipments destined to be transported on passenger or all-cargo airliners (i.e., persons who receive, inspect, transport, and load air cargo, and those who work unescorted around all-cargo airliners) must be vetted by a threat matrix that measures more than a potential link to terrorism. ALPA believes that all persons who have unescorted access to cargo destined to be shipped by air should be screened by a fingerprint-based CHRC and threat matrix as are

applied to applicants for unescorted SIDA access. This CHRC assessment tool should be applied equally to all persons who receive, inspect, transport, or load air cargo, or who have unescorted access to all-cargo aircraft.

The TSA considered requiring, but elected not to require, that each person who boards all-cargo aircraft for transportation, or who requires normally prohibited items

To read the unabridged "white paper," visit ALPA's website, [www.alpa.org](http://www.alpa.org).

during flight, undergo a Security Threat Assessment (STA) background investigation. Many foreign nationals travel as animal handlers aboard all-cargo airliners, and often sit immediately outside the cockpit, unsupervised, in possession of items that

are normally prohibited on airliners. This practice is particularly troubling in view of the lack of a hardened cockpit door on most all-cargo airliners. While proposed legislation addresses physical screening requirements for these attendants, the TSA has declined to subject these supernumeraries to an additional background security check. ALPA disagrees with the TSA's position on this matter and is actively opposing it.

Airlines are required to ensure that the employers of such attendants have completed background checks on them and maintain records of these checks. Unfortunately, this

## Payback Is Heaven

### Participants in ALPA Group Term Life receive experience refund.

In mid-May, ALPA's Retirement and Insurance Committee will mail experience refund checks to more than 12,000 Group Term Life Plan participants as their share of New York Life's return of Plan premium. First Officer Ken Rogers (Delta), chairman of the Committee, says, "The issuance of this experience refund is a continuation of the Committee's goal to provide member benefits that add value to the pilot's financial plan as a result of being an ALPA member."


The Group Term Life Plan has enjoyed several years of favorable experience and is currently in excellent financial condition. The Plan provides benefits of as much as \$250,000, in \$50,000 increments. Apprentice members are provided a complimentary \$10,000 level of coverage (premiums are paid by the Plan) while on probation. In addition, premium discounts are offered during apprentice member status and during the first year of active status if coverage is applied for while an apprentice or within 30 days of transfer from apprentice to active status.

All Group Term Life premium-paying participants who were continuously enrolled from Nov. 1, 2003, through Oct. 31, 2004, are eligible to share in the \$1.4

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million refund. The refund formula is 53 percent of the premium amount paid for member coverage.

Participants who have enjoyed complimentary apprentice coverage are not eligible for a share in this experience refund.

While this experience refund reflects the favorable Plan experience and represents the R&I Committee's dedication to providing an affordable and valuable benefit, future refunds may be declared but cannot be promised. And while neither the Plan nor the Association is a provider of tax advice, this refund is considered to be non-taxable as a return of a part of the Plan's cost. Please consult your tax advisor if you have any questions regarding the tax status of this refund. 



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process has not been error-free. The practice of allowing the airline and/or the vendor to be responsible for these investigations, many of which are cursory, should be eliminated. ALPA recommends that the TSA assume responsibility for ensuring the completion of fingerprint-based CHRCs for these supernumeraries. Federal Air Marshals, flight attendants, and able-bodied passengers who might help prevent problems with nonflight personnel are unavailable on all-cargo airliners to mitigate this risk.

Although pending legislation would set requirements for screening persons transported on all-cargo airliners, ALPA further recommends that all such persons receive the same pre-travel screening (e.g., checking them against terrorist watch lists) as is applied to persons carried on passenger airliners.

- **Provide Security Training for All-Cargo Flight-crew Members and Staff**—Government-approved

security training, equivalent to that required in the passenger airline industry, must be mandated for flight crews and ground personnel involved with all-cargo flight operations. Basic and recurrent training should include instruction on the all-cargo Common Strategy, and all-cargo flight crews should be provided access to pertinent TSA-issued Security Directives (SDs) and Information Circulars (ICs). Security training for all-cargo flight crews and ground personnel also should include instruction on identifying and countering threats presented by explosives; radiological, chemical, and biological weapons and contaminants; and other dangerous goods.

- **Enhance Existing Requirements for Indirect Air Carriers (IACs)**—The TSA proposes expanding the definition of IAC to include businesses engaged in indirect transport of cargo on larger airliners, regardless of whether the operation is conducted with passenger or all-cargo airliners. The TSA also proposes to more thoroughly vet businesses trying to gain IAC status, to strengthen requirements for periodic recertification of IAC status, and to strengthen security requirements for accepting and processing air cargo. The TSA intends to require IACs to notify the agency of any changes to their corporate structure and to renew their status annually.

All of these regulatory matters are intended to be managed via an Internet-based system for validating and revalidating IACs. While the proposal is sound, strict enforcement of the requirements, and validation of the accuracy of information supplied by IACs, must be included. Participants in the system must be educated about the reasoning behind the regulations, and under-



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stand the need for complying with the mandates.

The TSA proposes codifying requirements on IACs to ensure the security of stored cargo, or cargo en route to the airline. The IAC is responsible for carrying out all the required security measures when its employees, agents, contractors, or subcontractors fulfill its functions. The TSA also proposes to require a comprehensive and recurrent training program for IACs regarding procedures for accepting, accessing, and handling cargo intended for shipment by air, as well as recordkeeping and accepting and maintaining sensitive security information. The TSA intends to develop computer- and/or video-based training materials and a testing tool, to ensure minimum standards. Each IAC security program must include documentation of the procedures and curriculum used to train persons who accept, store, transport, or deliver cargo for or on behalf of the IAC. Such persons are subject to annual recurrent training.

The TSA proposes requiring IACs to designate a Security Coordinator at the corporate level who will be responsible for implementing the IAC's security program, acting as the primary point of contact for communicating with the TSA, and receiving Security Directives and Information Circulars as a regulated party. All of these methodologies are necessary and recommended to ensure that IAC personnel understand the need for, and strictly comply with, cargo security regulations.

- **Expand TSA Compliance Enforcement**—The TSA's proposal to use an expanded staff of field inspectors and a voluntary disclosure program and to develop and distribute security training materials for IAC employees and agents, coupled with strict compliance enforcement, appropriate regulations, and enhanced electronic communications capabilities, should provide effective management tools.

### Conclusions

Some cargo supply-chain stakeholders have expressed concern that more strict security protocols will impede the flow of commerce and diminish revenue. ALPA believes that the potential costs of needed security enhancements would be far surpassed by the price of failing to properly protect the air cargo industry from viable threats. Since Sept. 11, 2001, cash-strapped and bankrupt passenger airlines have added multiple layers of security enhancements, while many all-cargo airlines, currently enjoying robust growth and sustained record profits, have made few such improvements.

To effectively protect flight crews, passengers, and airliners engaged in, or affected by, air cargo operations requires that government and industry stakeholders work together cooperatively. A threat-driven, risk-based approach must be used to identify and counter existing and future vulnerabilities. ALPA will continue to work in a collaborative spirit with its government and industry partners to develop reasonable solutions to the common challenges we face in securing the air cargo supply chain. 🌀