



TSA lacks technology to meet air cargo screening goal

By Chris Strohm, Congress Daily 03/19/2009

The Transportation Security Administration is not on pace to meet a congressional mandate to ensure that all cargo transported on passenger planes is screened for weapons of mass destruction, government officials said on Wednesday.

That prompted at least one key lawmaker to say Congress might have to take new steps to help the agency reach that goal instead of changing the August 2010 deadline.

House Homeland Security Transportation Security Subcommittee Chairwoman Sheila Jackson Lee, D-Texas, and ranking member Charles Dent, R-Pa., agreed that TSA should meet the air cargo mandates that Democrats placed in a 2007 bill, which was intended to implement unfulfilled recommendations of the 9/11 Commission.

The bill, which then-President Bush signed into law, set the 2010 deadline for TSA to ensure all cargo carried aboard passenger aircraft is screened. Lawmakers say the mandate applies to aircraft originating in this country and aircraft coming into the United States from abroad.

But TSA does not expect to meet the requirement for inbound aircraft, Ed Kelly, the agency's manager for air cargo, told the subcommittee during a hearing.

"One of the challenges we face is the limitations of the currently available technology -- specifically, the effectiveness of existing technology for detecting explosives in cargo, its operational feasibility, and its general availability for deployment to the industry to meet the mandate of the 9/11 Act," Kelly said in written testimony.

"TSA has the legal authority to require that a given percentage of inbound cargo be screened before it reaches the United States," he added. "Given the physical limitations of many airports, however, requiring U.S. and foreign air carriers to screen 100 percent of inbound cargo by a given date would significantly impede the flow of commerce into the United States."

Jackson Lee said after the hearing she is not ready to give up on the 2010 deadline or to seek legislation that would push back the date. She said the subcommittee has time to craft legislation to help TSA.

"The push back, I think, should be our last resort," she said.

Congress could help by providing more funding, expediting the procurement of screening technology and directing TSA to use transportation security officers to help screen cargo, Jackson Lee said.

She added that she plans to examine what kind of cooperation TSA is getting from airlines to meet the mandate.

But the Homeland Security Department has the power to give relief to TSA, said a congressional aide. The aide said the department has the authority to exempt cargo on inbound planes from the screening mandate.

The 9/11 bill also required TSA to ensure that 50 percent of cargo being shipped on passenger planes is screened beginning on Feb. 3. To meet that mandate, TSA now requires air carriers in the United States to screen cargo put on narrow-body airplanes -- those with only one aisle.

But TSA's ability to meet even that deadline is under dispute. The agency has not been able to produce data to verify the claim, said Stephen Lord, GAO's director of homeland security and justice issues.

Kelly testified that he believes the mandate is being met. TSA is collecting screening data from the airlines and will give Congress a report in mid April to prove the 50 percent mandate is being met, he said.

"I would argue that we didn't miss the deadline," he said. "We missed the ability to report on it."