

February 2007

The Honorable Daniel Inouye  
Chairman, Senate Committee on Commerce,  
Science and Transportation  
722 Hart Senate Building  
Washington, DC 20510

Dear Chairman Inouye:

As the Senate Commerce, Science and Transportation Committee begins to review and consider the aviation security bill, the Airforwarders Association, the voice of air freight forwarders, urges you to focus on solutions that build upon and enhance the existing security policy for air cargo that effectively identifies and prioritizes risk and provides multiple layers of security throughout the supply chain. We firmly believe that this is the best way to provide Americans with strong aviation security without unduly hindering the flow of commerce, which is so crucial to keeping our economy strong and competitive in this rapid-paced global environment.

No one is more committed to aviation security than the Airforwarders Association and its members. The business of airforwarding is built upon the guarantee to provide safe transportation of goods in a timely manner. Without a high priority on security, our ability to execute those goals is compromised, harming both our customers and our businesses. We support an expansion of canine units, incentives for shippers to strengthen supply chain security practices such as certified shipper, threat assessment and targeting of cargo by enhancing the Freight Assessment System (FAS) and increased inspections of elevated-risk cargo.

We believe that the bill as currently drafted generally represents an endorsement of these goals, specifically through the language calling for 'a system of screening' that utilizes 'equipment, personnel, technology, procedures and other methods.' Our industry believes that 'screening' embodies the risk-based approach in that it relies on threat assessment rather than 'inspection', which we interpret as solely physical or technology-based solutions that treat all cargo at the same level of risk.

However, we fear that there are other portions of the bill that are in direct conflict with this approach. First, the language calling for "a level of security comparable to the level of security in effect for passenger checked baggage" does not provide a clear directive to the implementing agency and risks misinterpretation that it would only permit the systems currently used to screen passenger baggage, technology and personnel, to be deployed to meet the directive. Moreover, air cargo has no one set size, shape or content, which means it cannot and should not be treated with a 'one size fits all' security strategy. Cargo on passenger planes ranges from heavy automotive and assembly line parts to perishable goods such as seafood and flowers, sensitive high-tech goods like microchips and extremely delicate goods including medical supplies, transplant organs and blood to replenish blood banks. Additionally, the variation in size and presentation of cargo goods, be it boxes, containers or shrink-wrapped pallets does not easily translate into a single technology portal as baggage does.

Additionally, we remain concerned about the three year effective date to screen all cargo on passenger planes. TSA has repeatedly stated that this would bottleneck just-in-time cargo; slowing down the flow of these goods outlined above would have a serious detrimental impact that would be felt across the nation. We believe that the best security policies for air cargo are ultimately practicable solutions that rely upon vetted and tested methods that are proven to increase security levels. The 9/11 Commission did **not** recommend that all cargo on passenger planes be screened; their recommendations instead support a risk-based approach to aviation security. They specifically state, *“Hard choices must be made in allocating limited resources. The U.S. government should identify and evaluate the transportation assets that need to be protected, set risk-based priorities for defending them, select the most practical and cost-effective ways of doing so...the best protective measures may be to combine improved methods of identifying and tracking the high-risk containers, operators, and facilities that require added scrutiny.”*

Lastly, the call to screen all cargo on passenger planes comes with a hefty price tag – on Friday, February 2, the Congressional Budget Office scored HR 1 and found that the aviation security provisions of that bill would cost \$13.1 billion from 2007 to 2012. The General Accounting Office estimated that inspecting all cargo would cost the federal government and airlines over \$3.6 billion dollars over ten years (in discounted 2001 dollars). We believe the legislation currently risks creating a non-federally funded mandate that will be financially infeasible for the private sector to shoulder alone. Air cargo on passenger aircraft must remain an option for our nation to stay competitive – we believe that this level of financial outlay could result in the decision by airlines to remove cargo from passenger planes, leading to substantially slower delivery times and intense pressure on all-cargo airlines.

The stated goal of the Senate in crafting this legislation was to provide enhanced aviation security, without jeopardizing the flow of commerce or substantially altering the existing market economics of air cargo, and to enact a policy that is achievable in the time span allotted. The Airforwarders Association strongly supports these goals, and believes that there are commendable provisions within this bill. There is, however, still work to be done to ensure the Senate meets the above stated goals.

Thank you for your consideration of this important matter, and we offer assistance and information as the Committee continues its work.

Sincerely,

Brandon Fried  
Executive Director  
Airforwarders Association