

**H.R. 4176, “AIR CARGO SECURITY IMPROVEMENT ACT OF 2017”
As introduced by Rep. Bennie G. Thompson (D-MS)**

FACT SHEET

Thirteen years ago, the U.S. National Commission on Terrorist Attacks upon the United States (9/11 Commission) expressed concerns “regarding the screening and transport of checked bags and cargo” and called for “[m]ore attention and resources” to “be directed to reducing or mitigating the threat posed by explosives in vessels’ cargo holds.”¹

Today, the threat of a terrorist attack using air cargo is significant. In fact, in July, then-Secretary of Homeland Security John Kelly identified cargo-based aviation attacks as a major concern, explaining “there are people out there, very smart people, very sophisticated people who do nothing but try to figure out how to blow up an airplane in flight. . . . [T]here is a fair amount of cargo, what we would attribute to just cargo flown on passenger airplane on space available. [Terrorists] are constantly looking for ways to do this.”² That same month, Australian authorities arrested four men on charges that they plotted to detonate a bomb to bring down an Etihad Airways passenger plane on behalf of ISIS on July 15.³

According to news reports, “a senior ISIS commander shipped partially assembled components of a bomb on a commercial cargo plane from Turkey to Australia...[and] two men in Australia assembled the parts into a functional explosive device.”⁴ In response to the foiled attack, Transportation Security Administration (TSA) issued a security directive requiring any air cargo from Turkey bound for the U.S. to undergo enhanced screening.⁵ This plot comes seven years after a terrorist plot to ship bombs hidden in printer cartridges from Yemen to the United States onboard cargo planes was thwarted.⁶

The increase in the air cargo security risk comes at a time when the volume of goods being moved by air cargo has increased, with the volume, as of 2016, back to approximately 98.4% of pre-recession levels (52 million metric tons of goods).⁷

¹ U.S. National Commission on Terrorist Attacks upon the United States. *9/11 Commission Report: The Official Report of the 9/11 Commission and Related Publications (9/11 COMMISSION REPORT)*, by Thomas H. Kean and Lee Hamilton, Washington, D.C.: GPO, 2004, 393.

² Secretary of Homeland Security John Kelly speaking at “Securing the Homeland in the Post-Post 9/11 Era,” at the Aspen Security Forum, Aspen, Colorado: July 19, 2017. <https://aspensecurityforum.org/wp-content/uploads/2017/07/Securing-the-Homeland-in-the-Post-Post-9-11-Era.pdf>

³ Pham, Sherisse and Samantha Beech. “Australian authorities arrest 4 in alleged airplane terrorist plot.” CNN, Cable News Network, 30 July 2017, <http://www.cnn.com/2017/07/29/asia/australia-airplane-terror-plot/index.html>. Accessed 25 Sept. 2017.

⁴ Marsh, Rene, and Zachary Cohen. “TSA reviewing cargo screening, concerned about terror vulnerabilities.” CNN, Cable News Network, 25 Aug. 2017, www.cnn.com/2017/08/25/politics/tsa-cargo-security-concerns/index.html. Accessed 5 Sept. 2017.

⁵ Marsh, Rene, and Sophie Tatum. “TSA will mandate air cargo from Turkey must be screened.” CNN, Cable News Network, 9 Sept. 2017, <http://www.cnn.com/2017/09/07/politics/tsa-air-cargo-turkey/index.html>. Accessed 5 Sept 2017.

⁶ Wassef, Khaled. “Timeline of Yemen Bomb Plot.” CBS News. October 30, 2010. Accessed July 21, 2017. <http://www.cbsnews.com/news/timeline-of-yemen-bomb-plot/>.

⁷ Bureau of Transportation Statistics. “Air Cargo Summary Data.” April 2017. Accessed July 20, 2017.

<https://www.transtats.bts.gov/freight.asp>. “Air Cargo,” International Air Transport Association, accessed August 23, 2017, <http://www.iata.org/whatwedo/cargo/Pages/index.aspx>.

In response to this security risk, Rep. Bennie G. Thompson (D-MS), the Ranking Member of the Committee on Homeland Security and author of the 2007 law that required screening of all cargo loaded onto passenger planes,⁸ introduced the “Air Cargo Security Improvement Act of 2017” to direct the Transportation Security Administration (TSA) to take a number of steps to enhance its responsibilities for air cargo and require the agency to aggressively move towards addressing current and future threats to air cargo.

H.R. 4176, the “Air Cargo Security Improvement Act of 2017” would require --

- TSA to establish an air cargo security office within the agency (Section 2);
- TSA to conduct a two-year pilot of expanded use of computed tomography technology (3D screening technology) for air cargo (Section 3);
- TSA to report to Congress on actions to improve the effectiveness of Certified Cargo Screening Program, including any vulnerabilities in the program (Section 4);
- the Comptroller General to review the effectiveness of DHS’ approach to addressing the air cargo security risk, including the risk-based strategy for examining air cargo and ensuring compliance with air cargo security rules (Section 5);
- DHS to issue a final rule for the Air Cargo Advance Screening Program (ACAS) within 180 days to make the program permanent (Section 6);
- TSA to establish a process for third party canines to be approved to screen air cargo (Section 7); and
- TSA to request from that Aviation Security Advisory Committee’s Subcommittee on Air Cargo conduct a comprehensive review TSA’s Known Shipper Program (Section 8).

⁸ Sec. 1602 of the “Implementing Recommendations of the 9/11 Commission Act of 2007,” P.L. 110-53 (121 Stat. 478).