



Strengthening the Customs-Trade Cooperative Partnership



TSA/CBP

Air Cargo Security

Workshop

Strengthening the Customs-Trade Cooperative Partnership



Main Issue Remains:

Enforcement

and

Facilitation

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C-TPAT Validation Objective

Process to ensure that C-TPAT participants have.....

implemented the security measures outlined in their security profile and are following those measures.

Validation Principles

Voluntary Partnership

Share information that will protect the supply chain from being compromised by terrorists and terrorist organizations

Joint review of participant's submitted C-TPAT security profile

“On-site” review of the participant's C-TPAT supply chain security profile (Domestic & Foreign).

Opportunity to discuss security issues and share “best practices”

Not an audit (Establish adherence to minimum-security criteria)

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Development of C-TPAT Air Carrier Minimum-Security Criteria

Previous Air Carrier Security “Guidelines” were established very early in C-TPAT program and needed updating/conversion

As with other sectors of the C-TPAT program, Air Carrier Security “Guidelines” have now been converted to much stronger “Minimum-Security Criteria”

*****CBP worked closely with the Transportation Security Administration (TSA) to ensure that these minimum-security criteria complimented current TSA regulations and to prevent the duplication and/or contradiction of current regulatory compliance efforts of a C-TPAT Air Carrier participant.*****

Air Carrier Minimum-Security Criteria

Air Carriers wishing to enroll in the C-TPAT program will now be required to meet these minimum-security criteria in order to achieve certification (replaces previous “guidelines”).

For those Air Carriers already certified in the C-TPAT program:

- A phase in period has been established allowing for the updating of security profiles so that they may be in line with the new minimum-security criteria for Air Carriers.
- Currently enrolled and certified Air Carriers in the C-TPAT program will have 120 calendar days, commencing on November 14, 2007 to implement all of the minimum-security measures outlined in the criteria.
- Deadline: March 2007

These new minimum-security criteria solidify membership expectations, and clearly define and establish the baseline level of security measures, which must be employed by member Air Carriers

Air Carrier Minimum Security Criteria

(continued)

Summation of TSA/CBP efforts:

The main concern was to *not conflict with or duplicate* a programs processes, within the scope of each program.

It is fully understood that satisfactory compliance with a TSA regulation may satisfy some of the C-TPAT Air Carrier Minimum-Security Criteria. While this will not imply automatic C-TPAT acceptance (anymore than it would automatic TSA regulatory compliance) it is believed that successful TSA compliance will lead to a successful C-TPAT validation, as well as expedite the overall validation process.

It must also be remembered that as C-TPAT is not a regulatory program it therefore allows for some flexibility in the meeting of it's minimum-security criteria, while regulatory programs (such as TSA) must ensure strict compliance of their regulations.

TSA and CBP both agree that this cooperative effort should continue and CBP hopes to further expand this philosophy to other regulated sectors (example: currently CBP observes MTSA and ISPS compliance in the Sea Carrier and Port Terminal Operator Validations).

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Air Carrier Minimum Security Criteria

(continued)

CERTIFICATIONS: Existing C-TPAT Air Carriers will **not** be required to provide a written certification that the security criteria has been met.

However, previously submitted and accepted security profiles will need to be updated to properly reflect and address these new minimum-security criteria. It will be understood that Air Carriers must meet or exceed these baseline security criteria by the end of the implementation period or face possible administrative action by the C-TPAT program. CBP will continue to use validations to gauge whether or not Air Carriers have adopted these minimum-security criteria and those Air Carriers found to be deficient, could have benefits suspended, or be removed from the program entirely.

To assist in the implementation of these security criteria the trade is encouraged to submit questions to their currently assigned Supply Chain Security Specialist or via the C-TPAT Industry Partnership email address at Industry.Partnership@dhs.gov.

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Mutual Validation Activity

In August of 2007, C-TPAT conducted a validation of program member Air Carrier US Air* at their facilities in Charlotte, North Carolina.

As part of a unique pilot project, members of TSA joined the C-TPAT validation team at the US Air validation in order to discuss and coordinate identifying what processes of the validation were unique to CBP, already accounted for by TSA regulation, as well as how TSA could be involved in future Air Carrier validations by the C-TPAT program in order to prevent duplications, conflicts and to inform of issues or concerns.

US Air graciously allowed this mutual visit to occur and commented on how pleased they were that both agencies were working together to prevent visits by each agency that would simply repeat previously discussed information.

*Note that permission to use US Air's name and validation particulars was obtained by CBP prior to this presentation

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Mutual Validation Activity (continued)

TSA and CBP held discussions on the outcomes of this mutual validation project and agreed that the continued support of this process was an important part of any validation activity. Further, CBP and TSA agreed that as this was a domestic site validation, the next step would be to have a foreign site validation of a C-TPAT Air Carrier which would involve not only TSA and CBP, but a foreign airport authority. It is hoped this visit will take place early this year.

Finally, CBP normally provides the trade with an opportunity to examine and comment on all final draft minimum-security criteria and followed that tradition by taking input from the COAC on the Air Carrier draft. However, an additional step was taken in that TSA was also provided the final draft of the Air Carrier Minimum-Security Criteria for comment and review.

