



The Honorable David P. Pekoske  
Administrator  
Transportation Security Administration  
U.S. Department of Homeland Security  
601 South 12th Street  
Arlington, VA 20598  
United States of America

21 August 2024

Dear Administrator Pekoske,

On behalf of the International Air Transport Association (IATA) and our members, I am writing to express our concern regarding what we understand was a recent Security Directive (SD) and Emergency Amendment (EA) issued by the Transportation Security Administration (TSA) in response to recent threats to the air cargo supply chain.

While IATA is not privy to the precise contents of the SD and EA, we understand it calls for the timely implementation of several new data elements that could have a significant impact on air cargo operations and processes. Based on the limited information we have; IATA has a number of significant concerns and challenges regarding this approach:

### **1. Business processes**

The number of required data collection points has increased considerably. Data associated with most of the additional data elements is currently not available to air carriers. They do not own this data and will have to rely on the huge array of downstream supply chain entities to collect and submit this data. The additional data collection requirements will exacerbate existing concerns surrounding liability on airlines, in the event data they have received from downstream supply chain entities is deemed inaccurate or misleading.

### **2. Technical systems**

The additional data required is currently not supported in the Cargo Management/Logistics systems. These systems need to be upgraded and trialed to incorporate the new elements. This requires specific engagement with IT providers, software developers, freight forwarders, ground handlers and all other relevant supply chain entities.

### **3. Messaging standards**

To support implementation of the EA and SD, the Air Cargo Advance Screening (ACAS) Implementation Guide (Version 2.2 – August 2024) has independently adjusted C-IMP messaging standards, without necessary consultation. Such standards are no longer supported by the industry as IATA has sunset the C-IMP messaging several years ago (2015). However, Cargo-XML standards are being maintained and upgraded so it is possible to define internationally harmonized solutions through IATA standards to address the new ACAS expectations. The development of such standards must follow a governance process, as IATA owns these messaging standards. While changes can be affected in an urgent fashion, they need to be coordinated internationally to avoid conflicting and inconsistent approaches from different IATA members and supply chain partners. Bypassing such governance can only result in



unaligned formats which will quickly become unmanageable both for industry and regulatory authorities, leading to significant disruption in flows of legitimate trade to the U.S.

#### **4. Data protection and privacy laws**

Attempts to collect and submit some of the additional data elements may inadvertently conflict with or breach national legislation pertaining to data protection and privacy, such as the European Union General Data Protection Regulation (GDPR). Greater clarity is needed on how the collection of this data may impact obligations under national data protection and privacy laws.

#### **5. Interpretation and understanding of the additional data elements**

It is unclear exactly what information is required under some of the data elements. IATA would propose the formulation of accompanying 'FAQs' or similar, to ensure the data elements are addressed in a clear and consistent manner without ambiguity. We would welcome an opportunity to engage and collaborate with the TSA on this task.

In summary, the proposed changes to the ACAS requirements will impact on business processes, technical systems, and messaging standards, affecting an array of supply chain entities.

IATA supports the effort by the US government to address threats to the air cargo supply chain and has actively contributed to the development of Pre-Loading Advance Cargo Information (PLACI) programs, including the US Air Cargo Advance Screening from its inception in 2012. IATA will continue to fully support all efforts to further secure the air cargo supply chain and is willing to contribute constructively to this effort.

Despite the ongoing dialogue between the TSA, IATA is concerned that, without further consideration and coordination, the new SD and EA may generate unintended consequences including inconsistencies, errors, and supply chain delays at a time when the accuracy of advance cargo information is as important as ever. Moreover, IATA considers coordination between appropriate authorities, industry, IATA and the International Civil Aviation Organization (ICAO) regarding the application of additional measures (that have a global impact) to be of paramount importance to the operational efficiency and commercial viability of the aviation sector.

We therefore request urgent engagement by the TSA with CBP, IATA, and our members, combined with sufficient time for the airline industry and air cargo supply chain to prepare for and implement the additional requirements. Such engagement will ensure consistency and harmonization among all points of departure to the United States.

To that end, IATA remains ready to engage and work with the TSA to ensure a smooth transition to the enhanced ACAS requirements. It is therefore crucial to address the following aspects together:

- agreement on a feasible timeframe applicable to all points of departure;
- preparation of FAQs (or equivalent) to explicitly clarify the underlining requirements of each data element, and whether they also relate to mail;
- alignment of the ACAS Implementation Guidance with the IATA standard messaging to ensure all airlines and their supply chain partners are using the same and consistent messaging format, to the benefit of both airlines and the receiving regulatory authority;
- an understanding that the collection of required data must not conflict with national data collection and privacy laws; and
- sufficient trialing and testing of the messaging mechanisms prior to full enforcement.



We appreciate the urgency of this matter and stand ready to support your critical security goals in this regard.

Sincerely,

A handwritten signature in black ink that reads "Nick Careen".

Nick Careen

IATA Senior Vice President Operations, Safety and Security

cc. Doug Lavin, IATA Vice President, Member & External Relations – North America