

114TH CONGRESS
2D SESSION

H. R. 4698

To enhance aviation by requiring airport security assessments and a security coordination enhancement plan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2016

Mr. KATKO (for himself, Mr. McCAUL, Mr. KEATING, Mr. DONOVAN, and Mr. KING of New York) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To enhance aviation by requiring airport security assessments and a security coordination enhancement plan, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Securing Aviation from
5 Foreign Entry Points and Guarding Airports Through
6 Enhanced Security Act of 2016”.

1 **SEC. 2. LAST POINT OF DEPARTURE AIRPORT SECURITY**
2 **ASSESSMENT.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Administrator of
5 the Transportation Security Administration shall conduct
6 a comprehensive security risk assessment of all last point
7 of departure airports with nonstop flights to the United
8 States.

9 (b) CONTENTS.—The security risk assessment re-
10 quired under subsection (a) shall include consideration of
11 the following:

12 (1) The level of coordination and cooperation
13 between the Transportation Security Administration
14 and the foreign government of the country in which
15 the last point of departure airport with nonstop
16 flights to the United States is located.

17 (2) The intelligence and threat mitigation capa-
18 bilities of the country in which such airport is lo-
19 cated.

20 (3) The number of known or suspected terror-
21 ists annually transiting through such airport.

22 (4) The passenger security screening practices,
23 capabilities, and capacity of such airport.

24 (5) The security vetting undergone by aviation
25 workers at such airport.

1 (6) The access controls utilized by such airport
2 to limit to authorized personnel access to secure and
3 sterile areas of such airports.

4 **SEC. 3. SECURITY COORDINATION ENHANCEMENT PLAN.**

5 (a) IN GENERAL.—Not later than 240 days after the
6 date of the enactment of this Act, the Administrator of
7 the Transportation Security Administration shall submit
8 to Congress and the Government Accountability Office a
9 plan—

10 (1) to enhance and bolster security collabora-
11 tion, coordination, and information sharing relating
12 to securing international-inbound aviation between
13 the United States and domestic and foreign part-
14 ners, including U.S. Customs and Border Protection,
15 foreign government entities, passenger air carriers,
16 cargo air carriers, and United States Government
17 entities, in order to enhance security capabilities at
18 foreign airports, including airports that may not
19 have nonstop flights to the United States but are
20 nonetheless determined by the Administrator to be
21 high risk; and

22 (2) that includes an assessment of the ability of
23 the Administration to enter into a mutual agreement
24 with a foreign government entity that permits Ad-

1 ministration representatives to conduct without prior
2 notice inspections of foreign airports.

3 (b) GAO REVIEW.—Not later than 180 days after the
4 submission of the plan required under subsection (a), the
5 Comptroller General of the United States shall review the
6 efforts, capabilities, and effectiveness of the Transpor-
7 tation Security Administration to enhance security capa-
8 bilities at foreign airports and secure international-in-
9 bound aviation.

10 **SEC. 4. WORKFORCE ASSESSMENT.**

11 Not later than 270 days after the date of the enact-
12 ment of this Act, the Administrator of the Transportation
13 Security Administration shall submit to Congress a com-
14 prehensive workforce assessment of all Administration
15 personnel within the Office of Global Strategies of the Ad-
16 ministration or whose primary professional duties con-
17 tribute to the Administration’s global efforts to secure
18 transportation security, including a review of whether such
19 personnel are assigned in a risk-based, intelligence-driven
20 manner.

21 **SEC. 5. DONATION OF SCREENING EQUIPMENT TO PRO-**
22 **TECT THE UNITED STATES.**

23 (a) IN GENERAL.—The Administrator of the Trans-
24 portation Security Administration is authorized to donate
25 security screening equipment to a foreign last point of de-

1 parture airport operator if such equipment can be reason-
2 ably expected to mitigate a specific vulnerability to the se-
3 curity of the United States or United States citizens.

4 (b) REPORT.—Not later than 30 days before any do-
5 nation of security screening equipment pursuant to sub-
6 section (a), the Administrator of the Transportation Secu-
7 rity Administration shall provide to the Committee on
8 Homeland Security of the House of Representatives and
9 the Committee on Homeland Security and Governmental
10 Affairs and the Committee on Commerce, Science, and
11 Transportation of the Senate a detailed written expla-
12 nation of the following:

13 (1) The specific vulnerability to the United
14 States or United States citizens that will be miti-
15 gated by such donation.

16 (2) An explanation as to why the recipient of
17 such donation is unable or unwilling to purchase se-
18 curity screening equipment to mitigate such vulner-
19 ability.

20 (3) An evacuation plan for sensitive tech-
21 nologies in case of emergency or instability in the
22 country to which such donation is being made.

23 (4) How the Administrator will ensure the secu-
24 rity screening equipment that is being donated is

1 used and maintained over the course of its life by
2 the recipient.

3 (5) The total dollar value of such donation.

4 **SEC. 6. NATIONAL CARGO SECURITY PROGRAM.**

5 (a) IN GENERAL.—The Administrator of the Trans-
6 portation Security Administration may evaluate foreign
7 countries' air cargo security programs to determine wheth-
8 er such programs provide a level of security commensurate
9 with the level of security required by United States air
10 cargo security programs.

11 (b) APPROVAL AND RECOGNITION.—

12 (1) IN GENERAL.—If the Administrator of the
13 Transportation Security Administration determines
14 that a foreign country's air cargo security program
15 evaluated under subsection (a) provides a level of se-
16 curity commensurate with the level of security re-
17 quired by United States air cargo security programs,
18 the Administrator shall approve and officially recog-
19 nize such foreign country's air cargo security pro-
20 gram.

21 (2) EFFECT OF APPROVAL AND RECOGNI-
22 TION.—If the Administrator of the Transportation
23 Security Administration approves and officially rec-
24 ognizes pursuant to paragraph (1) a foreign coun-
25 try's air cargo security program, cargo aircraft of

1 such foreign country shall not be required to adhere
2 to United States air cargo security programs that
3 would otherwise be applicable.

4 (c) REVOCATION AND SUSPENSION.—

5 (1) IN GENERAL.—If the Administrator of the
6 Transportation Security Administration determines
7 at any time that a foreign country's air cargo secu-
8 rity program approved and officially recognized
9 under subsection (b) no longer provides a level of se-
10 curity commensurate with the level of security re-
11 quired by United States air cargo security programs,
12 the Administrator may revoke or temporarily sus-
13 pend such approval and official recognition until
14 such time as the Administrator determines that such
15 foreign country's cargo security programs provide a
16 level of security commensurate with the level of secu-
17 rity required by such United States air cargo secu-
18 rity programs.

19 (2) NOTIFICATION.—If the Administrator of
20 the Transportation Security Administration revokes
21 or suspends pursuant to paragraph (1) a foreign
22 country's air cargo security program, the Adminis-
23 trator shall notify the Committee on Homeland Se-
24 curity of the House of Representatives and the Com-
25 mittee on Commerce, Science, and Transportation of

- 1 the Senate not later than 30 days after such revoca-
- 2 tion or suspension.

