

115TH CONGRESS
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To require a study regarding security measures and equipment at Cuba’s airports, require the standardization of Federal Air Marshal Service agreements, require efforts to raise international aviation security standards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 26, 2017

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require a study regarding security measures and equipment at Cuba’s airports, require the standardization of Federal Air Marshal Service agreements, require efforts to raise international aviation security standards, 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 “Cuban Airport Secu-
5 rity Act of 2017”.

1 **SEC. 2. FLIGHTS BETWEEN THE UNITED STATES AND CUBA.**

2 (a) IN GENERAL.—The Administrator of the Trans-
3 portation Security Administration shall brief the Com-
4 mittee on Homeland Security of the House of Representa-
5 tives, the Committee on Commerce, Science, and Trans-
6 portation of the Senate, and the Comptroller General of
7 the United States on the following aspects of security
8 measures at each of Cuba’s ten international airports:

9 (1) Details about the type of equipment used at
10 screening checkpoints and an analysis of such equip-
11 ment’s capabilities and weaknesses.

12 (2) Information about each such airport’s ca-
13 nine program, if used.

14 (3) The frequency of training for screening and
15 security personnel.

16 (4) Access controls in place to ensure only
17 credentialed personnel have access to the secure and
18 sterile areas of such airports.

19 (5) An assessment of the ability of known or
20 suspected terrorists to use Cuba as a gateway to en-
21 tering the United States.

22 (6) Security of such airports’ perimeters.

23 (7) A mitigation assessment regarding Man
24 Portable Air Defense Systems.

25 (8) The vetting practices and procedures for
26 airport employees.

1 (9) Any other information determined relevant
2 to the security practices, procedures, and equipment
3 in place at such airports.

4 (b) PUBLIC DISCLOSURE OF CERTAIN AGREE-
5 MENTS.—

6 (1) DISCLOSURE REQUIRED.—No United States
7 air carrier that has entered into a covered agreement
8 may employ a Cuban national pursuant to section
9 515.573 of title 31, Code of Federal Regulations,
10 after the date that is 30 days after the date of the
11 enactment of this Act unless the air carrier has pub-
12 licly disclosed the full text of the covered agreement.

13 (2) HIRING AND TRAINING REQUIREMENTS.—
14 Notwithstanding any other provision of law or regu-
15 lation, to the extent practicable, Cuban nationals re-
16 ferred to in paragraph (1) shall not have been re-
17 cruited, hired, or trained by entities that are owned,
18 operated, or controlled, in whole or in part, by
19 Cuba’s Council of State, Council of Ministers, Com-
20 munist Party, Ministry of the Revolutionary Armed
21 Forces, Ministry of Foreign Affairs, or Ministry of
22 the Interior.

23 (3) COVERED AGREEMENT.—In this subsection,
24 the term “covered agreement” means a formal
25 agreement between a United States air carrier with

1 passenger air service between any location in Cuba
2 and any location in the United States and the
3 Empresa Cubana de Aeropuertos y Servicios
4 Aeronauticos or any other entity associated with the
5 Government of Cuba.

6 **SEC. 3. FEDERAL AIR MARSHAL SERVICE AGREEMENTS.**

7 (a) STANDARDIZATION.—Not later than 60 days
8 after the date of the enactment of the Act, the Adminis-
9 trator of the Transportation Security Administration shall
10 develop a standard working document to serve as the basis
11 for all negotiations and agreements that begin after such
12 date between the United States and foreign governments
13 or partners regarding Federal Air Marshal coverage of
14 flights to and from the United States.

15 (b) WRITTEN AGREEMENTS.—All agreements be-
16 tween the United States and foreign governments or part-
17 ners regarding the presence of Federal Air Marshals on
18 flights to and from the United States pursuant to sub-
19 section (a) shall be written and signed by the Secretary
20 of Homeland Security or the Secretary’s designee.

21 (c) CONGRESSIONAL NOTIFICATION.—The Secretary
22 of Homeland Security shall submit to the Committee on
23 Homeland Security of the House of Representatives and
24 the Committee on Commerce, Science, and Transportation

1 of the Senate any agreement entered into under this sec-
2 tion within 30 days of such agreement being signed.

3 **SEC. 4. INTERNATIONAL CIVIL AVIATION ORGANIZATION.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of the enactment of this Act, the United States Am-
6 bassador or the Chargé d’Affaires to the United States
7 Mission to the International Civil Aviation Organization
8 shall pursue improvements to airport security, including
9 if practicable, introducing a resolution to raise minimum
10 standards for airport security.

11 (b) REPORT TO CONGRESS.—Not later than 180 days
12 after the date of the enactment of this Act, the United
13 States Ambassador or the Chargé d’Affaires to the United
14 States Mission to the International Civil Aviation Organi-
15 zation shall report to the Committee on Homeland Secu-
16 rity and the Committee on Foreign Affairs of the House
17 of Representatives and the Committee on Homeland Secu-
18 rity and Governmental Affairs, the Committee on Foreign
19 Relations, and the Committee on Commerce, Science, and
20 Transportation of the Senate on the implementation of
21 subsection (a).

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