

115TH CONGRESS  
1ST SESSION

# H. R. 3328

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.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2017

Mr. KATKO (for himself, Mr. MCCAUL, and Mr. SIRES) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committees on Foreign Affairs, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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 31 CFR  
9           515.573 after the date that is 30 days after the date  
10          of the enactment of this Act unless the air carrier  
11          has publicly disclosed the full text of the covered  
12          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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