

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5728
OFFERED BY Mr . Thompson**

Redesignate sections 2 and 3 as sections 3 and 4,
respectively.

Insert after section 1 the following new section:

1 SEC. 2. FINDINGS; SENSE OF CONGRESS.

2 (a) FINDINGS.—Congress finds the following:

3 (1) In February 2016, the United States and
4 Cuba agreed to a memorandum of understanding es-
5 tablishing terms for the conduct of international air
6 transportation by airlines of either country holding
7 necessary authorizations and licenses.

8 (2) Approved charter flights have intermittently
9 operated between Cuba and the United States since
10 1991.

11 (3) Under title 49 of the United States Code,
12 the Secretary of Homeland Security, acting through
13 the Administrator of the Transportation Security
14 Administration (TSA), is required to assess security
15 at all foreign airports served by United States car-

1 riers and all last point of departure airports to the
2 United States.

3 (4) The International Civil Aviation Organiza-
4 tion (ICAO) has 191 member countries, including
5 the United States, and ICAO safety and security
6 standards are the cornerstone of the international
7 aviation system and are the baseline against which
8 TSA evaluates all last point of departure airports.

9 (5) In instances in which a specific threat is
10 identified or action is warranted, TSA may take en-
11 forcement action, such as issuing a security directive
12 or emergency amendment for implementation by air
13 carriers, including United States air carriers oper-
14 ating at last point of departure airports.

15 (6) There are 280 foreign airports serving as
16 last points of departure to the United States, includ-
17 ing Zaventem International Airport in Brussels, Bel-
18 gium, and Ataturk International airport in Istanbul,
19 Turkey, which were attacked by terrorists in March
20 and June 2016, respectively.

21 (7) In response to terrorist threat posed by
22 international United States-bound aviation, the “Se-
23 curing Aviation from Foreign Entry Points and
24 Guarding Airports Through Enhanced Security Act”
25 was enacted into law on July 15, 2016, as Public

1 Law 114–190 to, among other things, require TSA
2 to undertake a comprehensive risk assessment of se-
3 curity procedures at all last point of departure air-
4 ports and authorize the agency to donate security
5 screening equipment to such airports.

6 (b) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that any additional legislative action to alter TSA’s
8 requirements or process to assess the security of foreign
9 airports should be uniform and, given that terrorist risks
10 posed by international United States-bound aviation are
11 evolving, should not single out one country or one airport.

