



Statement of

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Before the

**United States House of Representatives
Committee on Homeland Security
Subcommittee on Transportation and Maritime Security**

On

“Protecting the Homeland – Examining TSA’s Relationships with U.S. Adversaries”

July 9, 2024

Washington, D.C.

Good morning, Chairman Gimenez, Ranking Member Thanedar, and distinguished Members of the Subcommittee. Thank you for the opportunity to appear before you today to discuss the role of the Transportation Security Administration (TSA) in international transportation security.

TSA's mission is to protect the nation's transportation systems to ensure freedom of movement for people and commerce. TSA works collaboratively with foreign governments, air carriers, and international organizations to address security risks to international transportation. As TSA has previously shared with Congress, inbound flights to the United States from foreign Last Point of Departure (LPD) airports (foreign airports where an air carrier can provide direct service to an airport in the United States) continue to present the greatest risk to aviation security. When a new threat or potential vulnerability emerges, TSA coordinates with these partners to develop and implement responses that effectively mitigate the inbound-risk to the United States.

The mitigation process begins by analyzing risk in terms of threat, vulnerability, and consequence. When risk increases significantly from change(s) to threat, vulnerability and/or consequence, TSA analyzes the underlying factors and develops appropriate international mitigation strategies. Of the nearly 3 million passengers screened by TSA each day, approximately 375,000 arrive in the United States from LPDs, making TSA's international mission critical for identifying and mitigating risk.

TSA's International Authorities

Global transportation has historically relied upon international reciprocity and collaboration to protect the movement of people and commerce -- a common interest that transcends geopolitical differences. In recognition of this, and our domestic transportation security requirements, Congress granted TSA authority and oversight of international engagement and activities through the *Aviation and Transportation Security Act*, the *Federal Aviation Administration (FAA) Extension, Safety, and Security Act of 2016* (P.L. 114-190), and the *TSA Modernization Act*. In recognition of a common interest in aviation security, the U.S. Government honors the international standards of cooperation established by the International Civil Aviation Organization (ICAO). These international standards require information sharing to ensure all nations understand the potential impact changes to the aviation security posture of upstream nations and airports may have on downstream nations around the globe, including the United States.

The Secretary of Homeland Security is required to assess the security effectiveness at all foreign airports served by U.S. aircraft operators, as well as foreign airports serving as LPD locations for foreign air carriers, in accordance with ICAO Standards under title 49 U.S. Code, Chapter 449. The Secretary has delegated this responsibility to TSA. Under that requirement, as well as 49 C.F.R. § 1544.3 and § 1546.3, TSA evaluates the effectiveness of security measures maintained at foreign locations through assessments of foreign airports and inspections of air carriers operating from those airports. These mandated assessments require TSA to visit LPD airports with flights to the United States. Foreign governments grant us that access, in large part,

because of relationships built through U.S. reciprocity. Additionally, the Air Transport Agreements signed between the United States and a foreign country acknowledge the need for cooperation between the two countries based on reciprocity and comity. TSA honors ICAO Standards and Recommended Practices by allowing other contracting states to conduct validation visits to observe U.S. implementation of security processes for passengers, baggage, and cargo -- similar to the way TSA assesses LPD airports. Beyond the legal authorities and instruments discussed generally, TSA engages partners and builds long-term relationships that facilitate TSA's global mission, protecting not only the homeland, but also American citizens traveling abroad.

TSA's International Engagements

TSA's international engagement efforts play a crucial role in enhancing global transportation security. TSA maintains close international relationships through bilateral and multilateral engagements, engagements with industry, as well as regulatory compliance assessments and inspections. Transportation Security Administration Representatives (TSARs), International Industry Representatives (IIRs), and TSA's International Inspectors engage daily with partners, to include foreign governments, multilateral organizations such as ICAO, International Air Transport Association (IATA), Airports Council International (ACI), the European Commission, as well as domestic and foreign air carriers in support of the broader Department of Homeland Security (DHS) mission.

By hosting and participating in bilateral and multilateral engagements, TSA creates an environment where the aviation security community responsibly shares information that leads to a better understanding of foreign security systems, associated risk, and best practices. This collaborative information-sharing process provides TSA with significant information on a foreign government's aviation security posture and potential risks. TSA is able to use this knowledge to produce risk-informed, data-driven policies for industry, and to create meaningful exchanges with foreign governments to better align our security posture. Through sharing with partners, we have implemented higher standards, above and beyond ICAO requirements, reducing risk and driving aviation security accountability worldwide. The United States responsibly shares information on topics such as covert testing, cybersecurity, technology, security programs and policies, and emerging threats to aviation through information-sharing agreements based on an appropriately tailored, trust based, and need-to-know standard. These engagements ultimately bolster aviation security for travelers worldwide. In addition to engagement with governments and industry, TSA also conducts oversight and compliance activities of all regulated entities.

Ensuring Continual Compliance with Security Requirements

TSA conducts regular assessments of all foreign LPDs to ensure they meet ICAO standards and conducts inspections of foreign and domestic air carriers at LPDs to ensure continued compliance with TSA-approved security programs. Assessments and inspections serve as our basis to identify and mitigate risk.

The frequency of these assessments and inspections is determined by threat, vulnerability, and consequence, as modeled by TSA. This approach ensures the efficient allocation of limited assessment and inspection resources, in a risk-based manner. Assessments are coordinated by the assigned TSAR and carried out by a team of International Inspectors from one of TSA's six Regional Operation Centers located worldwide. TSA inspectors have conducted 629 inspections of foreign air carriers and domestic aircraft operators abroad and completed 94 foreign airport assessments as of June in Fiscal Year 2024, while visiting 66 countries.

Cuba is the only country designated by the Department of State as a State Sponsor of Terrorism which has direct flights to the United States. Specific to Cuba, our two countries entered into a Memorandum of Understanding (MOU) on International Air Transportation on February 16, 2016. This MOU permits direct flights between the two countries by carriers with appropriate Department of Transportation, FAA, and TSA licenses and certifications.

In furtherance of the security mandate described above, TSA currently assesses the six active Cuban LPD airports in Camaguey, Havana, Holguin, Santiago, Santa Clara, and Varadero, with five U.S. carriers operating regular, direct flights to up to 10 airports in the United States depending on the season (for both passenger and cargo operations). Since 2011, TSA and the Cuban Civil Aviation Institute (IACC) retain an effective working relationship, and the IACC is consistently responsive to TSA findings and recommendations. Through the work of TSA personnel and our aviation security counterparts, TSA has ensured that Americans aboard flights to the United States from Cuba are secure.

Foreign Delegation Engagement

DHS treats the vetting and approval of foreign visitors as a national security imperative, ensuring all policy concerns are properly addressed in accordance with DHS Policy Directive Memorandum 121-11, which requires the vetting of all foreign visitors when accessing TSA facilities and airports in the United States. The vetting process begins when foreign nationals provide their passport details to TSA. Once these details are received, TSA enters the information into the Integrated Security Management System for vetting by the DHS Office of the Chief Security Officer. Cleared individuals are only permitted to access TSA facilities and U.S. airports under escort.

All foreign delegations must also meet the escort requirements under the approved Airport Security Program or facility program. In the case of the most recent Cuban delegation visit to Miami International Airport (MIA) in May 2024, following DHS vetting, the delegation was appropriately escorted at all times. Since 2011, TSA has conducted 22 visits to airports in Cuba. Cuban officials have made six visits to U.S. airports, in August 2011, January 2013, May 2014, September 2015, August 2018, and May 2024.

TSA's current process to host foreign delegations from countries with LPD service begins with a request from a foreign partner. The TSAR will then create and submit a Foreign

Delegation Visit Request for internal coordination and approval by the Regional Director, who is a member of the Senior Executive Service. The request provides details of the visit, including the purpose of the visit, number of participants, location(s), and dates requested by the delegation, as well as the level of information sharing determined appropriate. After the most recent Cuban delegation visit, TSA formalized the Foreign Delegation Visit Request process in an Administrative Directive. The directive describes roles, responsibilities, timelines, and process for hosting foreign delegations. This directive continues a longstanding DHS process of vetting every individual from a foreign delegation in addition to the Department of State processing their visa.

Conclusion

TSA is a globally recognized leader in aviation security. This reputation is built on world-class subject matter expertise, transparency, trust, and reciprocity. TSA is well-positioned to lead efforts with our foreign partners and industry to immediately respond to emerging threats and enhance worldwide transportation security. This is all made possible through, and as the result of, international engagement, and the lessons learned from the recent Cuban delegation visit have enabled TSA to review and improve existing procedures to better coordinate and execute foreign delegation visits in the future.

TSA will continue to work with our Federal, industry, and international partners to advance international transportation security and protect Americans wherever they travel. We are grateful for the authorities and resources that have been granted to TSA and look forward to answering your questions.