

112TH CONGRESS
1ST SESSION

H. R. 3273

To amend title 46, United States Code, to authorize the Secretary of Homeland Security or of any other department in which the Coast Guard is operating to enter into agreements with foreign governments or international organizations for the performance of port security assessments on behalf of the Secretary, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 2011

Mr. RIGELL introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on 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

A BILL

To amend title 46, United States Code, to authorize the Secretary of Homeland Security or of any other department in which the Coast Guard is operating to enter into agreements with foreign governments or international organizations for the performance of port security assessments on behalf of the Secretary, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Port Security Effi-
3 ciency Act”.

4 **SEC. 2. RECOGNITION OF PORT SECURITY ASSESSMENTS**
5 **CONDUCTED BY OTHER ENTITIES.**

6 Section 70108 of title 46, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(f) RECOGNITION OF ASSESSMENT CONDUCTED BY
10 OTHER ENTITIES.—

11 “(1) CERTIFICATION AND TREATMENT OF AS-
12 SESSMENTS.—For the purposes of this section and
13 section 70109, the Secretary may treat an assess-
14 ment conducted by a foreign government or inter-
15 national organization as an assessment by the Sec-
16 retary required by subsection (a), if the Secretary
17 certifies that the assessment was conducted in ac-
18 cordance with subsection (b).

19 “(2) AUTHORIZATION TO ENTER INTO AGREE-
20 MENTS.—The Secretary may enter into agreements
21 with a foreign government or international organiza-
22 tion, under which—

23 “(A) such government or organization
24 may, on behalf of the Secretary, conduct an as-
25 sessment required under subsection (a), or

1 share with the Secretary information pertaining
2 to such assessments; and

3 “(B) the Secretary may, on behalf of such
4 foreign government or organization, conduct an
5 assessment described in subsection (a), or share
6 with such foreign government or organization
7 information pertaining to such assessments.

8 “(3) LIMITATIONS.—

9 “(A) Nothing in this subsection—

10 “(i) requires the Secretary to recog-
11 nize an assessment that a foreign govern-
12 ment or an international organization con-
13 ducts pursuant to this subsection; or

14 “(ii) limits the discretion or ability of
15 the Secretary to conduct an assessment
16 under this section.

17 “(B) The Secretary may not delegate the
18 authority of the Secretary under this subsection
19 to any other officer of the department in which
20 the Coast Guard is operating.”.

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