

117TH CONGRESS
1ST SESSION

H. R. 4094

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 2021

Received, read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To conduct a pilot program at foreign last point of departure airports to permit passengers and their accessible property to continue on additional flights or flight segments originating in the United States without additional security re-screening, 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 “One-Stop Pilot Pro-
5 gram Act of 2021”.

6 **SEC. 2. PILOT PROGRAM FOR ONE-STOP SECURITY.**

7 (a) IN GENERAL.—Notwithstanding 44901(a) of title
8 49, United States Code, the Administrator of the Trans-
9 portation Security Administration, in coordination with
10 U.S. Customs and Border Protection, is authorized to con-
11 duct a pilot program at not more than six foreign last
12 point of departure airports to permit passengers and their
13 accessible property arriving on direct flights or flight seg-
14 ments originating at such participating foreign airports to
15 continue on additional flights or flight segments origi-
16 nating in the United States without additional security re-
17 screening if—

18 (1) the initial screening was conducted in ac-
19 cordance with an aviation security screening agree-
20 ment described in subsection (d);

21 (2) passengers arriving from participating for-
22 eign airports are unable to access their checked bag-
23 gage until the arrival at their final destination; and

24 (3) upon arrival in the United States, pas-
25 sengers arriving from participating foreign airports

1 do not come into contact with other arriving inter-
2 national passengers or those passengers' property or
3 other persons who have not been screened or sub-
4 jected to other appropriate security controls required
5 for entry into the airport's sterile area.

6 (b) REQUIREMENTS FOR PILOT PROGRAM.—In car-
7 rying out this section, the Administrator shall ensure there
8 is no reduction in the level of security or specific aviation
9 security standards or requirements for screening pas-
10 sengers and their property prior to boarding an inter-
11 national flight bound for the United States, including spe-
12 cific aviation security standards and requirements regard-
13 ing the following:

- 14 (1) High risk passengers and their property.
- 15 (2) Weapons, explosives, and incendiaries.
- 16 (3) Screening passengers and property transfer-
17 ring at a foreign last point of departure airport from
18 another airport and bound for the United States,
19 and addressing any co-mingling of such passengers
20 and property with passengers and property screened
21 under the pilot program described in subsection (a).
- 22 (4) Insider risk at foreign last point of depar-
23 ture airports.

24 (c) RE-SCREENING OF CHECKED BAGGAGE.—The
25 Administrator may determine whether checked baggage

1 arriving from participating foreign airports referenced in
2 subsection (a) must be re-screened in the United States
3 by an explosives detection system before such baggage
4 continues on any additional flight or flight segment.

5 (d) AVIATION SECURITY SCREENING AGREEMENT
6 DESCRIBED.—An aviation security screening agreement
7 described in this subsection is an agreement signed by the
8 Administrator, without delegating such authority, and en-
9 tered into with a foreign country that delineates and im-
10 plements security standards and protocols utilized at a
11 foreign last point of departure airport that are determined
12 by the Administrator to be comparable to those of the
13 United States and therefore sufficiently effective to enable
14 passengers and their accessible property to deplane into
15 sterile areas of airports in the United States without the
16 need for re-screening.

17 (e) RE-SCREENING REQUIREMENT.—If the Adminis-
18 trator determines that the foreign country participating
19 in the aviation security screening agreement has not main-
20 tained and implemented security standards and protocols
21 comparable to those of the United States at foreign last
22 point of departure airports at which a pilot program has
23 been established in accordance with this section, the Ad-
24 ministrator shall ensure that passengers and their prop-
25 erty arriving from such airports are re-screened in the

1 United States before such passengers and their property
2 are permitted into sterile areas of airports in the United
3 States. In the case of continued or egregious failure to
4 maintain such security standards and protocols, the Ad-
5 ministrator shall suspend or terminate the aviation secu-
6 rity screening agreement, as determined appropriate by
7 the Administrator, and shall notify the appropriate con-
8 gressional committees of such suspension or termination,
9 as the case may be, not later than seven days after such
10 suspension or termination.

11 (f) CERTIFICATIONS AND BRIEFINGS TO CON-
12 GRESS.—Not later than 30 days before an aviation secu-
13 rity screening agreement in accordance with subsection (d)
14 enters into force, the Administrator shall provide to the
15 appropriate congressional committees the following:

16 (1) A copy of such agreement.

17 (2) A homeland security threat assessment for
18 the country in which such foreign last point of de-
19 parture airport is located, information on any cor-
20 responding mitigation efforts to address any security
21 issues identified in such threat assessment, and the
22 Administrator's plans for ensuring through joint
23 covert testing or other measures compliance with the
24 security standards and protocols set forth in such
25 agreement.

1 (3) A certification that such agreement satisfies
2 all requirements specified in subsection (b) or, in the
3 event that one or more of such requirements is not
4 so satisfied, an identification of the unsatisfied re-
5 quirement and information on what actions will be
6 taken to ensure such remaining requirement is satis-
7 fied before such agreement enters into force.

8 (4) A certification that the Administrator con-
9 sulted with stakeholders, including air carriers, air-
10 port operators, relevant interagency partners, and
11 other stakeholders the Administrator determines ap-
12 propriate.

13 (5) A detailed briefing on the substance of
14 paragraphs (1) through (4).

15 (g) SUNSET.—The pilot program described in sub-
16 section (a) shall terminate six years after the date of en-
17 actment of this section.

18 (h) REPORT TO CONGRESS.—Not later than five
19 years after the date of enactment of this section, the Sec-
20 retary of Homeland Security, in coordination with the Ad-
21 ministrator, shall submit to the appropriate congressional
22 committees a report regarding the implementation of the
23 pilot program described in subsection (a), including infor-
24 mation relating to the following:

1 (1) The impact to homeland security and inter-
2 national aviation security, including any benefits and
3 challenges, of such pilot program.

4 (2) The impact to passengers, airports, and air
5 carriers, including any benefits and challenges, of
6 such pilot program.

7 (3) The impact and feasibility of continuing
8 such pilot program or expanding into a more perma-
9 nent program, including any benefits and challenges.

10 (i) RULE OF CONSTRUCTION.—Nothing in this sec-
11 tion may be construed as limiting the authority of U.S.
12 Customs and Border Protection to inspect persons and
13 baggage arriving in the United States in accordance with
14 applicable law.

15 (j) DEFINITIONS.—In this section:

16 (1) ADMINISTRATION; TSA.—The terms “Ad-
17 ministration” and “TSA” mean the Transportation
18 Security Administration.

19 (2) ADMINISTRATOR.—The term “Adminis-
20 trator” means the Administrator of the Transpor-
21 tation Security Administration.

22 (3) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—The term “appropriate congressional com-
24 mittees” means—

1 (A) the Committee on Homeland Security
2 of the House of Representatives; and

3 (B) the Committee on Homeland Security
4 and Governmental Affairs and the Committee
5 on Commerce, Science, and Transportation of
6 the Senate.

Passed the House of Representatives September 29,
2021.

Attest: CHERYL L. JOHNSON,
Clerk.