

(b) *Training not complete.* An individual who has not completed the training required by §1544.405 may be deployed during the on-the-job portion of training to perform security functions provided that the individual—

- (1) Is closely supervised; and
- (2) Does not make independent judgments as to whether individuals or property may enter a sterile area or aircraft without further inspection.

(c) *Failure of operational test.* No aircraft operator may use an individual to perform a screening function after that individual has failed an operational test related to that function, until that individual has successfully completed the remedial training specified in the aircraft operator's security program.

(d) *Annual proficiency review.* Each individual assigned screening duties shall receive an annual evaluation. The aircraft operator must ensure that a Ground Security Coordinator conducts and documents an annual evaluation of each individual who performs screening functions. An individual who performs screening functions may not continue to perform such functions unless the evaluation demonstrates that the individual—

- (1) Continues to meet all qualifications and standards required to perform a screening function;
- (2) Has a satisfactory record of performance and attention to duty based on the standards and requirements in the aircraft operator's security program; and
- (3) Demonstrates the current knowledge and skills necessary to courteously, vigilantly, and effectively perform screening functions.

PART 1546—FOREIGN AIR CARRIER SECURITY

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AUTHORITY: 49 U.S.C. 114, 5103, 40113, 44901–44905, 44907, 44914, 44916–44917, 44935–44936, 44942, 46105.

SOURCE: 67 FR 8377, Feb. 22, 2002, unless otherwise noted.

Subpart A—General

§ 1546.1 Applicability of this part.

This part prescribes aviation security rules governing the following:

- (a) The operation within the United States of each foreign air carrier holding a permit issued by the Department of Transportation under 49 U.S.C. 41302 or other appropriate authority issued by the former Civil Aeronautics Board or the Department of Transportation.
- (b) Each law enforcement officer flying armed aboard an aircraft operated by a foreign air carrier described in paragraph (a) of this section.

§ 1546.3 TSA inspection authority.

- (a) Each foreign air carrier must allow TSA, at any time or place, to