Union Calendar No. 180

112TH CONGRESS 1ST SESSION

H. R. 1447

[Report No. 112-269]

To amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

April 8, 2011

Mr. Thompson of Mississippi (for himself and Ms. Jackson Lee of Texas) introduced the following bill; which was referred to the Committee on Homeland Security

NOVEMBER 4, 2011

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, 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 "Aviation Security					
5	Stakeholder Participation Act of 2011".					
6	SEC. 2. AVIATION SECURITY ADVISORY COMMITTEE.					
7	(a) In General.—Subchapter II of chapter 449 o					
8	3 title 49, United States Code, is amended by adding at th					
9	end the following:					
10	"§ 44946. Aviation Security Advisory Committee					
11	"(a) Establishment.—The Assistant Secretary					
12	2 shall establish within the Transportation Security Admi					
13	istration an advisory committee to be known as the Avia					
14	tion Security Advisory Committee.					
15	"(b) Duties.—					
16	"(1) In General.—The Advisory Committee					
17	shall be consulted by and advise the Assistant Sec-					
18	retary on aviation security matters, including the de-					
19	velopment and implementation of policies, programs,					
20	rulemaking, and security directives pertaining to					
21	aviation security.					
22	"(2) Recommendations.—					
23	"(A) In General.—The Advisory Com-					
24	mittee shall develop, at the request of the As-					

1	sistant Secretary, recommendations for im-						
2	provements to aviation security.						
3	"(B) RECOMMENDATIONS OF WORKING						
4	GROUPS.—Recommendations agreed upon by						
5	the working groups established under this sec-						
6	tion shall be approved by the Advisory Com-						
7	mittee for transmission to the Assistant Sec-						
8	retary.						
9	"(3) Periodic reports.—The Advisory Com-						
10	mittee shall periodically submit to the Assistant Sec-						
11	retary—						
12	"(A) reports on matters identified by the						
13	Assistant Secretary; and						
14	"(B) reports on other matters identified by						
15	a majority of the members of the Advisory						
16	Committee.						
17	"(4) Annual Report.—The Advisory Com-						
18	mittee shall submit to the Assistant Secretary an an-						
19	nual report providing information on the activities,						
20	findings, and recommendations of the Advisory Com-						
21	mittee, including its working groups, for the pre-						
22	ceding year.						
23	"(c) Membership.—						
24	"(1) Appointment.—						

"(A) IN GENERAL.—Not later than 180 1 2 days after the date of enactment of this section, 3 the Assistant Secretary shall appoint the mem-4 bers of the Advisory Committee. Composition.—The membership 6 shall consist of individuals representing not 7 more than 27 member organizations. Each or-

vidual (or the individual's designee).

"(C) Representation.—The membership shall include representatives of air carriers, all cargo air transportation, indirect air carriers, labor organizations representing air carrier emplovees, aircraft manufacturers, airport operators, general aviation, privacy, the travel industry, and the aviation technology security industry, including biometrics.

ganization shall be represented by one indi-

- "(2) Removal.—The Assistant Secretary may review the participation of a member of the Advisory Committee and remove the member for cause at any time.
- "(3) Prohibition on compensation.—The members of the Advisory Committee shall not receive pay, allowances, or benefits from the Govern-

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1 ment by reason of their service on the Advisory 2 Committee.

"(4) MEETINGS.—The Assistant Secretary shall require the Advisory Committee to meet at least semiannually and may convene additional meetings as necessary.

"(d) AIR CARGO SECURITY WORKING GROUP.—

"(1) In General.—The Assistant Secretary shall establish within the Advisory Committee an air cargo security working group to provide recommendations on air cargo security issues, including the implementation of the air cargo security programs established by the Transportation Security Administration to screen air cargo on passenger aircraft and all-cargo aircraft in accordance with established cargo screening mandates.

"(2) Meetings and reporting.—The working group shall meet at least quarterly and submit information, including recommendations, regarding air cargo security to the Advisory Committee for inclusion in the annual report. The submissions shall include recommendations to improve the Administration's cargo security initiatives established to meet the requirements of section 44901(g).

1	"(3) Membership.—The working group				
2	shall—				
3	"(A) include members of the Advisory				
4	Committee with expertise in air cargo oper-				
5	ations; and				
6	"(B) be cochaired by a Government and				
7	industry official.				
8	"(e) General Aviation Security Working				
9	Group.—				
10	"(1) In General.—The Assistant Secretary				
11	shall establish within the Advisory Committee a gen-				
12	eral aviation working group to provide recommenda-				
13	tions on transportation security issues for general				
14	aviation facilities, general aviation aircraft, and heli-				
15	copter operations at general aviation and commercial				
16	service airports.				
17	"(2) Meetings and reporting.—The work-				
18	ing group shall meet at least quarterly and submit				
19	information, including recommendations, regarding				
20	aviation security at general aviation airports to the				
21	Advisory Committee for inclusion in the annual re-				
22	port.				
23	"(3) Membership.—The working group				
24	shall—				

1	"(A) include members of the Advisory						
2	Committee with expertise in general aviation;						
3	and						
4	"(B) be cochaired by a Government and						
5	industry official.						
6	"(f) Perimeter Security Working Group.—						
7	"(1) In General.—The Assistant Secretary						
8	shall establish within the Advisory Committee ar						
9	airport perimeter security working group to provide						
10	recommendations on airport perimeter security and						
11	access control issues.						
12	"(2) Meetings and reporting.—The work-						
13	ing group shall meet at least quarterly and submit						
14	information, including recommendations, regarding						
15	improving perimeter security and access control pro-						
16	cedures at commercial service and general aviation						
17	airports to the Advisory Committee for inclusion in						
18	the annual report.						
19	"(3) Membership.—The working group						
20	shall—						
21	"(A) include members of the Advisory						
22	Committee with expertise in airport perimeter						
23	security and access control issues; and						
24	"(B) be cochaired by a Government and						
25	industry official.						

1	"(g) Nonapplicability of FACA.—The Federal					
2	Advisory Committee Act (5 U.S.C. App.) shall not apply					
3	to the Advisory Committee or its working groups.					
4	"(h) Definitions.—In this section, the following					
5	definitions apply:					
6	"(1) Advisory committee.—The term 'Advi-					
7	sory Committee' means the Aviation Security Advi-					
8	sory Committee to be established under subsection					
9	(a).					
10	"(2) Annual re-The term 'annual re-					
11	port' means the annual report required under sub-					
12	section (a).					
13	"(3) Assistant secretary.—The term 'As-					
14	sistant Secretary' means the Assistant Secretary of					
15	Homeland Security (Transportation Security Admin-					
16	istration).					
17	"(4) Perimeter Security.—The term 'perim-					
18	eter security'—					
19	"(A) means procedures or systems to mon-					
20	itor, secure, and prevent unauthorized access to					
21	an airport, including its airfield and terminal;					
22	and					
23	"(B) includes the fence area surrounding					
24	an airport, access gates, and access controls.".					

- 1 (b) CLERICAL AMENDMENT.—The analysis for such
- 2 subchapter is amended by adding at the end the following: "44946. Aviation Security Advisory Committee.".

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