

fiscal year shall be used for making allocations under subsection (h)(2) and 50 percent of such amounts shall be used for making discretionary grants under subsection (h)(3).

(Added Pub. L. 108-176, title VI, § 605(a), Dec. 12, 2003, 117 Stat. 2566; amended Pub. L. 108-458, title IV, § 4019(e)(1), Dec. 17, 2004, 118 Stat. 3722.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (e)(2), is the date of enactment of Pub. L. 108-176, which was approved Dec. 12, 2003.

AMENDMENTS

2004—Subsec. (i)(1). Pub. L. 108-458 substituted “\$400,000,000 for each of fiscal years 2005, 2006, and 2007” for “\$250,000,000 for each of fiscal years 2004 through 2007”.

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108-176, set out as an Effective Date of 2003 Amendment note under section 106 of this title.

PERIOD OF REIMBURSEMENT

Pub. L. 108-458, title IV, § 4019(e)(2), Dec. 17, 2004, 118 Stat. 3722, provided that: “Notwithstanding any other provision of law, the Secretary [of Homeland Security] may provide that the period of reimbursement under any letter of intent may extend for a period not to exceed 10 years after the date that the Secretary issues such letter, subject to the availability of appropriations. This paragraph applies to letters of intent issued under section 44923 of title 49, United States Code, and letters of intent issued under section 367 of the Department of Transportation and Related Agencies Appropriation Act, 2003 [Pub. L. 108-7, div. I] (49 U.S.C. 47110 note).”

§ 44924. Repair station security

(a) SECURITY REVIEW AND AUDIT.—To ensure the security of maintenance and repair work conducted on air carrier aircraft and components at foreign repair stations, the Under Secretary for Border and Transportation Security of the Department of Homeland Security, in consultation with the Administrator of the Federal Aviation Administration, shall complete a security review and audit of foreign repair stations that are certified by the Administrator under part 145 of title 14, Code of Federal Regulations, and that work on air carrier aircraft and components. The review shall be completed not later than 18 months after the date on which the Under Secretary issues regulations under subsection (f).

(b) ADDRESSING SECURITY CONCERNS.—The Under Secretary shall require a foreign repair station to address the security issues and vulnerabilities identified in a security audit conducted under subsection (a) within 90 days of providing notice to the repair station of the security issues and vulnerabilities so identified and shall notify the Administrator that a deficiency was identified in the security audit.

(c) SUSPENSIONS AND REVOCATIONS OF CERTIFICATES.—

(1) FAILURE TO CARRY OUT EFFECTIVE SECURITY MEASURES.—If, after the 90th day on which a notice is provided to a foreign repair station under subsection (b), the Under Sec-

retary determines that the foreign repair station does not maintain and carry out effective security measures, the Under Secretary shall notify the Administrator of the determination. Upon receipt of the determination, the Administrator shall suspend the certification of the repair station until such time as the Under Secretary determines that the repair station maintains and carries out effective security measures and transmits the determination to the Administrator.

(2) IMMEDIATE SECURITY RISK.—If the Under Secretary determines that a foreign repair station poses an immediate security risk, the Under Secretary shall notify the Administrator of the determination. Upon receipt of the determination, the Administrator shall revoke the certification of the repair station.

(3) PROCEDURES FOR APPEALS.—The Under Secretary, in consultation with the Administrator, shall establish procedures for appealing a revocation of a certificate under this subsection.

(d) FAILURE TO MEET AUDIT DEADLINE.—If the security audits required by subsection (a) are not completed on or before the date that is 18 months after the date on which the Under Secretary issues regulations under subsection (f), the Administrator shall be barred from certifying any foreign repair station until such audits are completed for existing stations.

(e) PRIORITY FOR AUDITS.—In conducting the audits described in subsection (a), the Under Secretary and the Administrator shall give priority to foreign repair stations located in countries identified by the Government as posing the most significant security risks.

(f) REGULATIONS.—Not later than 240 days after the date of enactment of this section, the Under Secretary, in consultation with the Administrator, shall issue final regulations to ensure the security of foreign and domestic aircraft repair stations.

(g) REPORT TO CONGRESS.—If the Under Secretary does not issue final regulations before the deadline specified in subsection (f), the Under Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing an explanation as to why the deadline was not met and a schedule for issuing the final regulations.

(Added Pub. L. 108-176, title VI, § 611(b)(1), Dec. 12, 2003, 117 Stat. 2571.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (f), is the date of enactment of Pub. L. 108-176, which was approved Dec. 12, 2003.

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108-176, set out as an Effective Date of 2003 Amendment note under section 106 of this title.

§ 44925. Deployment and use of detection equipment at airport screening checkpoints

(a) WEAPONS AND EXPLOSIVES.—The Secretary of Homeland Security shall give a high priority

to developing, testing, improving, and deploying, at airport screening checkpoints, equipment that detects nonmetallic, chemical, biological, and radiological weapons, and explosives, in all forms, on individuals and in their personal property. The Secretary shall ensure that the equipment alone, or as part of an integrated system, can detect under realistic operating conditions the types of weapons and explosives that terrorists would likely try to smuggle aboard an air carrier aircraft.

(b) STRATEGIC PLAN FOR DEPLOYMENT AND USE OF EXPLOSIVE DETECTION EQUIPMENT AT AIRPORT SCREENING CHECKPOINTS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Assistant Secretary of Homeland Security (Transportation Security Administration) shall submit to the appropriate congressional committees a strategic plan to promote the optimal utilization and deployment of explosive detection equipment at airports to screen individuals and their personal property. Such equipment includes walk-through explosive detection portals, document scanners, shoe scanners, and backscatter x-ray scanners. The plan may be submitted in a classified format.

(2) CONTENT.—The strategic plan shall include, at minimum—

(A) a description of current efforts to detect explosives in all forms on individuals and in their personal property;

(B) a description of the operational applications of explosive detection equipment at airport screening checkpoints;

(C) a deployment schedule and a description of the quantities of equipment needed to implement the plan;

(D) a description of funding needs to implement the plan, including a financing plan that provides for leveraging of non-Federal funding;

(E) a description of the measures taken and anticipated to be taken in carrying out subsection (d); and

(F) a description of any recommended legislative actions.

(c) PORTAL DETECTION SYSTEMS.—There is authorized to be appropriated to the Secretary of Homeland Security for the use of the Transportation Security Administration \$250,000,000, in addition to any amounts otherwise authorized by law, for research, development, and installation of detection systems and other devices for the detection of biological, chemical, radiological, and explosive materials.

(d) INTERIM ACTION.—Until measures are implemented that enable the screening of all passengers for explosives, the Assistant Secretary shall provide, by such means as the Assistant Secretary considers appropriate, explosives detection screening for all passengers identified for additional screening and their personal property that will be carried aboard a passenger aircraft operated by an air carrier or foreign air carrier in air transportation or intrastate air transportation.

(Added Pub. L. 108–458, title IV, § 4013(a), Dec. 17, 2004, 118 Stat. 3719.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (b)(1), is the date of enactment of Pub. L. 108–458, which was approved Dec. 17, 2004.

ADVANCED AIRPORT CHECKPOINT SCREENING DEVICES

Pub. L. 108–458, title IV, § 4014, Dec. 17, 2004, 118 Stat. 3720, provided that:

“(a) ADVANCED INTEGRATED AIRPORT CHECKPOINT SCREENING SYSTEM PILOT PROGRAM.—Not later than March 31, 2005, the Assistant Secretary of Homeland Security (Transportation Security Administration) shall develop and initiate a pilot program to deploy and test advanced airport checkpoint screening devices and technology as an integrated system at not less than 5 airports in the United States.

“(b) FUNDING.—Of the amounts appropriated pursuant to section 48301(a) of title 49, United States Code, for each of fiscal years 2005 and 2006, not more than \$150,000,000 shall be available to carry out subsection (a).”

[For definition of “airport” used in section 4014 of Pub. L. 108–458, set out above, see section 4081 of Pub. L. 108–458, set out as a note under section 44901 of this title.]

SUBCHAPTER II—ADMINISTRATION AND PERSONNEL

§§ 44931, 44932. Repealed. Pub. L. 107–71, title I, § 101(f)(6), Nov. 19, 2001, 115 Stat. 603]

Section 44931, Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1215, related to the Director of Intelligence and Security.

Section 44932, Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1215; Pub. L. 107–71, title I, § 110(a), Nov. 19, 2001, 115 Stat. 614, related to the Assistant Administrator for Civil Aviation Security.

§ 44933. Federal Security Managers

(a) ESTABLISHMENT, DESIGNATION, AND STATIONING.—The Under Secretary of Transportation for Security shall establish the position of Federal Security Manager at each airport in the United States described in section 44903(c). The Under Secretary shall designate individuals as Managers for, and station those Managers at, those airports.

(b) DUTIES AND POWERS.—The Manager at each airport shall—

(1) oversee the screening of passengers and property at the airport; and

(2) carry out other duties prescribed by the Under Secretary.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1216; Pub. L. 107–71, title I, §§ 101(f)(4), 103, Nov. 19, 2001, 115 Stat. 603, 605.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------------------|---|
| 44933(a) | 49 App.:1358b(a)(1), (2), (4). | Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, § 319(a); added Nov. 16, 1990, Pub. L. 101–604, § 104, 104 Stat. 3070. |
| 44933(b) | 49 App.:1358b(a)(3). | |
| 44933(c) | 49 App.:1358b(a)(5). | |

In subsection (a), the words “Not later than 90 days after November 16, 1990” are omitted as obsolete. The words “The Administrator shall designate individuals as Managers for, and station those Managers at, those airports” are substituted for “and shall begin designating persons as such Managers and stationing such Managers at such airports” for clarity and because of