

## Union Calendar No. 180

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> 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.

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### 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 of  
8 title 49, United States Code, is amended by adding at the  
9 end the following:

10 **“§ 44946. Aviation Security Advisory Committee**

11       “(a) ESTABLISHMENT.—The Assistant Secretary  
12 shall establish within the Transportation Security Admin-  
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           Assistant 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.—

1           “(A) IN GENERAL.—Not later than 180  
2 days after the date of enactment of this section,  
3 the Assistant Secretary shall appoint the mem-  
4 bers of the Advisory Committee.

5           “(B) COMPOSITION.—The membership  
6 shall consist of individuals representing not  
7 more than 27 member organizations. Each or-  
8 ganization shall be represented by one indi-  
9 vidual (or the individual’s designee).

10           “(C) REPRESENTATION.—The membership  
11 shall include representatives of air carriers, all  
12 cargo air transportation, indirect air carriers,  
13 labor organizations representing air carrier em-  
14 ployees, aircraft manufacturers, airport opera-  
15 tors, general aviation, privacy, the travel indus-  
16 try, and the aviation technology security indus-  
17 try, including biometrics.

18           “(2) REMOVAL.—The Assistant Secretary may  
19 review the participation of a member of the Advisory  
20 Committee and remove the member for cause at any  
21 time.

22           “(3) PROHIBITION ON COMPENSATION.—The  
23 members of the Advisory Committee shall not re-  
24 ceive pay, allowances, or benefits from the Govern-

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

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

7 “(d) AIR CARGO SECURITY WORKING GROUP.—

8 “(1) IN GENERAL.—The Assistant Secretary  
9 shall establish within the Advisory Committee an air  
10 cargo security working group to provide rec-  
11 ommendations on air cargo security issues, including  
12 the implementation of the air cargo security pro-  
13 grams established by the Transportation Security  
14 Administration to screen air cargo on passenger air-  
15 craft and all-cargo aircraft in accordance with estab-  
16 lished cargo screening mandates.

17 “(2) MEETINGS AND REPORTING.—The work-  
18 ing group shall meet at least quarterly and submit  
19 information, including recommendations, regarding  
20 air cargo security to the Advisory Committee for in-  
21 clusion in the annual report. The submissions shall  
22 include recommendations to improve the Administra-  
23 tion’s cargo security initiatives established to meet  
24 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 an  
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 REPORT.—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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