

□ 1745

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 5 o'clock and 45 minutes p.m.

AVIATION SECURITY ACT

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1447) to improve aviation security, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Aviation Security Act".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AVIATION SECURITY

- Sec. 101. Findings.
- Sec. 102. Transportation security function.
- Sec. 103. Aviation Security Coordination Council.
- Sec. 104. Improved flight deck integrity measures.
- Sec. 105. Deployment of Federal air marshals.
- Sec. 106. Improved airport perimeter access security.
- Sec. 107. Enhanced anti-hijacking training for flight crews.
- Sec. 108. Passenger and property screening.
- Sec. 109. Training and employment of security screening personnel.
- Sec. 110. Research and development.
- Sec. 111. Flight school security.
- Sec. 112. Report to Congress on security.
- Sec. 113. General aviation and air charters.
- Sec. 114. Increased penalties for interference with security personnel.
- Sec. 115. Security-related study by FAA.
- Sec. 116. Air transportation arrangements in certain States.
- Sec. 117. Airline computer reservation systems.
- Sec. 118. Security funding.
- Sec. 119. Increased funding flexibility for aviation security.
- Sec. 120. Authorization of funds for reimbursement of airports for security mandates.
- Sec. 121. Encouraging airline employees to report suspicious activities.
- Sec. 122. Less-than-lethal weaponry for flight deck crews.
- Sec. 123. Mail and freight waivers.
- Sec. 124. Safety and security of on-board supplies.
- Sec. 125. Flight deck security.
- Sec. 126. Amendments to airmen registry authority.
- Sec. 127. Results-based management.
- Sec. 128. Use of facilities.
- Sec. 129. Report on national air space restrictions put in place after terrorist attacks that remain in place.

Sec. 130. Voluntary provision of emergency services during commercial flights.

Sec. 131. Enhanced security for aircraft.

Sec. 132. Implementation of certain detection technologies.

Sec. 133. Report on new responsibilities of the Department of Justice for aviation security.

Sec. 134. Definitions.

TITLE II—DEPLOYMENT AND USE OF SECURITY TECHNOLOGIES

Subtitle A—Expanded Deployment and Utilization of Current Security Technologies and Procedures

Sec. 201. Expanded deployment and utilization of current security technologies and procedures.

Subtitle B—Short-Term Assessment and Deployment of Emerging Security Technologies and Procedures

Sec. 211. Short-term assessment and deployment of emerging security technologies and procedures.

Subtitle C—Research and Development of Aviation Security Technology

Sec. 221. Research and development of aviation security technology.

TITLE I—AVIATION SECURITY**SEC. 101. FINDINGS.**

The Congress finds the following:

(1) The safety and security of the civil air transportation system is critical to the United States' security and its national defense.

(2) A safe and secure United States civil air transportation system is essential to the basic freedom of Americans to move in intrastate, interstate, and international transportation.

(3) The terrorist hijackings and crashes of passenger aircraft on September 11, 2001, converting civil aircraft into guided bombs for strikes against civilian and military targets requires the United States to change fundamentally the way it approaches the task of ensuring the safety and security of the civil air transportation system.

(4) The existing fragmentation of responsibility for that safety and security among government agencies and between government and nongovernment entities is inefficient and unacceptable in light of the hijackings and crashes on September 11, 2001.

(5) The General Accounting Office has recommended that security functions and security personnel at United States airports should become a Federal government responsibility.

(6) Although the number of Federal air marshals is classified, their presence on both international and domestic flights would have a deterrent effect on hijacking and would further bolster public confidence in the safety of air travel.

(7) The effectiveness of existing security measures, including employee background checks and passenger pre-screening, is impaired because of the inaccessibility of, or the failure to share information among, data bases maintained by different Federal and international agencies for criminal behavior or pertinent intelligence information.

SEC. 102. TRANSPORTATION SECURITY FUNCTION.

(a) **IN GENERAL.**—Section 102 of title 49, United States Code, is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g); and

(2) by inserting after subsection (c) the following:

“(d) **DEPUTY SECRETARY FOR TRANSPORTATION SECURITY.**—

“(1) **IN GENERAL.**—The Department has a Deputy Secretary for Transportation Security, who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Secretary for Transportation Security shall carry out duties and powers prescribed by the Secretary relating to security for all modes of transportation.

“(2) **AVIATION-RELATED DUTIES.**—The Deputy Secretary—

“(A) shall coordinate and direct, as appropriate, the functions and responsibilities of the Secretary of Transportation and the Administrator of the Federal Aviation Administration under chapter 449;

“(B) shall work in conjunction with the Administrator of the Federal Aviation Administration with respect to any actions or activities that may affect aviation safety or air carrier operations; and

“(C) shall actively cooperate and coordinate with the Attorney General, the Secretary of Defense, and the heads of other appropriate Federal agencies and departments with responsibilities for national security and criminal justice enforcement activities that are related to aviation security through the Aviation Security Coordination Council.

“(3) **NATIONAL EMERGENCY RESPONSIBILITIES.**—Subject to the direction and control of the Secretary, the Deputy Secretary shall have the following responsibilities:

“(A) To coordinate domestic transportation during a national emergency, including aviation, rail, and other surface transportation, and maritime transportation (including port security).

“(B) To coordinate and oversee during a national emergency the transportation-related responsibilities of other departments and agencies of the Federal Government other than the Department of Defense and the military departments.

“(C) To establish uniform national standards and practices for transportation during a national emergency.

“(D) To coordinate and provide notice to other departments and agencies of the Federal Government, and appropriate agencies of State and local governments, including departments and agencies for transportation, law enforcement, and border control, about threats to transportation during a national emergency.

“(E) To carry out such other duties, and exercise such other powers, relating to transportation during a national emergency as the Secretary of Transportation shall prescribe.

“(4) **RELATIONSHIP TO OTHER TRANSPORTATION AUTHORITY.**—The authority of the Deputy Secretary under paragraph (3) to coordinate and oversee transportation and transportation-related responsibilities during a national emergency shall not supersede the authority of any other department or agency of the Federal Government under law with respect to transportation or transportation-related matters, whether or not during a national emergency.

“(5) **ANNUAL REPORT.**—The Deputy Secretary shall submit to the Congress on an annual basis a report on the activities of the Deputy Secretary under paragraph (3) during the preceding year.

“(6) **NATIONAL EMERGENCY.**—The Secretary of Transportation shall prescribe the circumstances constituting a national emergency for purposes of paragraph (3).”

(b) **ATTORNEY GENERAL RESPONSIBILITIES.**—The Attorney General of the United States—

(1) is responsible for day-to-day Federal security screening operations for passenger air