H. R. 3337

To amend title 49, United States Code, to direct the Secretary of Homeland Security to extend a requirement for the prescreening of air passengers to international flights that overfly the United States.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2005

Mr. FITZPATRICK of Pennsylvania (for himself and Mr. DeFAZIO) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend title 49, United States Code, to direct the Secretary of Homeland Security to extend a requirement for the prescreening of air passengers to international flights that overfly the United States.

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

SECTION 1. PRESCREENING OF INTERNATIONAL PASSENGERS.

(a) In General.—Section 44909(c)(6)(A) of title 49, United States Code, is amended by inserting after “international flight to or from the United States” the fol-
lowing ‘‘, and for any international flight that overflys the United States,‘‘.

(b) DEFINITIONS.—Section 44909(c)(6) of such title is amended by adding at the end the following:

‘‘(C) DEFINITIONS.—In this subsection, the following definitions apply:

‘‘(i) INTERNATIONAL FLIGHT THAT OVERFLYS THE UNITED STATES.—The term ‘international flight that overflys the United States’ means any flight departing from a place outside the United States that transits the territorial airspace of the United States en route to a place outside the United States.

‘‘(ii) TERRITORIAL AIRSPACE OF THE UNITED STATES.—The term ‘territorial airspace of the United States’ means the airspace over the United States and the airspace overlying the territorial waters between the United States coast and 12 nautical miles from the United States coast.’’.

(c) RULEMAKING.—Not later than 60 days after the date of enactment of this Act, the Secretary of Homeland Security, or a designee of the Secretary, shall issue a no-
notice of proposed rulemaking to carry out the amendments made by this section.