

119TH CONGRESS
2D SESSION

H. R. 8770

AN ACT

To amend title 49, United States Code, to establish funds for investments in aviation security, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Spending Aviation
3 Fees for Equipment, Guaranteeing Upgraded and Ad-
4 vanced Risk Detection and Safety Act of 2026” or the
5 “SAFEGUARDS Act of 2026”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the fee collected in accordance with section
9 44940 of title 49, United States Code (commonly
10 known as the “9/11 Security Fee”), is an airline
11 passenger-paid fee established with the express pur-
12 pose of sustaining the safety and security of the
13 aviation system of the United States;

14 (2) revenue generated from the 9/11 Security
15 Fee should be used exclusively to fund activities,
16 programs, equipment, and initiatives that directly
17 improve the security of commercial aviation, includ-
18 ing passenger and baggage screening, security tech-
19 nology upgrades, and the support of personnel re-
20 sponsible for aviation security;

21 (3) the use of the 9/11 Security Fee for pur-
22 poses unrelated to aviation security undermines pub-
23 lic trust and the original intent of the fee, and all
24 proceeds from the fee should be reserved and ex-
25 pended solely for measures that strengthen the safe-

1 ty and security of the traveling public within the
2 aviation sector; and

3 (4) the diversion of 9/11 Security Fee revenue
4 to other purposes should be ended no later than
5 2027, in accordance with section 44940(i)(4) of title
6 49, United States Code, as it read on the date of the
7 enactment of this Act.

8 **SEC. 3. AVIATION SECURITY FUNDS.**

9 (a) IMPROVING THE AVIATION SECURITY CAPITAL
10 FUND.—Subsection (h) of section 44923 of title 49,
11 United States Code (relating to the Aviation Security Cap-
12 ital Fund), is amended—

13 (1) in paragraph (1), by striking the second,
14 third, and fourth sentences and inserting the fol-
15 lowing new sentences: “Beginning in fiscal year
16 2028 and for each fiscal year thereafter, the first
17 \$500,000,000 derived from fees received under sec-
18 tion 44940(a)(1) shall be available to be deposited in
19 the Fund. The Administrator of the Transportation
20 Security Administration shall impose the fee author-
21 ized by such section so as to collect at least
22 \$500,000,000 in each of such fiscal years for deposit
23 into the Fund, subject to the prior termination of
24 any of the fees authorized under such section being

1 credited as offsetting receipts and deposited in the
2 general fund of the Treasury.”; and

3 (2) by striking paragraphs (2) and (3) and in-
4 serting the following new paragraph:

5 “(2) DISBURSEMENT AUTHORITY.—Amounts in
6 the Fund shall be available to the Administrator of
7 the Transportation Security Administration to make
8 grants under this section or enter into related agree-
9 ments to carry out this section.”.

10 (b) ESTABLISHMENT OF THE AVIATION SECURITY
11 CHECKPOINT TECHNOLOGY FUND.—Section 44923 of
12 title 49, United States Code, is amended by—

13 (1) by redesignating subsection (i) as subsection
14 (j); and

15 (2) by inserting after subsection (h) the fol-
16 lowing new subsection:

17 “(i) AVIATION SECURITY CHECKPOINT TECHNOLOGY
18 FUND.—

19 “(1) IN GENERAL.—There is established within
20 the Department of Homeland Security a fund to be
21 known as the ‘Aviation Security Checkpoint Tech-
22 nology Fund’ (in this subsection referred to as the
23 ‘ASCT Fund’).

24 “(2) FUNDING.—Beginning in fiscal year 2028
25 and for each fiscal year thereafter, after the first

1 \$500,000,000 is deposited into the Aviation Security
2 Capital Fund pursuant to subsection (h)(2), the next
3 \$250,000,000 from fees received under section
4 44940(a)(1) shall be available to be deposited in the
5 ASCT Fund. The Administrator of the Transpor-
6 tation Security Administration shall impose the fee
7 authorized by such section so as to collect not less
8 than \$250,000,000 in each of such fiscal years for
9 deposit into the ASCT Fund. Amounts in the ASCT
10 Fund shall be available until expended to the Ad-
11 ministrator of the Transportation Security Adminis-
12 tration to fund the testing, procurement, deploy-
13 ment, installation, and sustainment of aviation secu-
14 rity checkpoint technology, subject to the prior ter-
15 mination of any of the fees authorized under such
16 section being credited as offsetting receipts and de-
17 posited in the general fund of the Treasury.

18 “(3) DISBURSEMENT AUTHORITY.—Amounts in
19 the ASCT Fund shall be available to the Adminis-
20 trator of the Transportation Security Administration
21 to make grants under this section or enter into re-
22 lated agreements to carry out this section.”.

23 (c) CONFORMING AMENDMENT.—Paragraph (1) of
24 section 44940(i) of title 49, United States Code, is amend-

1 ed by striking “section 44923(h)” and inserting “sub-
2 sections (h) and (i) of section 44923”.

Passed the House of Representatives July 13, 2026.

Attest:

Clerk.

119TH CONGRESS
2^D SESSION

H. R. 8770

AN ACT

To amend title 49, United States Code, to establish funds for investments in aviation security, and for other purposes.