

107TH CONGRESS
1ST SESSION

S. 1421

To direct the Federal Aviation Administration to re-implement the sky marshal program within 30 days.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2001

Mrs. HUTCHISON (for herself, Mr. SPECTER, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Federal Aviation Administration to re-implement the sky marshal program within 30 days.

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 “Emergency Aviation
5 Security Act of 2001”.

6 **SEC. 2. DEPLOYMENT OF SKY MARSHALS.**

7 (a) IN GENERAL.—The Administrator of the Federal
8 Aviation Administration shall implement a sky marshal
9 program under section 44903 of title 49, United States

1 Code, within 30 days after the date of enactment of this
2 Act.

3 (b) PROGRAM REQUIREMENTS.—The program imple-
4 mented under subsection (a) shall—

5 (1) provide for random deployment of sky mar-
6 shals on domestic commercial air passenger flights
7 in the United States, and international flights on
8 American carriers into or out of the United States;

9 (2) provide for appropriate background and fit-
10 ness checks for candidates for appointment as sky
11 marshals;

12 (3) provide for appropriate training, super-
13 vision, and equipment of sky marshals; and

14 (4) require commercial air carriers to provide
15 seating for a sky marshal on any selected air pas-
16 senger flight without regard to the availability of
17 seats on that flight.

18 (c) DELAY OF IMPLEMENTATION.—If the Adminis-
19 trator determines that the sky marshal program cannot
20 be implemented within the 30-day period, the
21 Administrator—

22 (1) shall immediately notify the Senate Com-
23 mittee on Commerce, Science, and Transportation
24 and the House of Representatives Committee on
25 Transportation and Infrastructure; and

1 (2) may, after so notifying the Committees, ex-
2 tend the implementation date for not more than 30
3 days.

4 **SEC. 3. FUNDING.**

5 The Administrator of the Federal Aviation Adminis-
6 tration may impose a fee under section 45301 of title 49,
7 United States Code, of not more than \$1.00 per domestic
8 flight segment, the receipts from which shall be available
9 immediately for obligation and expenditure to carry out
10 the program implemented under section 2.

11 **SEC. 4. SUNSET.**

12 (a) IN GENERAL.—The authority for the program re-
13 quired by section 2 and the fee imposed under section 2
14 shall terminate 1 year after the date on which the program
15 is implemented.

16 (b) REPORT.—No later than 30 days before the date
17 on which the program is scheduled to terminate under
18 subsection (a), the Administrator of the Federal Aviation
19 Administration shall submit a report to the Senate Com-
20 mittee on Commerce, Science, and Transportation and the
21 House of Representatives Committee on Transportation
22 and Infrastructure setting forth—

23 (1) the Administrator's recommendation as to
24 which the program established under section 2
25 should be continued; and

- 1 (2) any recommendations the Administrator
- 2 may have for improving the effectiveness of the pro-
- 3 gram.

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