

108TH CONGRESS
2D SESSION

H. R. 5250

To amend title 49, United States Code, to make modifications to the Federal flight deck officer program.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2004

Mr. DEFazio (for himself and Mr. MICA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to make modifications to the Federal flight deck officer program.

1 *Be it enacted by the Senate and House of Represen-*
2 *tatives of the United States of America in Congress assem-*
3 *bled,*

4 **SECTION 1. SHORT TITLE.**

5 This Act may be cited as the “Federal Flight Deck
6 Officer Improvement Act of 2004”.

1 **SEC. 2. FEDERAL FLIGHT DECK OFFICER TRAINING AND**
2 **REQUALIFICATION TRAINING.**

3 (a) TRAINING, SUPERVISION, AND EQUIPMENT.—
4 Section 44921(c) of title 49, United States Code, is
5 amended by adding at the end the following:

6 “(3) LOCATION OF TRAINING.—

7 “(A) STUDY.—The Secretary shall conduct
8 a study of the feasibility of conducting Federal
9 flight deck officer initial training at facilities lo-
10 cated throughout the United States, including
11 an analysis of any associated programmatic im-
12 pacts to the Federal flight deck officer pro-
13 gram.

14 “(B) REPORT.—Not later than 180 days
15 after the date of enactment of this paragraph,
16 the Secretary shall transmit to the Committee
17 on Transportation and Infrastructure of the
18 House of Representatives and the Committee
19 on Commerce, Science, and Transportation of
20 the Senate a report on the results of the study.

21 “(4) DATES OF TRAINING.—The Secretary shall
22 ensure that a pilot who is eligible to receive Federal
23 flight deck officer training is offered a choice of
24 training dates and is provided at least 30 days ad-
25 vance notice of the dates.

1 “(5) TRAVEL TO TRAINING FACILITIES.—The
2 Secretary shall establish a program to improve travel
3 access to Federal flight deck officer training facili-
4 ties through the use of charter flights or improved
5 scheduled air carrier service.

6 “(6) REQUALIFICATION AND RECURRENT
7 TRAINING.—

8 “(A) STANDARDS.—The Secretary shall es-
9 tablish qualification standards for facilities
10 where Federal flight deck officers can receive
11 requalification and recurrent training.

12 “(B) LOCATIONS.—The Secretary shall
13 provide for requalification and recurrent train-
14 ing at geographically diverse facilities, including
15 military facilities, Federal, State, and local law
16 enforcement facilities, and private training fa-
17 cilities that meet the qualification standards es-
18 tablished under subparagraph (A).

19 “(7) COSTS OF TRAINING.—

20 “(A) IN GENERAL.—The Secretary shall
21 provide Federal flight deck officer training, re-
22 qualification training, and recurrent training to
23 eligible pilots at no cost to the pilots or the air
24 carriers that employ the pilots.

1 “(B) TRANSPORTATION AND EXPENSES.—

2 The Secretary may provide travel expenses to a
3 pilot receiving Federal flight deck officer train-
4 ing, requalification training, or recurrent train-
5 ing.

6 “(8) COMMUNICATIONS EQUIPMENT.—Not later
7 than 180 days after the date of enactment of this
8 paragraph, the Secretary shall establish a secure
9 means for personnel of the Transportation Security
10 Administration to communicate with Federal flight
11 deck officers, and for Federal flight deck officers to
12 communicate with each other, in support of the mis-
13 sion of such officers. Such means of communication
14 may include a secure Internet website.

15 “(9) ISSUANCE OF BADGES.—Not later than
16 180 days after the date of enactment of this para-
17 graph, the Secretary shall issue badges to Federal
18 flight deck officers.”.

19 **SEC. 3. FEDERAL FLIGHT DECK OFFICER FIREARM CAR-**
20 **RIAGE PILOT PROGRAM.**

21 Section 44921(f) of title 49, United States Code, is
22 amended by adding at the end the following:

23 “(4) PILOT PROGRAM.—

24 “(A) IN GENERAL.—Not later than 90
25 days after the date of enactment of this para-

graph, the Secretary shall implement a pilot program to allow pilots participating in the Federal flight deck officer program to transport their firearms on their persons. The Secretary may prescribe any training, equipment, or procedures that the Secretary determines necessary to ensure safety and maximize weapon retention.

“(B) REVIEW.—Not later than 1 year after the date of initiation of the pilot program, the Secretary shall conduct a review of the safety record of the pilot program and transmit a report on the results of the review to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(C) OPTION.—If the Secretary as part of the review under subparagraph (B) determines that the safety level obtained under the pilot program is comparable to the safety level determined under existing methods of pilots carrying firearms on aircraft, the Secretary shall allow all pilots participating in the Federal flight deck officer program the option of carrying

1 their firearm on their person subject to such re-
2 quirements as the Secretary determines appro-
3 priate.”.

4 **SEC. 4. FEDERAL FLIGHT DECK OFFICERS ON INTER-**
5 **NATIONAL FLIGHTS.**

6 (a) AGREEMENTS WITH FOREIGN GOVERNMENTS.—

7 The President is encouraged to pursue aggressively agree-
8 ments with foreign governments to allow maximum de-
9 ployment of Federal flight deck officers on international
10 flights.

11 (b) REPORT.—Not later than 180 days after the date
12 of enactment of this Act, the President (or the President’s
13 designee) shall submit to the Committee on Transpor-
14 tation and Infrastructure of the House of Representatives
15 and the Committee on Commerce, Science, and Transpor-
16 tation of the Senate a report on the status of the Presi-
17 dent’s efforts to allow maximum deployment of Federal
18 flight deck officers on international flights.

19 **SEC. 5. COMPENSATION FOR PROGRAM-RELATED INJU-**
20 **RIES.**

21 Section 44921 of title 49, United States Code, is
22 amended—

23 (1) by redesignating subsection (k) as sub-
24 section (l); and

1 (2) by inserting after subsection (j) the fol-
2 lowing:

3 “(k) COMPENSATION FOR PROGRAM-RELATED IN-
4 JURY OR DEATH.—

5 “(1) IN GENERAL.—The Secretary shall work
6 with the relevant Federal agencies to obtain com-
7 pensation under applicable Federal laws for the
8 death or injury of a Federal flight deck officer sus-
9 tained while in the performance of the officer’s du-
10 ties under the program.

11 “(2) REPORT.—Not later than 180 days after
12 the date of enactment of this Act, the Secretary
13 shall transmit to Congress a report on the Sec-
14 retary’s efforts to obtain compensation for Federal
15 flight deck officers under paragraph (1), together
16 with recommendations, if any, for legislative actions
17 required to provide such compensation.”.

18 **SEC. 6. SENSE OF CONGRESS.**

19 It is the sense of Congress that air carriers should
20 permit Federal flight deck officers to take a leave of ab-
21 sence from their employment as required to attend initial
22 and requalification Federal flight deck officer training.

23 **SEC. 7. REFERENCES TO UNDER SECRETARY.**

24 Section 44921 of title 49, United States Code, is
25 amended—

1 (1) in subsection (a) by striking “Under Sec-
2 retary of Transportation for Security” and inserting
3 “Secretary of Homeland Security”;

4 (2) by striking “Under Secretary” each place it
5 appears and inserting “Secretary”; and

6 (3) by striking “Under Secretary’s” each place
7 it appears and inserting “Secretary’s”.

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