

108TH CONGRESS
1ST SESSION

H. R. 580

To direct the Secretary of Transportation to issue regulations requiring turbojet aircraft of air carriers to be equipped with missile defense systems, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2003

Mr. ISRAEL introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Transportation to issue regulations requiring turbojet aircraft of air carriers to be equipped with missile defense systems, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Commercial Airline
5 Missile Defense Act”.

1 **SEC. 2. REGULATIONS REQUIRING MISSILE DEFENSE SYS-**
2 **TEMS.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of enactment of this Act, the Secretary of Transpor-
5 tation shall issue regulations that require all turbojet air-
6 craft used by an air carrier for scheduled air service to
7 be equipped with a missile defense system.

8 (b) SCHEDULE FOR INSTALLATION.—The regulations
9 shall establish a schedule for the purchase and installation
10 of such systems on turbojet aircraft currently in service
11 and turbojet aircraft contracted for before the date of
12 issuance of the regulations.

13 (c) NEW AIRCRAFT.—The regulations shall also re-
14 quire that all turbojet aircraft contracted for on or after
15 the date of issuance of the regulations by an air carrier
16 for scheduled air service be equipped with a missile de-
17 fense system.

18 (d) DEADLINES FOR COMMENCEMENT OF INSTALLA-
19 TION.—The regulations shall require that installation and
20 operation of missile defense systems under the regulations
21 begin no later than December 31, 2003.

22 **SEC. 3. PURCHASE OF MISSILE DEFENSE SYSTEMS BY THE**
23 **SECRETARY.**

24 The Secretary of Transportation shall purchase and
25 make available to an air carrier such missile defense sys-
26 tems as may be necessary for the air carrier to comply

1 with the regulations issued under section 2 (other than
2 subsection (c)) with respect to turbojet aircraft used by
3 the air carrier for scheduled air service.

4 **SEC. 4. RESPONSIBILITY OF AIR CARRIER.**

5 Under the regulations issued under section 2, an air
6 carrier shall be responsible for installing and operating a
7 missile defense system purchased and made available by
8 the Secretary of Transportation under section 3.

9 **SEC. 5. PROGRESS REPORTS.**

10 Not later than January 1, 2004, and each July 1 and
11 January 1 thereafter, the Secretary of Transportation
12 shall transmit to Congress a report on the progress being
13 made in implementation of this Act, including the regula-
14 tions issued to carry out this Act.

15 **SEC. 6. INTERIM SECURITY MEASURES**

16 (a) IN GENERAL.—In order to provide interim secu-
17 rity before the deployment of missile defense systems for
18 turbojet aircraft required under section 2, the President
19 shall—

20 (1) exercise the President's authority under
21 title 32, United States Code, to elevate National
22 Guard units to Federal status for the purpose of pa-
23 trolling airport areas surrounding airports against
24 the threat posed by missiles and other ordinance to
25 commercial aircraft; and

1 (2) deploy units of the United States Coast
2 Guard, in coordination with the Secretary of Trans-
3 portation and the Secretary of Homeland Security,
4 for the purpose of patrolling areas surrounding air-
5 ports to protect against the threat posed by missiles
6 and other ordinance to commercial aircraft.

7 (b) PROGRESS REPORT.—Not later than 90 days
8 after the date of enactment of this Act, the President shall
9 submit to Congress a report on the progress being made
10 to implement this section.

11 **SEC. 7. DEFINITIONS.**

12 In this Act, the following definitions apply:

13 (1) AIRCRAFT AND AIR CARRIER.—The terms
14 “aircraft” and “air carrier” have the meaning such
15 terms have under section 40102 of title 49, United
16 States Code.

17 (2) MISSILE DEFENSE SYSTEM.—The term
18 “missile defense system” means an appropriate (as
19 certified by the Secretary of Transportation) elec-
20 tronic system that would automatically—

21 (A) identify when the aircraft is threatened
22 by an incoming missile or other ordinance;

23 (B) detect the source of the threat; and

24 (C) disrupt the guidance system of the in-
25 coming missile or other ordinance, which is in-

1 tended to result in the incoming missile or other
2 ordinance being diverted off course and missing
3 the aircraft.

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