

109TH CONGRESS  
1ST SESSION

# 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.

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. PRESCREENING OF INTERNATIONAL PAS-**  
4       **SENGERS.**

5       (a) IN GENERAL.—Section 44909(c)(6)(A) of title  
6       49, United States Code, is amended by inserting after  
7       “international flight to or from the United States” the fol-

1 lowing “, and for any international flight that overflies the  
 2 United States,”.

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

5 “(C) DEFINITIONS.—In this subsection,  
 6 the following definitions apply:

7 “(i) INTERNATIONAL FLIGHT THAT  
 8 OVERFLYS THE UNITED STATES.—The  
 9 term ‘international flight that overflies the  
 10 United States’ means any flight departing  
 11 from a place outside the United States  
 12 that transits the territorial airspace of the  
 13 United States en route to a place outside  
 14 the United States.

15 “(ii) TERRITORIAL AIRSPACE OF THE  
 16 UNITED STATES.—The term ‘territorial  
 17 airspace of the United States’ means the  
 18 airspace over the United States and the  
 19 airspace overlying the territorial waters be-  
 20 tween the United States coast and 12 nau-  
 21 tical miles from the United States coast.”.

22 (c) RULEMAKING.—Not later than 60 days after the  
 23 date of enactment of this Act, the Secretary of Homeland  
 24 Security, or a designee of the Secretary, shall issue a no-

- 1 tice of proposed rulemaking to carry out the amendments
- 2 made by this section.

