

109TH CONGRESS  
1ST SESSION

# H. R. 3397

To amend title 49, United States Code, to enhance security at general aviation airports in the United States.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2005

Mr. SWEENEY introduced the following bill; which was referred to the Committee on Homeland Security

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## A BILL

To amend title 49, United States Code, to enhance security at general aviation airports in 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. SHORT TITLE.**

4       This Act may be cited as the “General Aviation Secu-  
5       rity Act of 2005”.

6       **SEC. 2. GENERAL AVIATION AIRPORT SECURITY.**

7       (a) IN GENERAL.—Subchapter I of chapter 449 of  
8       title 49, United States Code, is amended by adding at the  
9       end the following:

1 **“§ 44926. General aviation airport security**

2 “(a) DEFINITIONS.—In this section, the following  
3 definitions apply:

4 “(1) GENERAL AVIATION AIRPORT.—The term  
5 ‘general aviation airport’ means an airport that  
6 serves the operation of civilian aircraft for purposes  
7 other than commercial passenger transport, includ-  
8 ing personal, business, and instructional flying, and  
9 that the Secretary of Homeland Security determines,  
10 by regulation, is subject to the requirements of this  
11 section.

12 “(2) PRIVATE-USE AIRPORT.—The term ‘pri-  
13 vate-use airport’ means a general aviation airport  
14 used exclusively by the owner of the airport and per-  
15 sons authorized by the owner.

16 “(3) PUBLIC-USE AIRPORT.—The term ‘public-  
17 use airport’ means a general aviation airport avail-  
18 able for use by the general public without a require-  
19 ment for the prior approval of the owner or operator  
20 of the airport except as may be required by Federal  
21 law or regulation.

22 “(b) REGISTRATION.—

23 “(1) IN GENERAL.—In order to enhance the se-  
24 curity at the general aviation airports of the United  
25 States, the Secretary of Homeland Security shall re-  
26 quire a person desiring to operate a private-use or

1 public-use airport to register with the Secretary  
2 within one year of the date of enactment of this sec-  
3 tion.

4 “(2) INITIAL REGISTRATION.—

5 “(A) PERIOD OF EFFECTIVENESS.—The  
6 registration of a private-use or public-use air-  
7 port under this subsection shall be effective for  
8 a period of 3 years.

9 “(B) FORMS.—The registration shall be  
10 submitted on forms provided by the Secretary.  
11 Such forms shall contain the following informa-  
12 tion:

13 “(i) The physical and mailing address-  
14 es of the airport.

15 “(ii) The telephone number, facsimile  
16 number, and e-mail address of the airport.

17 “(iii) The name or names and tele-  
18 phone number or numbers of one or more  
19 24-hour security contact persons, as des-  
20 ignated by the airport.

21 “(iv) A map showing the location and  
22 general boundaries of the airport.

23 “(v) Such other information as the  
24 Secretary may reasonably prescribe.

1           “(3) SECURITY PLAN.—The registration also  
2       shall be accompanied by the written security plan re-  
3       quired under subsection (c).

4           “(4) RENEWAL OF REGISTRATION.—

5               “(A) PERIOD FOR RENEWALS.—A private-  
6       use or public-use airport shall renew its reg-  
7       istration with the Secretary every 3 years.

8               “(B) FORMS.—Requests for renewal shall  
9       be made on forms supplied by the Secretary  
10      and shall not be accepted unless accompanied  
11      with an updated written security plan as pro-  
12      vided in subsection (c).

13          “(5) FEE.—The Secretary may impose fees to  
14      cover the costs of incurred by the Secretary in car-  
15      rying out registrations and renewals under this sub-  
16      section, and shall ensure that any such fee is reason-  
17      ably related, as determined by the Secretary, to such  
18      costs.

19          “(c) WRITTEN SECURITY PLAN.—

20               “(1) SUBMISSION TO SECRETARY.—The Sec-  
21      retary shall require each private-use and public-use  
22      airport to document its security procedures in a  
23      written security plan that is consistent with the most  
24      recent security guidelines for general aviation air-

1 ports published by the Transportation Security Ad-  
2 ministration.

3 “(2) UPDATES.—The Secretary shall require an  
4 airport that submits a plan under paragraph (1) to  
5 submit to the Secretary an updated version of the  
6 plan every 3 years with the airport’s renewal appli-  
7 cation for registration under subsection (b).

8 “(3) SECURITY ENHANCEMENT RECOMMENDA-  
9 TIONS.—

10 “(A) CONSIDERATION IN DEVELOPING  
11 WRITTEN PLANS.—In developing a written secu-  
12 rity plan, an airport shall consider the applica-  
13 ble security enhancement recommendations con-  
14 tained in the most recent security guidelines for  
15 general aviation airports published by the  
16 Transportation Security Administration.

17 “(B) DESCRIPTIONS AND JUSTIFICA-  
18 TIONS.—A written security plan shall include a  
19 description of how the airport has addressed  
20 each applicable recommendation of such guide-  
21 lines and a justification for not adopting any  
22 applicable recommendation suggested by such  
23 guidelines for the airport’s security characteris-  
24 tics.

1           “(4) USE OF SELF-ASSESSMENT MEASUREMENT  
2           TOOLS.—Applicable recommendations from such  
3           guidelines shall be determined by an airport by using  
4           the airport characteristics self-assessment measure-  
5           ment tool available in such document and any other  
6           self-assessment tools subsequently issued by the  
7           Transportation Security Administration.

8           “(5) SUBMISSION TO LOCAL LAW ENFORCE-  
9           MENT AGENCIES.—In addition to submitting a writ-  
10          ten security plan to the Secretary under subsection  
11          (b), a private-use and public-use airport shall submit  
12          a copy of the plan and all updates of the plan to  
13          local law enforcement agencies having jurisdiction  
14          over the airport.

15         “(d) ADDITIONAL REQUIREMENTS.—

16                 “(1) PRIVATE-USE AIRPORTS.—In addition to  
17                 the other provisions of this section, the Secretary  
18                 shall ensure that private-use airports meet the fol-  
19                 lowing requirements:

20                         “(A) Require all aircraft to be double-  
21                         locked, with one lock internal to the aircraft,  
22                         and one lock external to the aircraft, when such  
23                         aircraft is not in operation.

24                         “(B) Provide that all hangars be locked  
25                         when not in use.

1           “(C) Provide adequate fencing for secure  
2           areas.

3           “(2) PUBLIC-USE AIRPORTS.—In addition to  
4           the other provisions of this section, the Secretary  
5           shall ensure that public-use airports meet the re-  
6           quirements of private-use airports set forth in para-  
7           graph (1) and the following additional requirements:

8           “(A) Require verification of the identity of  
9           all aircraft passengers by the aircraft crew.

10          “(B) Maintain a log of all transient air-  
11          craft for a minimum of 5 years.

12          “(C) Develop a written list of emergency  
13          contacts and telephone numbers, to be available  
14          to airport personnel.

15          “(D) Restrict the access of unlicensed per-  
16          sons and student pilots to aircraft keys.

17          “(E) Require persons renting aircraft to  
18          present government-issued identification, which  
19          identification shall be in addition to any pilot’s  
20          license.

21          “(F) Post airport security warning signs  
22          and advisories where appropriate.

23          “(G) Create an emergency locator map,  
24          which may be hand-drawn generally to scale,  
25          identifying areas such as runways, ramp areas,

1 fence lines, gates, and sites and provide copies  
2 of such map to emergency response agencies  
3 serving such airport, to law enforcement agen-  
4 cies having jurisdiction over such airport, and  
5 appropriate airport personnel. Whenever there  
6 is a physical change involving such areas, such  
7 map shall be revised and resubmitted to the  
8 such emergency response and law enforcement  
9 agencies and airport personnel within 60 days  
10 of such change.

11 “(H) Familiarize local law enforcement  
12 with the airport and consult with them in the  
13 airport’s development of appropriate security  
14 procedures.

15 “(e) STATEMENT ON CONFIDENTIALITY.—The map  
16 required under subsection (c)(2)(G) and the written secu-  
17 rity plan required under subsection (c) shall each promi-  
18 nently display the following statement: ‘This document  
19 may contain information that if disclosed could endanger  
20 the life or safety of the public, and therefore this document  
21 is to be maintained and used in a manner which preserves  
22 the confidentiality of the information contained herein in  
23 a manner consistent with law.’.

24 “(f) LIMITATION ON DISCLOSURE OF INFORMA-  
25 TION.—Notwithstanding any other provision of law, nei-



1 ther the Secretary, nor any agency receiving information  
2 from the Secretary, shall disclose safety or security related  
3 information obtained from airports under this section if  
4 the Secretary finds that withholding such information  
5 from disclosure would be consistent with the Secretary's  
6 safety and security responsibilities.”.

7 (b) CONFORMING AMENDMENT.—The analysis for  
8 subchapter I of chapter 449 of title 49, United States  
9 Code, is amended by adding at the end the following:

“44926. General aviation airport security.”.

