

109TH CONGRESS
1ST SESSION

S. 1193

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

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2005

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

A BILL

To direct the Assistant Secretary of Homeland Security for the Transportation Security Administration 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 Assistant Secretary of
5 Homeland Security for the Transportation Security Ad-
6 ministration shall issue regulations that require all tur-
7 bojet aircraft used by an air carrier for scheduled air serv-
8 ice to be equipped with a missile defense system.

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

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

19 (d) **DEADLINES FOR COMMENCEMENT OF INSTALLA-**
20 **TION.**—The regulations shall require that installation and
21 operation of missile defense systems begin not later than
22 180 days after the successful completion of operational
23 test and evaluation, as certified by the Secretary of Home-
24 land Security.

1 **SEC. 3. PURCHASE OF MISSILE DEFENSE SYSTEMS BY THE**
2 **SECRETARY.**

3 The Assistant Secretary of Homeland Security for
4 the Transportation Security Administration shall purchase
5 and make available to an air carrier such missile defense
6 systems as may be necessary for the air carrier to comply
7 with the regulations issued under subsections (a), (b), and
8 (d) of section 2 with respect to turbojet aircraft used by
9 the air carrier for scheduled air service.

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

11 Under the regulations issued under section 2, an air
12 carrier shall be responsible for installing and operating a
13 missile defense system purchased and made available by
14 the Assistant Secretary under section 3.

15 **SEC. 5. PROGRESS REPORTS.**

16 Not later than 6 months after the date of enactment
17 of this Act, and every 6 months thereafter, the Assistant
18 Secretary of Homeland Security for the Transportation
19 Security Administration shall submit a report to Congress
20 on the implementation of this Act, including the regula-
21 tions issued to carry out this Act.

22 **SEC. 6. DEFINITIONS.**

23 In this Act, the following definitions apply:

24 (1) AIRCRAFT AND AIR CARRIER.—The terms
25 “aircraft” and “air carrier” have the meanings give

1 such terms, respectively, under section 40102 of title
2 49, United States Code.

3 (2) MISSILE DEFENSE SYSTEM.—The term
4 “missile defense system” means an appropriate elec-
5 tronic system, as certified by the Secretary of Home-
6 land Security, which would automatically—

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

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

10 (C) disrupt the guidance system of the in-
11 coming missile or other ordinance, which is in-
12 tended to result in the incoming missile or other
13 ordinance being diverted off course and missing
14 the aircraft.

○