

protect the safety of judges and their families. But nonetheless, we have heard from three Members on the other side of the aisle in basically making a partisan attack.

Mr. Speaker, there is a time for partisan politics and there is a time to deal with the people's business. This bill deals with the people's business. I appreciate the support from the folks on the other side of the aisle, but, Mr. Speaker, this was not the vehicle to launch a partisan attack, and I am sorry that they chose to do so.

I urge support of the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BISHOP of Utah). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4311.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SECURING AIRCRAFT COCKPITS AGAINST LASERS ACT OF 2005

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1400) to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Securing Aircraft Cockpits Against Lasers Act of 2005".

SEC. 2. PROHIBITION AGAINST AIMING A LASER POINTER AT AN AIRCRAFT.

(a) OFFENSE.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

§ 39. Aiming a laser pointer at an aircraft

“(a) Whoever knowingly aims the beam of a laser pointer at an aircraft in the special aircraft jurisdiction of the United States, or at the flight path of such an aircraft, shall be fined under this title or imprisoned not more than 5 years, or both.

“(b) As used in this section, the term 'laser pointer' means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.”

(b) AMENDMENT TO TABLE OF SECTIONS.—The table of sections at the beginning of chapter 2 of title 18, United States Code, is amended by adding at the end the following new item:

“39. Aiming a laser pointer at an aircraft.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1400 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1400, the Securing Aircraft Cockpits Against Lasers Act of 2005.

Over the past several years, there have been an increasing number of alarming reports to the Federal Aviation Administration concerning the aiming of lasers into airplane cockpits. Since 1990 the FAA reports there have been well over 400 incidents and more than 100 in the past year alone. It was not that long ago that there was a frenzy of media coverage surrounding these types of events. While the media coverage may have subsided, the threat has not.

Laser pointers, while readily obtainable and relatively inexpensive, are not toys. In 1997, the Food and Drug Administration issued a warning to parents and school officials concerning handheld laser pointers. The FDA warning stated that "the light energy that laser pointers can aim into the eye can be more damaging than staring directly at the sun." Federal law requires a warning on laser pointers about this potential hazard to the eyes, and that is 21 Code of Federal Regulations 1040.

FAA research has shown that laser illuminations can temporarily disorient or disable a pilot, particularly during critical stages of flights such as landings and takeoffs. Direct laser exposure to the eye can even cause temporary blindness. In some cases these laser illuminations can cause permanent damage. In fact, just last year, a laser aimed into a Delta Airlines flight over Salt Lake City injured the eye of one of the plane's pilots. This type of interference, whether it is intentional effort to sabotage a plane or just a misguided prank, should not be tolerated because of the potential for catastrophe.

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H.R. 1400 is a straightforward, commonsense measure aimed at deterring and prosecuting those who would willfully commit a senseless act of potential sabotage.

The bill would impose criminal penalties upon any individual who knowingly aims a laser pointer at an aircraft within the special aircraft jurisdiction of the United States.

These criminal penalties include fines of up to \$250,000, and imprisonment of up to 5 years. The bill before

us today includes an amendment proposed in mark-up offered by gentlewoman from Texas (Ms. JACKSON-LEE).

During committee consideration of the bill, the gentlewoman suggested that the bill include a definition for the term "laser pointer." That definition has been added to the bill, and I thank the gentlewoman for her important contribution.

Finally, I would like to thank the gentleman from Florida (Mr. KELLER), the author and lead proponent of H.R. 1400, for his leadership on this issue. I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am a cosponsor of H.R. 1400, and I urge my colleagues to support it. The rash of incidents involving hand-held lasers have fueled a growing concern within the aviation industry. In fact, since November of November of 2004, airline pilots have reported over 100 incidents of lasers being aimed into their cockpits.

The potential harmful effects of such lasers is quite serious. The FAA research has shown that even some low-level lasers can temporarily disable and disorient a pilot during critical stages of flight. Needless to say, the results could be devastating.

Although I have some concern that when the bill is applied, it will likely involve some stupid or misguided young person fooling around with a laser beam, we all realize that the conduct the bill prohibits can be very dangerous, whether done by a fool or by a terrorist. So it must be strongly discouraged.

Since the bill does not have mandatory minimum sentencing, the Sentencing Commission and the courts can apply the appropriate punishment for violators based on specific facts and circumstances of the case.

After this bill is passed, as a further precautionary step, perhaps the appropriate committee of jurisdiction could also consider requiring manufacturers of laser products to issue strong notices and warnings on lasers and packaging alerting them to the provisions of this law so that all will be on notice.

But for now I think this bill is an appropriate step for Congress to address this potentially disastrous problem. Mr. Speaker, I support the bill and urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, aiming a laser beam into the cockpit of an airplane is a clear and present danger to the safety of all of those on board the aircraft. It is only a matter of time before one of

these laser beam pranksters ends up killing over 200 people in a commercial airline crash.

These easily available pen-sized laser pointers, like the one I purchased here at the office supply here in the House of Representatives for \$12, have enough power to cause vision problems in pilots from a distance of up to 2 miles.

This legislation is simple, straightforward and common sense. It makes it illegal to knowingly aim a laser pointer at an aircraft. Those who intentionally engage in such misconduct shall be fined or imprisoned not more than 5 years, or both, in the discretion of the judge.

Significantly, 100 percent of the Democrats and Republicans on the Judiciary Committee voted in favor of this legislation and it enjoys wide bipartisan support.

Mr. Speaker, I am honored that the gentleman from Virginia (Mr. SCOTT) and the gentleman from North Carolina (Mr. COBLE), the ranking member and chairman respectively of the Crime Subcommittee, are the cosponsors of this legislation.

A recent rash of incidents involving lasers aimed at aircraft cockpits have raised concerns by pilots and law enforcement officials over the potential threat to aviation safety and security. The problem is more widespread than one might initially think.

According to the Congressional Research Service and the Federal Aviation Administration, there have been over 400 incidents reported since 1990 where pilots have been disoriented or temporarily blinded by laser exposure.

So far none of the 400 incidents involving flight crew exposures to lasers have been linked to terrorism. Rather, it is often a case of pranksters making stupid choices to put pilots and their passengers at risk of dying.

Let me give you just one real-life example of what it is like to be in an aircraft cockpit hit by a laser beam. In September of this year, I spoke with Lieutenant Barry Smith from my hometown of Orlando, Florida, who was actually in the cockpit of a helicopter that was hit by a laser beam.

Lieutenant Smith is with the Seminole County Sheriff's Office. He and his partner were in a police helicopter searching for burglary suspects at night in a suburb of Orlando when a red laser beam hit their aircraft twice. Lieutenant Smith said the Plexiglass windshield of the helicopter spread out the light to be the size of about a basketball. It shocked them.

They were flying near a large tower with a red light, and they mistakenly thought that they had flown too close to the tower. They were disoriented and they immediately jerked the helicopter back. When they realized that they were not actually near the tower, Lieutenant Smith began to worry that the light could have come from a laser sight on a rifle. He wondered if they were about to be shot out of the sky. He told me, "It scared the heck out of us."

In reality, it was just a 31-year-old man with a small pen-sized laser light standing in his backyard. Unfortunately, there are over 400 other stories just like this one where laser beam pranksters nearly caused fatal aviation crashes.

Surprisingly there are currently no Federal statutes on the books making it illegal to shine a laser beam into an aircraft cockpit unless one attempts to use the PATRIOT Act to claim that the action was a terrorist attack or other attack of violence, intentional, against a mass transportation system.

On February 17, 2006, a Federal judge in Newark, New Jersey, will sentence a New Jersey man who pled guilty last month to shining a hand-held laser at two aircrafts back in December of 2004. The defense attorneys for the defendant, Mr. David Banach, argued that the PATRIOT Act was supposed to be used against terrorists.

The Federal prosecutors acknowledged that Mr. Banach is not a terrorist, but they said they had no other choice but to use the PATRIOT Act since no other Federal law applied.

Clearly, this legislation before us is needed to clarify the law and make it crystal clear that we will not tolerate either pranksters or terrorists who jeopardize the safety of pilots and passengers by aiming laser beams into the cockpits of aircrafts.

Mr. Speaker, I urge my colleagues to vote yes on H.R. 1400.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I just wanted to thank the gentleman from Florida and the gentleman from Wisconsin for bringing this bill forward. It makes it clear that endangering pilots and passengers with laser beams is illegal.

Whatever the law may be, this will make it absolutely clear. I would hope that the House will pass the bill so that the pilots and passengers can be protected.

Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BISHOP of Utah). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1400, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

RECOGNIZING ANNIVERSARY OF RATIFICATION OF 13TH AMENDMENT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 196) recognizing the anniversary of the ratification of the 13th Amendment and encouraging the American people to educate and instill pride and purpose into their communities and to observe the anniversary annually with appropriate programs and activities.

The Clerk read as follows:

H. RES. 196

Whereas on December 6, 1865, the 13th Amendment to the Constitution was ratified, proclaiming that "neither slavery nor involuntary servitude . . . shall exist within the United States";

Whereas the ratification of the 13th Amendment began a civil rights movement which would radically change African American existence in the United States;

Whereas the 13th Amendment represented a victory for African Americans across the United States, who had been denied the rights of full citizens;

Whereas the 13th Amendment is a symbol of the Federal Government's commitment to fulfill its promise of equality, liberty, and the American dream for all Americans because it liberated African Americans from the yoke of slavery and launched a new age activism advocating equal rights for all minorities;

Whereas December 6, 2005, marks the 140th anniversary of the ratification of the 13th Amendment;

Whereas the observation of the 140th anniversary would put into effect section 2 of the Amendment, by reaffirming Congress' "power to enforce this article by appropriate legislation"; and

Whereas the 13th Amendment Foundation supports the establishment of a national day of recognition commemorating the anniversary of the ratification of the 13th Amendment to renew a national commitment to eradicate racial and ethnic inequalities: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 140th anniversary of the ratification of the 13th Amendment to the Constitution;

(2) encourages the American people to educate and instill pride and purpose into their communities about the history of liberation and the civil rights movement in the United States; and

(3) encourages the American people to observe the anniversary of the ratification of the 13th Amendment each year by honoring its significance in United States history with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from California (Ms. LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 196 currently under consideration.