

Mr. Speaker, H.R. 415, authored by the distinguished gentleman from New York (Mr. KING), allows the Representative of the immediate family of deceased emergency personnel who are killed in the line of duty to provide the family with a Capitol-flown flag at their request. These families would also receive a certificate bearing an expression of condolence signed by the Speaker, as well as by the Representative providing the flag.

Nine years later, the tragic events of September 11 are still a painful reminder of the sacrifices made daily by our first responders, including our firefighters, our law enforcement officers, our emergency technicians, and other rescue workers. These fallen heroes and their families deserve our appreciation, our thanks, and our honor for their sacrifice, and this resolution in a simple way will enable us to show that gratitude.

I urge my colleagues to join in supporting H.R. 415.

I have no further requests for time, and I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I rise today in support of H.R. 415, the Fallen Heroes Flag Act.

I introduced this legislation to honor the brave rescue workers and law enforcement agents who lost their lives protecting their fellow Americans. While we cannot make up for the loss of these heroes, my bill will allow members of Congress to extend a gesture of sympathy and gratitude to the immediate family.

The Fallen Heroes Flag Act allows members of Congress to honor any deceased fire fighter, law enforcement officer, emergency technician, or other rescue worker who died in the line of duty by providing to the family, at their request, a flag flown over the United States Capitol. The flag will be accompanied by a certificate expressing a message of sympathy, that is signed by the Speaker of the House and the Representative providing the flag.

Our rescue workers and law enforcement agents commit selfless acts every day for our safety. It is truly a tragedy when one of their lives is lost while acting to save another's. They should be honored for their heroism and my legislation provides that opportunity. I am pleased that the Fallen Heroes Flag Act has been brought to the House floor. I fully support this bill and urge my colleagues to do the same.

Mr. BRADY of Pennsylvania. Mr. Speaker, I also would like to thank my friend, PETER KING from New York, for this thoughtful bill and my ranking member for his cooperation and support. I urge a "yes" vote for again this courteous bill to our fallen heroes that paid the ultimate sacrifice.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 415.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1400

SECURING AIRCRAFT COCKPITS AGAINST LASERS ACT OF 2010

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5810) 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 the title of the bill.

The text of the bill is as follows:

H.R. 5810

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 2010".

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:

"§ 39A. 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.

"(c) This section does not prohibit aiming a beam of a laser pointer at an aircraft, or the flight path of such an aircraft, by—

"(1) an authorized individual in the conduct of research and development or flight test operations conducted by an aircraft manufacturer, the Federal Aviation Administration, or any other person authorized by the Federal Aviation Administration to conduct such research and development or flight test operations;

"(2) members or elements of the Department of Defense or Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing or training; or

"(3) by an individual using a laser emergency signaling device to send an emergency distress signal.

"(d) The Attorney General, in consultation with the Secretary of Transportation, may provide by regulation, after public notice and comment, such additional exceptions to this section, as may be necessary and appropriate. The Attorney General shall provide written notification of any proposed regulations under this section to the Committees on the Judiciary of the House and Senate, the Committee on Transportation and Infrastructure in the House, and the Committee on Commerce, Science and Transportation in the Senate not less than 90 days before such regulations become final."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 39 the following new item:

"39A. Aiming a laser pointer at an aircraft."

SEC. 3. COMPLIANCE WITH PAYGO.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore (Mr. CUMMINGS). Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 5810 establishes criminal penalties for knowingly aiming a laser pointer at an aircraft or its flight path.

Incidents involving lasers aimed at aircraft have raised concerns over the potential threat to aviation safety and national security. Some are concerned that terrorists might use high-powered lasers to, among other things, incapacitate pilots. There is also concern that laser devices can distract or temporarily incapacitate pilots during critical phases of a flight.

Lasers pose a safety hazard to flight operations. Even brief exposure to a relatively low-powered laser beam can cause discomfort and temporarily affect the pilot's vision. The visual distractions of a laser can also cause a pilot to become disoriented or lose situational awareness while flying.

High-powered laser devices can incapacitate pilots and inflict eye injuries when viewed at closer ranges. In fact, the National Transportation Safety Board documented two cases in which pilots sustained eye injuries and were incapacitated during critical phases of a flight.

In one of those cases, after a laser was pointed at a pilot's plane, he experienced a burning sensation and tearing in his eyes. A subsequent eye examination revealed multiple flash burns in the pilot's cornea. The FAA researchers have compiled a data base of more than 400 incidences between 1990 and 2005 in which pilots have been startled, distracted, temporarily blinded, or disoriented by laser exposure.

Government officials at FAA, Defense Department, and Department of Homeland Security are exempted from the prohibition of this bill, as are individuals using lasers to send an emergency distress signal.

Mr. Speaker, I encourage my colleagues to support the bill. I thank the gentleman from California for his leadership in bringing this bill to our attention.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first, I would like to thank my friend, Mr. SCOTT from Virginia, the chairman of the Crime Subcommittee, for working with dispatch to get this bill to the floor.

The danger of shining a laser beam into someone's eyes is not a new concept. It is reported that the power density from a 1 milliwatt laser, a power common in the laser pointers we have become familiar with, focused to a point, is brighter than the equivalent area of the sun's surface. Understandably, this can cause temporary or permanent eye damage. The danger from shining a laser at the cockpit of a commercial aircraft, especially during a takeoff or a landing, is a tragedy waiting to happen.

This bill will help prevent such a disaster from being realized. In 2005, when a similar bill was passed by this body, this emerging threat was estimated at 400 reported incidents over the previous 15 years. By contrast, in 2009 alone, there were almost 1,600 episodes reported. In 2010, there have been approximately the same number of incidents from 2009 in just the first half of the year. In my home State of California, there have been over 570 incidents so far in 2010.

Mr. Speaker, we have discovered that a number of those incidents were reported to the regional air traffic control system unit in Sacramento within my district.

Since the Judiciary Committee first began examining this issue, the effects of pilots being hit by a beam of a laser pointer have varied from causing the pilots to become distracted, to requiring emergency evasive maneuvers. Emergency maneuvers, to prevent a perceived mid-air collision, resulted from a wide variety of mistaken beliefs, including that the aircraft was about to strike the warning light on a tower or that the laser beam was actually the lights of an approaching aircraft.

Law enforcement pilots are frequently targeted and have to consider the possibility that they are being illuminated by a laser scope attached to a rifle. Law enforcement pilots have, on occasion, been required to discontinue a response to a crime, a crime in progress, due to being hit by a laser.

Some Federal prosecutors have declined to pursue cases under current law, believing that the current Destruction of Aircraft statute does not fit the facts of their particular laser case. Some States have statutes that have been successfully used to address this problem, but, unfortunately, many do not.

This bill specifically addresses the incident of shining a laser pointer into

an aircraft cockpit and will make, therefore, aircraft travel safer for pilots and for the public. While a number of laser pointers being aimed at aircraft cockpits has dramatically increased during the past 5 years, the power of the current generation of laser pointer devices has also significantly increased.

The cost, on the other hand, has gone down, making them much more widely available. Additionally, there are ways to increase the power of certain lasers by replacing the diodes with those intended for other purposes.

The problem of lasers being shone into cockpits is so prevalent in the Sacramento area that the FBI, FAA, Federal Air Marshal Service, as well as State and local law enforcement, have established a Laser Strike Working Group to address the problem, with other working groups expanding to other areas. This bill provides an important tool for securing the safety of air travel and is endorsed by the Air Line Pilots Association.

I received a letter dated July 27 from the Air Line Pilots Association, International, wherein they say: "The inappropriate use of widely available lasers against airborne flight crews is a genuine and growing safety and security concern. A laser illumination event can, at a minimum, be an unwanted flight crew distraction; and in serious cases can even lead to eye damage and temporary incapacitation."

Going on, the Air Line Pilots Association, International states that "your legislation is greatly needed to ensure that such reckless and malicious activity will, in fact, be classified and prosecuted as a Federal offense. We have worked with numerous Federal law enforcement organizations over the past years on this issue and there is strong agreement that such crimes should be addressed by Federal statute and not be adjudicated solely by State laws. H.R. 5810 will also help put the public on notice that shining laser lights into aircraft cockpits is a serious offense which will be met with serious consequences for those convicted of such crime."

□ 1410

And in conclusion, the Airline Pilots Association, International states: "We urge Congress to expeditiously pass this legislation and thereby enhance the safety and security of all commercial airline passengers and crew members."

Mr. Speaker, I urge my colleagues to join me in supporting this important legislation.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume just to thank the gentleman from California for his leadership. This is an extremely important piece of legislation, and I urge my colleagues to support the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 5810, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SENIOR FINANCIAL EMPOWERMENT ACT OF 2010

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3040) to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3040

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 "Senior Financial Empowerment Act of 2010".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) The proportion of the population of the United States age 60 years or older is predicted to drastically increase in the next 30 years as more than 76,000,000 Baby Boomers approach retirement and old age.

(2) It is estimated that between 500,000 and 5,000,000 seniors in the United States are abused, neglected, or exploited each year.

(3) Abuse, neglect, and exploitation of seniors crosses racial, social class, gender, and geographic lines.

(4) Each year millions of individuals in the United States are victims of financial exploitation, including mail, telemarketing, and Internet fraud. Many of those who fall prey to such exploitation are seniors.

(5) It is difficult to estimate the prevalence of fraud that targets seniors because cases are severely underreported and national statistics on senior fraud do not exist.

(6) The Federal Bureau of Investigation notes that seniors in the United States are less likely to report fraud because they do not know to whom to report, they are ashamed to have been a victim of fraud, or they do not know that they have been a victim of fraud. In some cases, a senior who has been a victim of fraud may not report the crime because he or she is concerned that relatives may conclude that the senior no longer has the mental capacity to take care of his or her own financial affairs.

(7) According to a 2009 report by the MetLife Mature Market Institute, the annual financial loss by victims of senior financial abuse is estimated to be at least \$2,600,000,000.

(8) Perpetrators of mail, telemarketing, and Internet fraud frequently target seniors because seniors are often vulnerable and trusting people.

(9) As victims of such fraudulent schemes, many seniors pay a financial cost, having