

**Suspend the Rules and Pass the Bill, H.R. 1447, With an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1447

To amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2011

Mr. THOMPSON of Mississippi (for himself and Ms. JACKSON LEE of Texas) 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 direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, 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 “Aviation Security  
5 Stakeholder Participation Act of 2012”.

1 **SEC. 2. AVIATION SECURITY ADVISORY COMMITTEE.**

2 (a) IN GENERAL.—Subchapter II of chapter 449 of  
3 title 49, United States Code, is amended by adding at the  
4 end the following:

5 **“§ 44946. Aviation Security Advisory Committee**

6 “(a) ESTABLISHMENT.—The Assistant Secretary  
7 shall establish within the Transportation Security Admin-  
8 istration an advisory committee to be known as the Avia-  
9 tion Security Advisory Committee.

10 “(b) DUTIES.—

11 “(1) IN GENERAL.—The Advisory Committee  
12 shall be consulted by and advise the Assistant Sec-  
13 retary on aviation security matters, including the de-  
14 velopment and implementation of policies, programs,  
15 rulemaking, and security directives pertaining to  
16 aviation security.

17 “(2) RECOMMENDATIONS.—

18 “(A) IN GENERAL.—The Advisory Com-  
19 mittee shall develop, at the request of the As-  
20 sistant Secretary, recommendations for im-  
21 provements to aviation security.

22 “(B) RECOMMENDATIONS OF WORKING  
23 GROUPS.—Recommendations agreed upon by  
24 the working groups established under this sec-  
25 tion shall be approved by the Advisory Com-

1           mittee for transmission to the Assistant Sec-  
2           retary.

3           “(3) PERIODIC REPORTS.—The Advisory Com-  
4           mittee shall periodically submit to the Assistant Sec-  
5           retary—

6                   “(A) reports on matters identified by the  
7           Assistant Secretary; and

8                   “(B) reports on other matters identified by  
9           a majority of the members of the Advisory  
10          Committee.

11          “(4) ANNUAL REPORT.—The Advisory Com-  
12          mittee shall submit to the Assistant Secretary an an-  
13          nual report providing information on the activities,  
14          findings, and recommendations of the Advisory Com-  
15          mittee, including its working groups, for the pre-  
16          ceding year.

17          “(c) MEMBERSHIP.—

18                   “(1) APPOINTMENT.—

19                           “(A) IN GENERAL.—Not later than 180  
20                   days after the date of enactment of this section,  
21                   the Assistant Secretary shall appoint the mem-  
22                   bers of the Advisory Committee.

23                           “(B) COMPOSITION.—The membership  
24                   shall consist of individuals representing not  
25                   more than 27 member organizations. Each or-

1 organization shall be represented by one indi-  
2 vidual (or the individual's designee).

3 “(C) REPRESENTATION.—The membership  
4 shall include representatives of air carriers, all  
5 cargo air transportation, indirect air carriers,  
6 labor organizations representing air carrier em-  
7 ployees, aircraft manufacturers, airport opera-  
8 tors, general aviation, privacy, the travel indus-  
9 try, and the aviation technology security indus-  
10 try, including biometrics.

11 “(2) REMOVAL.—The Assistant Secretary may  
12 review the participation of a member of the Advisory  
13 Committee and remove the member for cause at any  
14 time.

15 “(3) PROHIBITION ON COMPENSATION.—The  
16 members of the Advisory Committee shall not re-  
17 ceive pay, allowances, or benefits from the Govern-  
18 ment by reason of their service on the Advisory  
19 Committee.

20 “(4) MEETINGS.—The Assistant Secretary shall  
21 require the Advisory Committee to meet at least  
22 semiannually and may convene additional meetings  
23 as necessary.

24 “(d) AIR CARGO SECURITY WORKING GROUP.—

1           “(1) IN GENERAL.—The Assistant Secretary  
2           shall establish within the Advisory Committee an air  
3           cargo security working group to provide rec-  
4           ommendations on air cargo security issues, including  
5           the implementation of the air cargo security pro-  
6           grams established by the Transportation Security  
7           Administration to screen air cargo on passenger air-  
8           craft and all-cargo aircraft in accordance with estab-  
9           lished cargo screening mandates.

10           “(2) MEETINGS AND REPORTING.—The work-  
11           ing group shall meet at least quarterly and submit  
12           information, including recommendations, regarding  
13           air cargo security to the Advisory Committee for in-  
14           clusion in the annual report. The submissions shall  
15           include recommendations to improve the Administra-  
16           tion’s cargo security initiatives established to meet  
17           the requirements of section 44901(g).

18           “(3) MEMBERSHIP.—The working group  
19           shall—

20                   “(A) include members of the Advisory  
21                   Committee with expertise in air cargo oper-  
22                   ations; and

23                   “(B) be cochaired by a Government and  
24                   industry official.

1       “(e) GENERAL AVIATION SECURITY WORKING  
2 GROUP.—

3           “(1) IN GENERAL.—The Assistant Secretary  
4 shall establish within the Advisory Committee a gen-  
5 eral aviation working group to provide recommenda-  
6 tions on transportation security issues for general  
7 aviation facilities, general aviation aircraft, and heli-  
8 copter operations at general aviation and commercial  
9 service airports.

10          “(2) MEETINGS AND REPORTING.—The work-  
11 ing group shall meet at least quarterly and submit  
12 information, including recommendations, regarding  
13 aviation security at general aviation airports to the  
14 Advisory Committee for inclusion in the annual re-  
15 port.

16          “(3) MEMBERSHIP.—The working group  
17 shall—

18           “(A) include members of the Advisory  
19 Committee with expertise in general aviation;  
20 and

21           “(B) be cochaired by a Government and  
22 industry official.

23       “(f) PERIMETER SECURITY WORKING GROUP.—

24           “(1) IN GENERAL.—The Assistant Secretary  
25 shall establish within the Advisory Committee an

1 airport perimeter security working group to provide  
2 recommendations on airport perimeter security and  
3 access control issues.

4 “(2) MEETINGS AND REPORTING.—The work-  
5 ing group shall meet at least quarterly and submit  
6 information, including recommendations, regarding  
7 improving perimeter security and access control pro-  
8 cedures at commercial service and general aviation  
9 airports to the Advisory Committee for inclusion in  
10 the annual report.

11 “(3) MEMBERSHIP.—The working group  
12 shall—

13 “(A) include members of the Advisory  
14 Committee with expertise in airport perimeter  
15 security and access control issues; and

16 “(B) be cochaired by a Government and  
17 industry official.

18 “(g) NONAPPLICABILITY OF FACCA.—The Federal  
19 Advisory Committee Act (5 U.S.C. App.) shall not apply  
20 to the Advisory Committee or its working groups.

21 “(h) DEFINITIONS.—In this section, the following  
22 definitions apply:

23 “(1) ADVISORY COMMITTEE.—The term ‘Advi-  
24 sory Committee’ means the Aviation Security Advi-

1 sory Committee to be established under subsection  
2 (a).

3 “(2) ANNUAL REPORT.—The term ‘annual re-  
4 port’ means the annual report required under sub-  
5 section (a).

6 “(3) ASSISTANT SECRETARY.—The term ‘As-  
7 sistant Secretary’ means the Assistant Secretary of  
8 Homeland Security (Transportation Security Admin-  
9 istration).

10 “(4) PERIMETER SECURITY.—The term ‘perim-  
11 eter security’—

12 “(A) means procedures or systems to mon-  
13 itor, secure, and prevent unauthorized access to  
14 an airport, including its airfield and terminal;  
15 and

16 “(B) includes the fence area surrounding  
17 an airport, access gates, and access controls.”.

18 (b) CLERICAL AMENDMENT.—The analysis for such  
19 subchapter is amended by adding at the end the following:

“44946. Aviation Security Advisory Committee.”.