

**Suspend the Rules and Pass the Bill, H.R. 8770, With an Amendment**

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

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 8770

To amend title 49, United States Code, to establish funds for investments in aviation security, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2026

Mr. STRONG (for himself, Mr. KENNEDY of New York, Mr. GARBARINO, Mr. GUEST, Mr. EVANS of Colorado, and Mr. MACKENZIE) 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 establish funds for investments in aviation security, 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 “Spending Aviation  
5 Fees for Equipment, Guaranteeing Upgraded and Ad-  
6 vanced Risk Detection and Safety Act of 2026” or the  
7 “SAFEGUARDS Act of 2026”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) the fee collected in accordance with section  
4 44940 of title 49, United States Code (commonly  
5 known as the “9/11 Security Fee”), is an airline  
6 passenger-paid fee established with the express pur-  
7 pose of sustaining the safety and security of the  
8 aviation system of the United States;

9 (2) revenue generated from the 9/11 Security  
10 Fee should be used exclusively to fund activities,  
11 programs, equipment, and initiatives that directly  
12 improve the security of commercial aviation, includ-  
13 ing passenger and baggage screening, security tech-  
14 nology upgrades, and the support of personnel re-  
15 sponsible for aviation security;

16 (3) the use of the 9/11 Security Fee for pur-  
17 poses unrelated to aviation security undermines pub-  
18 lic trust and the original intent of the fee, and all  
19 proceeds from the fee should be reserved and ex-  
20 pended solely for measures that strengthen the safe-  
21 ty and security of the traveling public within the  
22 aviation sector; and

23 (4) the diversion of 9/11 Security Fee revenue  
24 to other purposes should be ended no later than  
25 2027, in accordance with section 44940(i)(4) of title

1       49, United States Code, as it read on the date of the  
2       enactment of this Act.

3       **SEC. 3. AVIATION SECURITY FUNDS.**

4       (a) IMPROVING THE AVIATION SECURITY CAPITAL  
5       FUND.—Subsection (h) of section 44923 of title 49,  
6       United States Code (relating to the Aviation Security Cap-  
7       ital Fund), is amended—

8               (1) in paragraph (1), by striking the second,  
9               third, and fourth sentences and inserting the fol-  
10              lowing new sentences: “Beginning in fiscal year  
11              2028 and for each fiscal year thereafter, the first  
12              \$500,000,000 derived from fees received under sec-  
13              tion 44940(a)(1) shall be available to be deposited in  
14              the Fund. The Administrator of the Transportation  
15              Security Administration shall impose the fee author-  
16              ized by such section so as to collect at least  
17              \$500,000,000 in each of such fiscal years for deposit  
18              into the Fund, subject to the prior termination of  
19              any of the fees authorized under such section being  
20              credited as offsetting receipts and deposited in the  
21              general fund of the Treasury.”; and

22              (2) by striking paragraphs (2) and (3) and in-  
23              serting the following new paragraph:

24              “(2) DISBURSEMENT AUTHORITY.—Amounts in  
25              the Fund shall be available to the Administrator of

1 the Transportation Security Administration to make  
2 grants under this section or enter into related agree-  
3 ments to carry out this section.”.

4 (b) ESTABLISHMENT OF THE AVIATION SECURITY  
5 CHECKPOINT TECHNOLOGY FUND.—Section 44923 of  
6 title 49, United States Code, is amended by—

7 (1) by redesignating subsection (i) as subsection  
8 (j); and

9 (2) by inserting after subsection (h) the fol-  
10 lowing new subsection:

11 “(i) AVIATION SECURITY CHECKPOINT TECHNOLOGY  
12 FUND.—

13 “(1) IN GENERAL.—There is established within  
14 the Department of Homeland Security a fund to be  
15 known as the ‘Aviation Security Checkpoint Tech-  
16 nology Fund’ (in this subsection referred to as the  
17 ‘ASCT Fund’).

18 “(2) FUNDING.—Beginning in fiscal year 2028  
19 and for each fiscal year thereafter, after the first  
20 \$500,000,000 is deposited into the Aviation Security  
21 Capital Fund pursuant to subsection (h)(2), the next  
22 \$250,000,000 from fees received under section  
23 44940(a)(1) shall be available to be deposited in the  
24 ASCT Fund. The Administrator of the Transpor-  
25 tation Security Administration shall impose the fee

1 authorized by such section so as to collect not less  
2 than \$250,000,000 in each of such fiscal years for  
3 deposit into the ASCT Fund. Amounts in the ASCT  
4 Fund shall be available until expended to the Ad-  
5 ministrator of the Transportation Security Adminis-  
6 tration to fund the testing, procurement, deploy-  
7 ment, installation, and sustainment of aviation secu-  
8 rity checkpoint technology, subject to the prior ter-  
9 mination of any of the fees authorized under such  
10 section being credited as offsetting receipts and de-  
11 posited in the general fund of the Treasury.

12 “(3) DISBURSEMENT AUTHORITY.—Amounts in  
13 the ASCT Fund shall be available to the Adminis-  
14 trator of the Transportation Security Administration  
15 to make grants under this section or enter into re-  
16 lated agreements to carry out this section.”.

17 (c) CONFORMING AMENDMENT.—Paragraph (1) of  
18 section 44940(i) of title 49, United States Code, is amend-  
19 ed by striking “section 44923(h)” and inserting “sub-  
20 sections (h) and (i) of section 44923”.