

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8770
OFFERED BY MR. STRONG OF ALABAMA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Spending Aviation
3 Fees for Equipment, Guaranteeing Upgraded and Ad-
4 vanced Risk Detection and Safety Act of 2026” or the
5 “SAFEGUARDS Act of 2026”.

6 SEC. 2. SENSE OF CONGRESS.

7 It is the sense of Congress that—

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

14 (2) revenue generated from the 9/11 Security
15 Fee should be used exclusively to fund activities,
16 programs, equipment, and initiatives that directly
17 improve the security of commercial aviation, includ-
18 ing passenger and baggage screening, security tech-

1 nology upgrades, and the support of personnel re-
2 sponsible for aviation security;

3 (3) the use of the 9/11 Security Fee for pur-
4 poses unrelated to aviation security undermines pub-
5 lic trust and the original intent of the fee, and all
6 proceeds from the fee should be reserved and ex-
7 pended solely for measures that strengthen the safe-
8 ty and security of the traveling public within the
9 aviation sector; and

10 (4) the diversion of 9/11 Security Fee revenue
11 to other purposes should be ended no later than
12 2027, in accordance with section 44940(i)(4) of title
13 49, United States Code, as it read on the date of the
14 enactment of this Act.

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

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

20 (1) in paragraph (1), by striking the second,
21 third, and fourth sentences and inserting the fol-
22 lowing new sentences: “Beginning in fiscal year
23 2028 and for each fiscal year thereafter, the first
24 \$500,000,000 derived from fees received under sec-
25 tion 44940(a)(1) shall be available to be deposited in

1 the Fund. The Administrator of the Transportation
2 Security Administration shall impose the fee author-
3 ized by such section so as to collect at least
4 \$500,000,000 in each of such fiscal years for deposit
5 into the Fund, subject to the prior termination of
6 any of the fees authorized under such section being
7 credited as offsetting receipts and deposited in the
8 general fund of the Treasury.”; and

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

11 “(2) DISBURSEMENT AUTHORITY.—Amounts in
12 the Fund shall be available to the Administrator of
13 the Transportation Security Administration to make
14 grants under this section or enter into related agree-
15 ments to carry out this section.”.

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

19 (1) by redesignating subsection (i) as subsection
20 (j); and

21 (2) by inserting after subsection (h) the fol-
22 lowing new subsection:

23 “(i) AVIATION SECURITY CHECKPOINT TECHNOLOGY
24 FUND.—

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

6 “(2) FUNDING.—Beginning in fiscal year 2028
7 and for each fiscal year thereafter, after the first
8 \$500,000,000 is deposited into the Aviation Security
9 Capital Fund pursuant to subsection (h)(2), the next
10 \$250,000,000 from fees received under section
11 44940(a)(1) shall be available to be deposited in the
12 ASCT Fund. The Administrator of the Transpor-
13 tation Security Administration shall impose the fee
14 authorized by such section so as to collect not less
15 than \$250,000,000 in each of such fiscal years for
16 deposit into the ASCT Fund. Amounts in the ASCT
17 Fund shall be available until expended to the Ad-
18 ministrator of the Transportation Security Adminis-
19 tration to fund the testing, procurement, deploy-
20 ment, installation, and sustainment of aviation secu-
21 rity checkpoint technology, subject to the prior ter-
22 mination of any of the fees authorized under such
23 section being credited as offsetting receipts and de-
24 posited in the general fund of the Treasury.

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

6 (c) CONFORMING AMENDMENT.—Paragraph (1) of
7 section 44940(j) of title 49, United States Code, as redes-
8 ignated pursuant to subsection (b), is amended by striking
9 “section 44923(h)” and inserting “subsections (h) and (i)
10 of section 44923”.

