

119TH CONGRESS
2D SESSION

H. R. 8770

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

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

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”.

8 **SEC. 2. SENSE OF CONGRESS.**

9 It is the sense of Congress that—

1 (1) the fee collected in accordance with section
2 44940 of title 49, United States Code (commonly
3 known as the “9/11 Security Fee”), is an airline
4 passenger-paid fee established with the express pur-
5 pose of sustaining the safety and security of the
6 aviation system of the United States;

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

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

21 (4) the diversion of 9/11 Security Fee revenue
22 to other purposes should be ended no later than
23 2027, in accordance with section 44940(i)(4) of title
24 49, United States Code, as it read on the date of the
25 enactment of this Act.

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

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

6 (1) in paragraph (1), by striking the second,
7 third, and fourth sentences and inserting the fol-
8 lowing new sentences: “Beginning in fiscal year
9 2027 and for each fiscal year thereafter, the first
10 \$500,000,000 derived from fees received under sec-
11 tion 44940(a)(1) shall be available to be deposited in
12 the Fund. The Administrator of the Transportation
13 Security Administration shall impose the fee author-
14 ized by such section so as to collect at least
15 \$500,000,000 in each of such fiscal years for deposit
16 into the Fund.”; and

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

19 “(2) DISBURSEMENT AUTHORITY.—Amounts in
20 the Fund shall be available to the Administrator of
21 the Transportation Security Administration to make
22 grants under this section or enter into related agree-
23 ments to carry out this section.”.

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

1 (1) by redesignating subsection (i) as subsection
2 (j); and

3 (2) by inserting after subsection (h) the fol-
4 lowing new subsection:

5 “(i) AVIATION SECURITY CHECKPOINT TECHNOLOGY
6 FUND.—

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

12 “(2) FUNDING.—Beginning in fiscal year 2027
13 and for each fiscal year thereafter, after the first
14 \$500,000,000 is deposited into the Aviation Security
15 Capital Fund pursuant to subsection (h)(2), the next
16 \$250,000,000 from fees received under section
17 44940(a)(1) shall be available to be deposited in the
18 ASCT Fund. The Administrator of the Transpor-
19 tation Security Administration shall impose the fee
20 authorized by such section so as to collect not less
21 than \$250,000,000 in each of such fiscal years for
22 deposit into the ASCT Fund. Amounts in the ASCT
23 Fund shall be available until expended to the Ad-
24 ministrator of the Transportation Security Adminis-
25 tration to fund the testing, procurement, deploy-

1 ment, installation, and sustainment of aviation secu-
2 rity checkpoint technology.

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

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

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