

108TH CONGRESS
1ST SESSION

S. 516

To amend title 49, United States Code, to allow the arming of pilots of cargo aircraft, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2003

Mr. BUNNING (for himself, Mrs. BOXER, Mr. INHOFE, Mr. CRAIG, Mr. ALLEN, Mr. NICKLES, Mr. BURNS, Mr. BROWNBACK, Mr. THOMAS, Ms. SNOWE, Mr. MILLER, Mr. CAMPBELL, and Mr. SESSIONS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 49, United States Code, to allow the arming of pilots of cargo aircraft, 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 “Arming Cargo Pilots
5 Against Terrorism Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) During the 107th Congress, both the Sen-
2 ate and the House of Representatives overwhelm-
3 ingly passed measures that would have armed pilots
4 of cargo aircraft.

5 (2) Cargo aircraft do not have Federal air mar-
6 shals, trained cabin crew, or determined passengers
7 to subdue terrorists.

8 (3) Cockpit doors on cargo aircraft, if present
9 at all, largely do not meet the security standards re-
10 quired for commercial passenger aircraft.

11 (4) Cargo aircraft vary in size and many are
12 larger and carry larger amounts of fuel than the air-
13 craft hijacked on September 11, 2001.

14 (5) Aircraft cargo frequently contains haz-
15 ardous material and can contain deadly biological
16 and chemical agents and quantities of agents that
17 cause communicable diseases.

18 (6) Approximately 12,000 of the nation's
19 90,000 commercial pilots serve as pilots and flight
20 engineers on cargo aircraft.

21 (7) There are approximately 2,000 cargo flights
22 per day in the United States, many of which are
23 loaded with fuel for outbound international travel or
24 are inbound from foreign airports not secured by the
25 Transportation Security Administration.

1 (8) Aircraft transporting cargo pose a serious
2 risk as potential terrorist targets that could be used
3 as weapons of mass destruction.

4 (9) Pilots of cargo aircraft deserve the same
5 ability to protect themselves and the aircraft they
6 pilot as other commercial airline pilots.

7 (10) Permitting pilots of cargo aircraft to carry
8 firearms creates an important last line of defense
9 against a terrorist effort to commandeer a cargo air-
10 craft.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that a member of a flight deck crew of a cargo air-
13 craft should be armed with a firearm to defend the cargo
14 aircraft against an attack by terrorists that could result
15 in the use of the aircraft as a weapon of mass destruction
16 or for other terrorist purposes.

17 **SEC. 3. ARMING CARGO PILOTS AGAINST TERRORISM.**

18 Section 44921 of title 49, United States Code, is
19 amended—

20 (1) in subsection (a), by striking “passenger”
21 each place that it appears; and

22 (2) in subsection (k)—

23 (A) in paragraph (2)—

24 (i) by striking “or,” and all that fol-
25 lows; and

1 (ii) by inserting “or any other flight
2 deck crew member.”; and

3 (B) by adding at the end the following new
4 paragraph:

5 “(3) ALL-CARGO AIR TRANSPORTATION.—For
6 the purposes of this section, the term air transpor-
7 tation includes all-cargo air transportation.”.

8 **SEC. 4. IMPLEMENTATION.**

9 (a) TIME FOR IMPLEMENTATION.—The training of
10 pilots as Federal flight deck officers required in the
11 amendments made by section 3 shall begin as soon as
12 practicable and no later than 90 days after the date of
13 enactment of this Act.

14 (b) EFFECT ON OTHER LAWS.—The requirements of
15 subsection (a) shall have no effect on the deadlines for
16 implementation contained in section 44921 of title 49,
17 United States Code, as in effect on the day before the date
18 of enactment of this Act.

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