

108TH CONGRESS  
1ST SESSION

# S. 728

To reimburse the airline industry for homeland security costs, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 27, 2003

Mr. COLEMAN (for himself, Mr. STEVENS, and Mr. DAYTON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To reimburse the airline industry for homeland security costs, 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. AVIATION INSURANCE.**

4 (a) **AUTHORITY.**—Section 44302(a)(1) of title 49,  
5 United States Code, is amended by striking “may” and  
6 inserting “shall”.

7 (b) **EXTENSION OF POLICIES.**—Section 44302(f)(1)  
8 of title 49, United States Code, is amended by striking  
9 “August 31, 2003, and may extend through December 31,  
10 2003,” and inserting “December 31, 2007,”.

1 (c) COVERAGE.—Section 44303 of title 49, United  
2 States Code, is amended—

3 (1) in subsection (a) by striking “IN GEN-  
4 ERAL.—” and inserting “IN GENERAL.—”; and

5 (2) in subsection (b)—

6 (A) by striking “during the period begin-  
7 ning on” and inserting “on or after”; and

8 (B) by striking “and ending on December  
9 31, 2003,”.

10 (d) TERMINATION DATE.—Section 44310 of title 49,  
11 United States Code, and the item relating to such section  
12 in the analysis for chapter 443 are repealed.

13 **SEC. 2. REIMBURSEMENT OF AIR CARRIERS FOR CERTAIN**  
14 **SCREENING AND RELATED ACTIVITIES.**

15 The Secretary of Homeland Security shall reimburse  
16 air carriers and airports for the following:

17 (1) All screening and related activities that the  
18 air carriers or airports perform or are responsible  
19 for performing, including—

20 (A) the screening of catering supplies;

21 (B) checking documents at security check-  
22 points;

23 (C) screening of passengers; and

24 (D) screening of persons with access to  
25 aircraft.

1           (2) The provision of space and facilities used to  
2           perform screening functions and other space used by  
3           the Transportation Security Administration.

4 **SEC. 3. REIMBURSEMENT OF AIR CARRIERS FOR FOR-**  
5 **TIFYING COCKPIT DOOR.**

6           The Secretary of Homeland Security shall reimburse  
7           air carriers for the cost of fortifying cockpit doors in ac-  
8           cordance with section 48301(b) of title 49, United States  
9           Code.

10 **SEC. 4. REIMBURSEMENT OF STATE AND LOCAL LAW EN-**  
11 **FORCEMENT.**

12           The Secretary of Homeland Security shall reimburse  
13           State and local law enforcement and airport police for  
14           complying with any directives to provide security for air  
15           carriers or at airports.

16 **SEC. 5. REIMBURSEMENT FOR AIR MARSHAL TRANSPOR-**  
17 **TATION.**

18           Section 44917(a) of title 49, United States Code, is  
19           amended by striking paragraphs (4) and (5), and inserting  
20           the following:

21           “(4) shall require air carriers providing flights  
22           described in paragraph (1) to provide seating for a  
23           Federal air marshal on any such flight without re-  
24           gard to the availability of seats on the flight at the

1 lowest possible airfare available for such flight at the  
2 time of booking;

3 “(5) may require air carriers to provide, on a  
4 space-available basis, to an off-duty Federal air mar-  
5 shal a seat on a flight to the airport nearest the  
6 marshal’s home at the lowest possible airfare avail-  
7 able for such flight if the marshal is traveling to  
8 that airport after completing his or her security du-  
9 ties;”.

10 **SEC. 6. MORATORIUM ON SECURITY SERVICE FEE.**

11 Notwithstanding any other provision of law, the secu-  
12 rity fees imposed under section 44940 of title 49, United  
13 States Code, shall not apply for the 1-year period begin-  
14 ning on the date of enactment of this Act and the costs  
15 of providing civil aviation security services shall be reim-  
16 bursed by the Secretary of Homeland Security.

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