

107TH CONGRESS  
2D SESSION

# S. 3071

To require reports to Congress related to airports that will not deploy explosive detection systems by December 31, 2002, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 8, 2002

Mr. ENSIGN 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 require reports to Congress related to airports that will not deploy explosive detection systems by December 31, 2002, 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. EXPLOSIVE DETECTION SYSTEMS.**

4       Section 44901(d) of title 49, United States Code, is  
5       amended by adding at the end the following:

6               “(2) DEADLINE.—

7                       “(A) IN GENERAL.—If the Under Sec-  
8                       retary of Transportation for Security deter-  
9                       mines that the Transportation Security Admin-  
10                      istration is not able to deploy explosive detec-

1           tion systems required to be deployed under  
2           paragraph (1) at all airports where explosive  
3           detection systems are required by December 31,  
4           2002, then with respect to each airport for  
5           which the Under Secretary makes that  
6           determination—

7                   “(i) the Under Secretary shall submit  
8                   to the Senate Committee on Commerce,  
9                   Science, and Transportation and the  
10                  House of Representatives Committee on  
11                  Transportation and Infrastructure a de-  
12                  tailed plan (which may be submitted in  
13                  classified form) for the deployment of the  
14                  number of explosive detection systems at  
15                  that airport necessary to meet the require-  
16                  ments of paragraph (1) as soon as prac-  
17                  ticable at that airport; and

18                   “(ii) the Under Secretary shall take  
19                   all necessary action to ensure that alter-  
20                   native means of screening all checked bag-  
21                   gage is implemented until the requirements  
22                   of paragraph (1) have been met.

23                   “(B) CRITERIA FOR DETERMINATION.—In  
24                  making a determination under subparagraph

1 (A), the Under Secretary shall take into  
2 account—

3 “(i) the nature and extent of the re-  
4 quired modifications to the airport’s ter-  
5 minal buildings, and the technical, engi-  
6 neering, design and construction issues;

7 “(ii) the need to ensure that such in-  
8 stallations and modifications are effective;  
9 and

10 “(iii) the feasibility and cost-effective-  
11 ness of deploying explosive detection sys-  
12 tems in the baggage sorting area or other  
13 non-public area rather than the lobby of an  
14 airport terminal building.

15 “(C) LIMITATION.—The Under Secretary  
16 may not make a determination under subpara-  
17 graph (A) in the case of more than 40 airports.

18 “(D) AIRPORT EFFORT REQUIRED.—Each  
19 airport with respect to which the Under Sec-  
20 retary makes a determination under subpara-  
21 graph (A) shall—

22 “(i) cooperate fully with the Trans-  
23 portation Security Administration with re-  
24 spect to screening checked baggage and

1 changes to accommodate explosive detec-  
2 tion systems; and

3 “(ii) make security projects a priority  
4 for the obligation or expenditure of funds  
5 made available under chapter 417 or 471  
6 until explosive detection systems required  
7 to be deployed under paragraph (1) have  
8 been deployed at that airport.

9 “(3) REPORTS.—

10 “(A) IN GENERAL.—Until the Transpor-  
11 tation Security Administration has met the re-  
12 quirements of paragraph (1), the Under Sec-  
13 retary shall submit a classified report every 30  
14 days after the date of enactment of the Aviation  
15 Security Improvement Act to the Senate Com-  
16 mittee on Commerce, Science, and Transpor-  
17 tation and the House of Representatives Com-  
18 mittee on Transportation and Infrastructure  
19 describing the progress made toward meeting  
20 such requirements at each airport.

21 “(B) LIMIT ON NUMBER OF REPORTS.—  
22 The Under Secretary shall submit reports for  
23 each airport until the requirements of para-

- 1 graph (1) have been met, but may not submit
- 2 more than 12 reports for any airport.”.

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