

117TH CONGRESS
2D SESSION

H. R. 6856

To reduce the number of firearms at Transportation Security Administration passenger screening checkpoints by directing the Administrator to carry out a range of activities to inform the public about restrictions regarding the carrying of firearms in sterile areas of airports and to strengthen enforcement of such restrictions and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2022

Mrs. WATSON COLEMAN (for herself and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To reduce the number of firearms at Transportation Security Administration passenger screening checkpoints by directing the Administrator to carry out a range of activities to inform the public about restrictions regarding the carrying of firearms in sterile areas of airports and to strengthen enforcement of such restrictions 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Securing Air Travel
3 Act”.

4 **SEC. 2. SIGNAGE.**

5 Section 44901 of title 49, United States Code, is
6 amended by adding at the end the following new sub-
7 section:

8 “(m) SIGNAGE REGARDING FIREARMS.—

9 “(1) CHECKPOINT SIGNAGE.—Not later than
10 one year after the date of the enactment of this sub-
11 section, the Administrator of the Transportation Se-
12 curity Administration shall display uniform signage
13 in passenger screening checkpoints to inform individ-
14 uals at such checkpoints of restrictions regarding
15 the carrying of a firearm in the sterile area of an
16 airport. Such signage shall include visual elements
17 and a concise description of the maximum criminal
18 and civil penalties (with relevant statutory or regu-
19 latory citations) for unlawfully carrying a firearm in
20 the sterile area of an airport.

21 “(2) PLACEMENT.—Signage under paragraph
22 (1) shall be prominently displayed and located in
23 such a manner that it would reasonably be expected
24 to be seen by an individual prior to entering the pas-
25 senger screening checkpoint.

1 “(3) AIRPORTS WITH FREQUENT FIREARM
2 INTERDICTIONS.—Not later than one year after the
3 date of the enactment of this subsection and bienni-
4 ally thereafter, the Administrator of the Transpor-
5 tation Security Administration shall publish a list of
6 not fewer than 25 airports at which firearms were
7 most frequently interdicted at passenger screening
8 checkpoints in the prior two years. If with respect to
9 any such list there are fewer than 25 such airports,
10 such list shall include as many of such airports as
11 are otherwise described in this paragraph.

12 “(4) ADDITIONAL ENHANCED SIGNAGE FOR
13 AIRPORTS WITH FREQUENT FIREARM INTERDIC-
14 TIONS.—Not later than 180 days after the date of
15 the publication of each list required under paragraph
16 (3), the Administrator of the Transportation Secu-
17 rity Administration shall require each airport in-
18 cluded on the list to install additional enhanced sign-
19 age at all passenger terminal entrances to such air-
20 ports to inform the public and individuals planning
21 to enter a passenger screening checkpoint of the re-
22 strictions regarding the carrying of a firearm in the
23 sterile area of the airport and, as applicable, State,
24 local, territorial, or other jurisdiction-specific restric-
25 tions on carrying firearms in the publicly accessible

1 areas of the airport. Such additional enhanced sign-
2 age shall be consistent for all airports required to in-
3 stall such additional enhanced signage under this
4 paragraph, except, as the case may be, for descrip-
5 tions of such applicable State, local, territorial, or
6 other jurisdiction-specific restrictions. The Adminis-
7 trator may permit an airport to remove such signage
8 if such airport is not included on a subsequent list.

9 “(5) OUTDATED SIGNAGE.—If any relevant in-
10 formation on signage installed pursuant to this sub-
11 section is rendered inaccurate due to statutory, reg-
12 ulatory, or other changes, the Administrator shall
13 ensure such signage is updated in a timely manner,
14 except this paragraph does not apply in the case of
15 annual inflation adjustments to civil monetary pen-
16 alties.

17 “(6) DEFINITIONS.—In this subsection:

18 “(A) PASSENGER SCREENING CHECK-
19 POINT.—The term ‘passenger screening check-
20 point’ means the designated area at each air-
21 port located in the United States at which the
22 Transportation Security Administration, or an
23 entity authorized by the Administration pursu-
24 ant to section 44920, or other comparable au-

1 thority, provides for the screening of passengers
2 and carry-on baggage.

3 “(B) PASSENGER TERMINAL ENTRANCE.—

4 The term ‘passenger terminal entrance’ means
5 the area at each airport located in the United
6 States where individuals arriving to the airport
7 by means other than a flight first enter the ter-
8 minal or other comparable enclosure containing
9 passenger facilities of the airport located prior
10 to the passenger screening checkpoint.

11 “(C) STERILE AREA.—The term ‘sterile
12 area’ has the meaning given such term in sec-
13 tion 1540.5 of title 49, Code of Federal Regula-
14 tions.”.

15 **SEC. 3. PUBLIC AWARENESS INITIATIVES.**

16 (a) CAMPAIGN.—

17 (1) IN GENERAL.—Not later than 120 days
18 after the date of the enactment of this Act, the Ad-
19 ministrator of the Transportation Security Adminis-
20 tration shall implement a public awareness campaign
21 to inform the public of the potential criminal and
22 civil consequences of carrying a firearm in the sterile
23 area of an airport that includes actual examples of
24 the criminal and civil consequences imposed on indi-
25 viduals who violated such prohibition.

1 (2) ELEMENTS.—The campaign required under
2 paragraph (1) shall, at a minimum, involve—

3 (A) the use of Transportation Security Ad-
4 ministration websites, social media channels,
5 press releases, and other means of external
6 communication;

7 (B) the production of audiovisual materials
8 to be distributed via online video sharing plat-
9 forms;

10 (C) engagement with external organiza-
11 tions, including local and national organizations
12 with memberships that could benefit from infor-
13 mation regarding how to lawfully travel with a
14 firearm in checked baggage; and

15 (D) engagement with press and media, in-
16 cluding, to the extent practicable, local press
17 and media in at least those cities that host air-
18 ports identified biennially pursuant to para-
19 graph (3) of subsection (m) of section 44901 of
20 title 49, United States Code, as amended by
21 section 2.

22 (3) EXISTING EFFORTS.—The campaign re-
23 quired under paragraph (1) shall supplement and
24 not supplant any other related existing campaign.

1 (b) TARGETED ADVERTISING.—The Administrator of
 2 the Transportation Security Administration may purchase
 3 or otherwise place advertisements describing the potential
 4 criminal and civil consequences of carrying a firearm in
 5 the sterile area of an airport or on or about one’s person
 6 or property that would be accessible in flight, and actual
 7 examples of the criminal and civil consequences faced by
 8 individuals who violated such prohibition, on websites and
 9 in publications (or on or in such other advertising medi-
 10 ums as the Administrator determines appropriate) that
 11 target audiences seeking information concerning—

12 (1) firearms or related activities;

13 (2) travel, tourism, or related matters; and

14 (3) such other matters the Administrator deter-
 15 mines appropriate.

16 **SEC. 4. FINES.**

17 (a) IN GENERAL.—Subchapter I of chapter 449 of
 18 title 49, United States Code, is amended by adding at the
 19 end the following new section:

20 **“§ 44930. Minimum civil monetary penalties for cer-**
 21 **tain firearm-related violations**

22 “(a) IN GENERAL.—Not later than 60 days after the
 23 date of the enactment of this section, the Administrator
 24 of the Transportation Security Administration shall estab-
 25 lish minimum civil monetary penalty amounts for repeat

1 or egregious violations of subsection (a) of section
2 1540.111 of title 49, Code of Federal Regulations, relating
3 to the carriage of firearms on or in an individual's person
4 or accessible property into the sterile area of an airport
5 or onboard an aircraft.

6 “(b) MINIMUM CIVIL MONETARY PENALTIES FOR
7 REPEAT VIOLATIONS.—The minimum civil monetary pen-
8 alty amount for a repeat violation of subsection (a) of sec-
9 tion 1540.111 of title 49, Code of Federal Regulations,
10 involving a firearm shall be—

11 “(1) in the case of an individual with respect to
12 whom such a repeat violation occurs within five
13 years of the date of the final adjudication of a pre-
14 vious such violation—

15 “(A) \$10,000 for any such repeat violation
16 involving an unloaded firearm; and

17 “(B) \$12,500 for any such repeat violation
18 involving a loaded firearm or unloaded firearm
19 with accessible ammunition; and

20 “(2) in the case of an individual with respect to
21 whom such a repeat violation occurs more than five
22 years after the date of the final adjudication of a
23 previous such violation—

24 “(A) \$5,000 for any such repeat violation
25 involving an unloaded firearm; and

1 “(B) \$10,000 for any such repeat violation
2 involving a loaded firearm or unloaded firearm
3 with accessible ammunition.

4 “(c) MINIMUM CIVIL MONETARY PENALTIES FOR
5 EGRESSIOUS VIOLATIONS.—The minimum civil monetary
6 penalty amount for an intentional or otherwise egregious
7 violation of subsection (a) of section 1540.111 of title 49,
8 Code of Federal Regulations, involving a firearm shall
9 be—

10 “(1) \$10,000 for any knowing violation in the
11 case of a deliberate attempt to conceal such firearm;
12 and

13 “(2) \$5,000 for any violation which the Admin-
14 istrator of the Transportation Security Administra-
15 tion determines is otherwise egregious, including if
16 the firearm at issue—

17 “(A) is known to the Administrator to—

18 “(i) not contain a serial number when
19 required by law; or

20 “(ii) have been manufactured using
21 additive layer manufacturing (commonly
22 known as ‘3-D printing’); or

23 “(B) is—

24 “(i) of a nature or type that poses a
25 greater risk to aviation security than fire-

1 arms typically identified at passenger
2 screening checkpoints; or

3 “(ii) identified with ammunition that
4 is of a nature or type that poses a greater
5 risk to aviation security than ammunition
6 typically identified at passenger screening
7 checkpoints.

8 “(d) SPECIAL CIRCUMSTANCES.—An individual sub-
9 ject to a minimum civil monetary penalty amount pursu-
10 ant to subsection (a) may appeal such penalty amount or
11 seek a reduction in such penalty amount in the case of
12 such individual’s particular violation, including based on
13 mitigating factors (including in accordance with sub-
14 section (e)) pursuant to procedures provided for in the
15 Transportation Security Administration’s security regula-
16 tions. The Administrator of the Transportation Security
17 Administration may, if the Administrator determines such
18 is appropriate, grant such appeal or reduce such penalty
19 amount, as the case may be.

20 “(e) SELF-DISCLOSURE.—Notwithstanding any other
21 provision of this section, the Administrator of the Trans-
22 portation Security Administration may consider self-dis-
23 closure as a mitigating factor when determining the
24 amount of a civil monetary penalty if an individual, in
25 good faith, voluntarily discloses a violation of subsection

1 (a) of section 1540.111 of title 49, Code of Federal Regu-
2 lations, to the Transportation Security Administration, an
3 entity authorized to conduct screening pursuant to section
4 44920 of title 49, United States Code, a Government rep-
5 resentative, an employee or contractor of an airline or air-
6 port, or other appropriate authority, after the individual
7 is present for screening at a passenger screening check-
8 point but prior to the detection of such violation.

9 “(f) PAYMENT PLANS.—The Administrator of the
10 Transportation Security Administration may provide pay-
11 ment plans for payment of civil monetary penalty amounts
12 under this section for a violation of subsection (a) of sec-
13 tion 1540.111 of title 49, Code of Federal Regulations,
14 in the event an individual provides documentation of hard-
15 ship.

16 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion may be interpreted as—

18 “(1) limiting the authority of the Administrator
19 of the Transportation Security Administration to
20 issue civil monetary penalty amounts that are great-
21 er than those established as minimum civil monetary
22 penalty amounts pursuant to this section;

23 “(2) limiting the authority of the Administrator
24 to establish minimum civil monetary penalty
25 amounts with respect to first-time or non-egregious

1 violations of section 1540.111 of title 49, Code of
2 Federal Regulations; or

3 “(3) instructing the Administrator to establish
4 a minimum civil monetary penalty amount with re-
5 spect to violations involving unloaded replicas of fire-
6 arms not capable of discharge.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 for chapter 449 of title 49, United States Code, is amend-
9 ed by inserting after the item relating to section 44929
10 the following new item:

“44930. Minimum civil monetary penalties for certain firearm-related viola-
tions.”.

11 **SEC. 5. PRECHECK ELIGIBILITY.**

12 Section 44919 of title 49, United States Code, is
13 amended by adding at the end the following new sub-
14 section:

15 “(m) INELIGIBILITY OF INDIVIDUALS UNLAWFULLY
16 POSSESSING FIREARMS IN RESTRICTED AREAS.—

17 “(1) IN GENERAL.—Any unauthorized indi-
18 vidual who possesses a firearm after the individual
19 is present for screening at a passenger screening
20 checkpoint shall be ineligible for expedited security
21 screening and prohibited from participating in the
22 PreCheck Program for a period of time determined
23 by the Administrator of the Transportation Security

1 Administration in the Administrator's sole discre-
2 tion.

3 “(2) REQUEST FOR RECONSIDERATION.—The
4 Administrator of the Transportation Security Ad-
5 ministration shall maintain a procedure through
6 which an individual subject to a period of ineligi-
7 bility pursuant to this subsection may petition the
8 Administrator for a reduction in the duration of
9 such period. The Administrator may, if the Adminis-
10 trator determines such is appropriate, reduce such
11 duration. Any such determination shall be in the Ad-
12 ministrator's sole discretion.

13 “(3) DEFINITION.—In this subsection, the term
14 ‘passenger screening checkpoint’ means the des-
15 ignated area at each airport located in the United
16 States at which the Transportation Security Admin-
17 istration, or an entity authorized by the Administra-
18 tion pursuant to section 44920, or other comparable
19 authority, provides for the screening of passengers
20 and carry-on baggage.”.

21 **SEC. 6. REPORT.**

22 Not later than one year after the date of the enact-
23 ment of this Act and biennially thereafter, the Adminis-
24 trator of the Transportation Security Administration shall

1 submit to the appropriate congressional committees a re-
2 port describing the following:

3 (1) The implementation of the signage require-
4 ment under paragraph (1) of subsection (m) of sec-
5 tion 44901 of title 49, United States Code, and the
6 implementation of the signage requirement under
7 paragraph (4) of such subsection (including a copy
8 of the list of airports required to be produced bienni-
9 ally thereunder), as such section was amended by
10 section 2.

11 (2) The public awareness activities of the Ad-
12 ministration relating to firearms, including activities
13 conducted pursuant to section 3.

14 (3) The number of violations of subsection (a)
15 of section 1540.111 of title 49, Code of Federal
16 Regulations, and any other incidents involving the
17 unauthorized carriage of a firearm at a passenger
18 screening checkpoint, including information regard-
19 ing which such violations and incidents were com-
20 mitted by individuals while receiving expedited
21 screening, during the period of time covered by each
22 such report.

23 (4) PreCheck Program revocations or denials
24 pursuant to subsection (m) of section 44919, United

1 States Code, as added by this Act, during the period
2 of time covered by each such report.

3 (5) Any new or evolving threats relating to, or
4 efforts to enhance, public area security at airports
5 as such pertains to firearms.

6 (6) Such other matters relating to firearm-re-
7 lated threats to transportation security as the Ad-
8 ministrator determines appropriate.

9 **SEC. 7. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.**

10 Not later than two years after the date of the enact-
11 ment of this Act, the Comptroller General of the United
12 States shall submit to the appropriate congressional com-
13 mittees a review of the Transportation Security Adminis-
14 tration's efforts to—

15 (1) implement the provisions of this Act and
16 the amendments made by this Act;

17 (2) deter the carriage of firearms and other
18 dangerous items at passenger screening checkpoints
19 through means other than those required by this Act
20 and such amendments; and

21 (3) enhance public area security at airports
22 against firearm-related threats.

23 **SEC. 8. DEFINITIONS.**

24 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means the Committee on Homeland Secu-
4 rity of the House of Representatives and the Com-
5 mittee on Commerce, Science, and Transportation of
6 the Senate.

7 (2) PASSENGER SCREENING CHECKPOINT.—
8 The term “passenger screening checkpoint” means
9 the designated area at each airport located in the
10 United States at which the Transportation Security
11 Administration, or an entity authorized by the Ad-
12 ministration pursuant to section 44920 of title 49,
13 United States Code, or other comparable authority,
14 provides for the screening of passengers and carry-
15 on baggage.

16 (3) STERILE AREA.—The term “sterile area”
17 has the meaning given such term in section 1540.5
18 of title 49, Code of Federal Regulations.

○