

19

AMENDMENT TO H.R. 1817
OFFERED BY MR. DEFAZIO OF OREGON AND MR.
MICA OF FLORIDA

At the end of subtitle A of title III, add the following (and conform the table of contents accordingly):

1 SEC. 310. FEDERAL FLIGHT DECK OFFICERS.

2 (a) TRAINING AND REQUALIFICATION TRAINING.—
 3 Section 44921(c) of title 49, United States Code, is
 4 amended by adding at the end the following:

5 “(3) LOCATION OF TRAINING.—

6 “(A) STUDY.—The Secretary shall conduct
 7 a study of the feasibility of conducting Federal
 8 flight deck officer initial training at facilities lo-
 9 cated throughout the United States, including
 10 an analysis of any associated programmatic im-
 11 pacts to the Federal flight deck officer pro-
 12 gram.

13 “(B) REPORT.—Not later than 180 days
 14 after the date of enactment of this paragraph,
 15 the Secretary shall transmit to Congress a re-
 16 port on the results of the study.

17 “(4) DATES OF TRAINING.—The Secretary shall
 18 ensure that a pilot who is eligible to receive Federal



1 flight deck officer training is offered, to the max-
2 imum extent practicable, a choice of training dates
3 and is provided at least 30 days advance notice of
4 the dates.

5 “(5) TRAVEL TO TRAINING FACILITIES.—The
6 Secretary shall establish a program to improve travel
7 access to Federal flight deck officer training facili-
8 ties through the use of charter flights or improved
9 scheduled air carrier service.

10 “(6) REQUALIFICATION AND RECURRENT
11 TRAINING.—

12 “(A) STANDARDS.—The Secretary shall es-
13 tablish qualification standards for facilities
14 where Federal flight deck officers can receive
15 requalification and recurrent training.

16 “(B) LOCATIONS.—The Secretary shall
17 provide for requalification and recurrent train-
18 ing at geographically diverse facilities, including
19 Federal, State, and local law enforcement and
20 government facilities, and private training fa-
21 cilities that meet the qualification standards es-
22 tablished under subparagraph (A).

23 “(7) COSTS OF TRAINING.—

24 “(A) IN GENERAL.—The Secretary shall
25 provide Federal flight deck officer training, re-



1 qualification training, and recurrent training to
2 eligible pilots at no cost to the pilots or the air
3 carriers that employ the pilots.

4 “(B) TRANSPORTATION AND EXPENSES.—
5 The Secretary may provide travel expenses to a
6 pilot receiving Federal flight deck officer train-
7 ing, requalification training, or recurrent train-
8 ing.

9 “(8) COMMUNICATIONS.—Not later than 180
10 days after the date of enactment of this paragraph,
11 the Secretary shall establish a secure means for per-
12 sonnel of the Transportation Security Administra-
13 tion to communicate with Federal flight deck offi-
14 cers, and for Federal flight deck officers to commu-
15 nicate with each other, in support of the mission of
16 such officers. Such means of communication may in-
17 clude a secure Internet website.

18 “(9) ISSUANCE OF BADGES.—Not later than
19 180 days after the date of enactment of this para-
20 graph, the Secretary shall issue badges to Federal
21 flight deck officers.”.

22 (b) REVOCATION OF DEPUTIZATION OF PILOT AS
23 FEDERAL FLIGHT DECK OFFICER.—Section 44921(d)(4)
24 of title 49, United States Code, is amended to read as
25 follows:



1 “(4) REVOCATION.—

2 “(A) ORDERS.—The Assistant Secretary of
3 Homeland Security (Transportation Security
4 Administration) may issue, for good cause, an
5 order revoking the deputization of a Federal
6 flight deck officer under this section. The order
7 shall include the specific reasons for the revoca-
8 tion.

9 “(B) HEARINGS.—An individual who is ad-
10 versely affected by an order of the Assistant
11 Secretary under subparagraph (A) is entitled to
12 a hearing on the record. When conducting a
13 hearing under this section, the administrative
14 law judge shall not be bound by findings of fact
15 or interpretations of laws and regulations of the
16 Assistant Secretary.

17 “(C) APPEALS.—An appeal from a deci-
18 sion of an administrative law judge as a result
19 of a hearing under subparagraph (B) shall be
20 made to the Secretary or the Secretary’s des-
21 ignee.

22 “(D) JUDICIAL REVIEW OF A FINAL
23 ORDER.—The determination and order of the
24 Secretary revoking the deputization of a Fed-
25 eral flight deck officer under this section shall



1 be final and conclusive unless the individual
2 against whom such an order is issued files an
3 application for judicial review under subchapter
4 II of chapter 5 of title 5 (popularly known as
5 the Administrative Procedure Act) within 60
6 days of entry of such order in the appropriate
7 United States court of appeals.”.

8 (c) FEDERAL FLIGHT DECK OFFICER FIREARM CAR-
9 RIAGE PILOT PROGRAM.—Section 44921(f) of title 49,
10 United States Code, is amended by adding at the end the
11 following:

12 “(4) PILOT PROGRAM.—

13 “(A) IN GENERAL.—Not later than 90
14 days after the date of enactment of this para-
15 graph, the Secretary shall implement a pilot
16 program to allow pilots participating in the
17 Federal flight deck officer program to transport
18 their firearms on their persons. The Secretary
19 may prescribe any training, equipment, or pro-
20 cedures that the Secretary determines necessary
21 to ensure safety and maximize weapon reten-
22 tion.

23 “(B) REVIEW.—Not later than 1 year
24 after the date of initiation of the pilot program,
25 the Secretary shall conduct a review of the safe-

1 ty record of the pilot program and transmit a
2 report on the results of the review to Congress.

3 “(C) OPTION.—If the Secretary as part of
4 the review under subparagraph (B) determines
5 that the safety level obtained under the pilot
6 program is comparable to the safety level deter-
7 mined under existing methods of pilots carrying
8 firearms on aircraft, the Secretary shall allow
9 all pilots participating in the Federal flight
10 deck officer program the option of carrying
11 their firearm on their person subject to such re-
12 quirements as the Secretary determines appro-
13 priate.”.

14 (d) FEDERAL FLIGHT DECK OFFICERS ON INTER-
15 NATIONAL FLIGHTS.—

16 (1) AGREEMENTS WITH FOREIGN GOVERN-
17 MENTS.—The President is encouraged to pursue ag-
18 gressively agreements with foreign governments to
19 allow maximum deployment of Federal flight deck
20 officers on international flights.

21 (2) REPORT.—Not later than 180 days after
22 the date of enactment of this Act, the President (or
23 the President’s designee) shall submit to Congress a
24 report on the status of the President’s efforts to



1 allow maximum deployment of Federal flight deck
2 officers on international flights.

3 (e) REFERENCES TO UNDER SECRETARY.—Section
4 44921 of title 49, United States Code, is amended—

5 (1) in subsection (a) by striking “Under Sec-
6 retary of Transportation for Security” and inserting
7 “Secretary of Homeland Security”;

8 (2) by striking “Under Secretary” each place it
9 appears and inserting “Secretary”; and

10 (3) by striking “Under Secretary’s” each place
11 it appears and inserting “Secretary’s”.

