

115TH CONGRESS  
1ST SESSION

# H. R. 1746

To prohibit certain individuals from possessing a firearm in an airport,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2017

Mr. JOHNSON of Georgia (for himself, Ms. SPEIER, Mr. DAVID SCOTT of Georgia, Ms. KELLY of Illinois, Mr. BEYER, Mr. RASKIN, Ms. NORTON, Mr. HASTINGS, Mr. CONNOLLY, and Mr. LEWIS of Georgia) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit certain individuals from possessing a firearm  
in an airport, 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 “Airport Security Act  
5 of 2017”.

1 **SEC. 2. PROHIBITION OF POSSESSION OF FIREARMS AT**  
2 **AIRPORTS.**

3 (a) PROGRAM TO PROHIBIT POSSESSION OF FIRE-  
4 ARMS AT AIRPORTS.—Section 44903 of title 49, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new subsection:

7 “(o) PROGRAM TO PROHIBIT POSSESSION OF FIRE-  
8 ARMS AT AIRPORTS.—

9 “(1) ESTABLISHMENT.—The Administrator of  
10 the Transportation Security Administration shall es-  
11 tablish and carry out a program to prohibit, except  
12 as provided in paragraph (3), any individual from  
13 possessing a firearm at a covered airport, including  
14 any individual who enters the airport, or who exits  
15 public transportation at the airport, for the following  
16 purposes:

17 “(A) Air travel.

18 “(B) Meeting another individual.

19 “(C) Picking up cargo.

20 “(D) Employment at the airport.

21 “(2) REQUIREMENTS FOR AIRPORT OPERA-  
22 TORS.—In carrying out the program established  
23 under paragraph (1), the Administrator shall require  
24 each airport operator to—

1           “(A) conspicuously display notices summa-  
2 rizing the program described in paragraph  
3 (1)—

4                   “(i) at each entrance to the airport;  
5 and

6                   “(ii) in such form, and containing  
7 such information, as the Administrator  
8 shall by regulation prescribe; and

9           “(B) require law enforcement personnel  
10 to—

11                   “(i) monitor the airport to prevent  
12 violations of paragraph (1); and

13                   “(ii) escort any individual described in  
14 paragraph (3)(B)(ii) who is discovered by  
15 such personnel to be in possession of a  
16 firearm described in paragraph (3)(B)(i),  
17 to ensure that such individual continues to  
18 be excepted from paragraph (1) by reason  
19 of being an individual described in para-  
20 graph (3)(B).

21           “(3) EXCEPTIONS.—The following individuals  
22 shall not be prohibited by paragraph (1) from pos-  
23 sessed a firearm under such paragraph:

24                   “(A) INDIVIDUALS AUTHORIZED TO CARRY  
25 A FIREARM.—An individual who, by regulation,

1 is authorized by the Administrator of the Fed-  
2 eral Aviation Administration or the Adminis-  
3 trator of the Transportation Security Adminis-  
4 tration to carry a firearm at the covered air-  
5 port.

6 “(B) TRAVELERS.—An individual who pos-  
7 sesses a firearm, if—

8 “(i) the firearm is unloaded, carried  
9 in a hard-sided container that is locked,  
10 and the key or combination to the lock is  
11 in the exclusive possession of the indi-  
12 vidual; and

13 “(ii) the individual—

14 “(I) is carrying a ticket in the  
15 name of the individual for a flight  
16 that is scheduled for departure from  
17 the covered airport within 24 hours or  
18 that has arrived at the airport within  
19 the preceding 24 hours; or

20 “(II) communicates the intention  
21 to obtain a ticket for departure re-  
22 ferred to in subclause (I) at the cov-  
23 ered airport and obtains and carries  
24 such ticket or does not obtain such  
25 ticket for a compelling reason.

1           “(C) INDIVIDUALS SHIPPING FIREARMS.—  
2           An individual who possesses a firearm in a ca-  
3           pacity relating to the shipment of the firearm  
4           in air commerce and who, by regulation, is au-  
5           thorized by the Administrator of the Federal  
6           Aviation Administration or the Administrator of  
7           the Transportation Security Administration to  
8           possess the firearm at the covered airport in  
9           such capacity.

10           “(D) LAW ENFORCEMENT OFFICERS.—An  
11           on-duty law enforcement officer of a State or  
12           political subdivision of a State, or an officer or  
13           employee of the Federal Government, who is  
14           authorized to carry a firearm.

15           “(E) CERTAIN INDIVIDUALS ON PUBLIC  
16           TRANSPORTATION.—An individual passing  
17           through an airport on public transportation.

18           “(F) ADDITIONAL AUTHORIZED INDIVID-  
19           UALS.—An individual who is otherwise author-  
20           ized by the Administrator of the Federal Avia-  
21           tion Administration or the Administrator of the  
22           Transportation Security Administration to pos-  
23           sess a firearm at a covered airport.

24           “(4) ISSUANCE OF REGULATIONS.—Not later  
25           than one year after the date of enactment of this

1 Act, the Administrator of the Transportation Secu-  
2 rity Administration shall issue regulations to carry  
3 out this subsection.

4 “(5) DEFINITIONS.—In this subsection:

5 “(A) AIRPORT.—The term ‘airport’ means  
6 an airport and any appurtenant building or  
7 area that is related to the operation of the air-  
8 port, including a building or area on the site of  
9 the airport designed to—

10 “(i) receive passengers or cargo before  
11 or after a flight; or

12 “(ii) facilitate arrival at or departure  
13 from the airport, including—

14 “(I) a road or section of road  
15 used primarily for arrival at or depar-  
16 ture from the airport;

17 “(II) an airport parking area;  
18 and

19 “(III) a public transportation  
20 stop.

21 “(B) AIRPORT OPERATOR.—The term ‘air-  
22 port operator’ means the operator of a covered  
23 airport.

1           “(C) ADMINISTRATOR.—The term ‘Admin-  
2           istrator’ means the Administrator of the Trans-  
3           portation Security Administration.

4           “(D) COVERED AIRPORT.—The term ‘cov-  
5           ered airport’ means an airport that in the pre-  
6           ceding fiscal year received an amount allocated  
7           or apportioned under chapter 471.

8           “(E) FIREARM.—The term ‘firearm’ has  
9           the meaning given the term in section 921(a)(3)  
10          of title 18.

11          “(F) PUBLIC TRANSPORTATION.—The  
12          term ‘public transportation’ means a convey-  
13          ance that provides regular and continuing gen-  
14          eral or special transportation to the public.”.

15          (b) CRIMINAL PENALTY FOR POSSESSION.—

16                 (1) IN GENERAL.—Chapter 44 of title 18,  
17          United States Code, is amended by adding at the  
18          end the following new section:

19          **“§ 932. Possession of firearms at airports**

20                 “(a) IN GENERAL.—Except as provided in subsection  
21          (b), an individual who knowingly possesses a firearm at  
22          a covered airport shall be fined under this title, imprisoned  
23          not more than 10 years, or both.

24                 “(b) EXCEPTIONS.—Subsection (a) shall not apply to  
25          an individual described in section 44903(o)(3) of title 49.

1       “(c) DEFINITION OF COVERED AIRPORT.—In this  
2 section, the term ‘covered airport’ has the meaning given  
3 the term in section 44903(o)(5)(D) of title 49.”.

4           (2) EFFECTIVE DATE.—The amendment made  
5 by paragraph (1) shall take effect on the date that  
6 is 30 days after the date on which the Administrator  
7 of the Transportation Security Administration has  
8 issued regulations pursuant to section 44903(o)(4)  
9 of title 49, United States Code (as added by sub-  
10 section (a)).

11           (3) CONFORMING AMENDMENT.—The table of  
12 sections for chapter 44 of title 18, United States  
13 Code, is amended by adding at the end the following  
14 new item:

“932. Possession of firearms at airports.”.

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