

Union Calendar No. 641

119TH CONGRESS
2^D SESSION

H. R. 8770

[Report No. 119-737]

To amend title 49, United States Code, to establish funds for investments in aviation security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2026

Mr. STRONG (for himself, Mr. KENNEDY of New York, Mr. GARBARINO, Mr. GUEST, Mr. EVANS of Colorado, and Mr. MACKENZIE) introduced the following bill; which was referred to the Committee on Homeland Security

JULY 9, 2026

Additional sponsor: Mr. VAN EPPS

JULY 9, 2026

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 12, 2026]

A BILL

To amend title 49, United States Code, to establish funds for investments in aviation security, 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 “Spending Aviation Fees*
5 *for Equipment, Guaranteeing Upgraded and Advanced*
6 *Risk Detection and Safety Act of 2026” or the “SAFE-*
7 *GUARDS Act of 2026”.*

8 **SEC. 2. SENSE OF CONGRESS.**

9 *It is the sense of Congress that—*

10 *(1) the fee collected in accordance with section*
11 *44940 of title 49, United States Code (commonly*
12 *known as the “9/11 Security Fee”), is an airline pas-*
13 *senger-paid fee established with the express purpose of*
14 *sustaining the safety and security of the aviation sys-*
15 *tem of the United States;*

16 *(2) revenue generated from the 9/11 Security Fee*
17 *should be used exclusively to fund activities, pro-*
18 *grams, equipment, and initiatives that directly im-*
19 *prove the security of commercial aviation, including*
20 *passenger and baggage screening, security technology*
21 *upgrades, and the support of personnel responsible for*
22 *aviation security;*

23 *(3) the use of the 9/11 Security Fee for purposes*
24 *unrelated to aviation security undermines public*
25 *trust and the original intent of the fee, and all pro-*

1 ceeds from the fee should be reserved and expended
 2 solely for measures that strengthen the safety and se-
 3 curity of the traveling public within the aviation sec-
 4 tor; and

5 (4) the diversion of 9/11 Security Fee revenue to
 6 other purposes should be ended no later than 2027, in
 7 accordance with section 44940(i)(4) of title 49,
 8 United States Code, as it read on the date of the en-
 9 actment of this Act.

10 **SEC. 3. AVIATION SECURITY FUNDS.**

11 (a) *IMPROVING THE AVIATION SECURITY CAPITAL*
 12 *FUND*.—Subsection (h) of section 44923 of title 49, United
 13 States Code (relating to the Aviation Security Capital
 14 Fund), is amended—

15 (1) in paragraph (1), by striking the second,
 16 third, and fourth sentences and inserting the fol-
 17 lowing new sentences: “Beginning in fiscal year 2028
 18 and for each fiscal year thereafter, the first
 19 \$500,000,000 derived from fees received under section
 20 44940(a)(1) shall be available to be deposited in the
 21 Fund. The Administrator of the Transportation Secu-
 22 rity Administration shall impose the fee authorized
 23 by such section so as to collect at least \$500,000,000
 24 in each of such fiscal years for deposit into the Fund,
 25 subject to the prior termination of any of the fees au-

1 *thorized under such section being credited as offsetting*
 2 *receipts and deposited in the general fund of the*
 3 *Treasury.”; and*

4 *(2) by striking paragraphs (2) and (3) and in-*
 5 *serting the following new paragraph:*

6 *“(2) DISBURSEMENT AUTHORITY.—Amounts in*
 7 *the Fund shall be available to the Administrator of*
 8 *the Transportation Security Administration to make*
 9 *grants under this section or enter into related agree-*
 10 *ments to carry out this section.”.*

11 *(b) ESTABLISHMENT OF THE AVIATION SECURITY*
 12 *CHECKPOINT TECHNOLOGY FUND.—Section 44923 of title*
 13 *49, United States Code, is amended by—*

14 *(1) by redesignating subsection (i) as subsection*
 15 *(j); and*

16 *(2) by inserting after subsection (h) the following*
 17 *new subsection:*

18 *“(i) AVIATION SECURITY CHECKPOINT TECHNOLOGY*
 19 *FUND.—*

20 *“(1) IN GENERAL.—There is established within*
 21 *the Department of Homeland Security a fund to be*
 22 *known as the ‘Aviation Security Checkpoint Tech-*
 23 *nology Fund’ (in this subsection referred to as the*
 24 *‘ASCT Fund’).*

1 “(2) *FUNDING.*—Beginning in fiscal year 2028
2 and for each fiscal year thereafter, after the first
3 \$500,000,000 is deposited into the Aviation Security
4 Capital Fund pursuant to subsection (h)(2), the next
5 \$250,000,000 from fees received under section
6 44940(a)(1) shall be available to be deposited in the
7 ASCT Fund. The Administrator of the Transpor-
8 tation Security Administration shall impose the fee
9 authorized by such section so as to collect not less
10 than \$250,000,000 in each of such fiscal years for de-
11 posit into the ASCT Fund. Amounts in the ASCT
12 Fund shall be available until expended to the Admin-
13 istrator of the Transportation Security Administra-
14 tion to fund the testing, procurement, deployment, in-
15 stallation, and sustainment of aviation security
16 checkpoint technology, subject to the prior termination
17 of any of the fees authorized under such section being
18 credited as offsetting receipts and deposited in the
19 general fund of the Treasury.

20 “(3) *DISBURSEMENT AUTHORITY.*—Amounts in
21 the ASCT Fund shall be available to the Adminis-
22 trator of the Transportation Security Administration
23 to make grants under this section or enter into related
24 agreements to carry out this section.”.

1 (c) *CONFORMING AMENDMENT.*—*Paragraph (1) of sec-*
2 *tion 44940(i) of title 49, United States Code, is amended*
3 *by striking “section 44923(h)” and inserting “subsections*
4 *(h) and (i) of section 44923”.*

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