

114TH CONGRESS
1ST SESSION

S. _____

To improve the Federal flight deck officers program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To improve the Federal flight deck officers program, 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 “Arm All Pilots Act
5 of 2015”.

6 **SEC. 2. FACILITATION OF AND LIMITATIONS ON TRAINING**
7 **OF FEDERAL FLIGHT DECK OFFICERS.**

8 (a) IMPROVED ACCESS TO TRAINING FACILITIES.—

9 Section 44921(c)(2)(C)(ii) of title 49, United States Code,
10 is amended—

1 be deputized as Federal flight
2 deck officers; and

3 “(cc) designate additional
4 firearms training facilities for re-
5 current training of Federal flight
6 deck officers relative to the num-
7 ber of such facilities available on
8 the day before such date of en-
9 actment.”.

10 (b) FIREARMS REQUALIFICATION FOR FEDERAL
11 FLIGHT DECK OFFICERS.—Section 44921(c)(2)(C)(iii) of
12 such title is amended—

13 (1) by striking “The Under Secretary shall”
14 and inserting the following:

15 “(I) IN GENERAL.—The Sec-
16 retary shall”;

17 (2) in subclause (I), as designated by paragraph
18 (1), by striking “the Under Secretary” and inserting
19 “the Secretary, but not more frequently than once
20 every 6 months,”; and

21 (3) by adding at the end the following:

22 “(II) USE OF FACILITIES FOR
23 REQUALIFICATION.—The Secretary
24 shall allow a Federal flight deck offi-
25 cer to requalify to carry a firearm

1 under the program through training
2 at a private or government-owned gun
3 range certified to provide firearm re-
4 qualification training.

5 “(III) SELF-REPORTING.—The
6 Secretary shall determine that a Fed-
7 eral flight deck officer has met the re-
8 quirements to requalify to carry a
9 firearm under the program if—

10 “(aa) the officer reports to
11 the Secretary that the officer has
12 participated in a sufficient num-
13 ber of hours of training to re-
14 qualify to carry a firearm under
15 the program; and

16 “(bb) the administrator of
17 the facility at which the officer
18 conducted the requalification
19 training verifies that the officer
20 participated in that number of
21 hours of training.”.

22 (c) LIMITATIONS ON TRAINING.—Section
23 44921(c)(2) of such title is amended by adding at the end
24 the following:

25 “(D) LIMITATIONS ON TRAINING.—

1 “(i) INITIAL TRAINING.—The Sec-
2 retary may require—

3 “(I) initial training of not more
4 than 5 days for a pilot to be deputized
5 as a Federal flight deck officer;

6 “(II) the pilot to be physically
7 present at the training facility for not
8 more than 2 days of such training;
9 and

10 “(III) not more than 3 days of
11 such training to be in the form of cer-
12 tified online training administered by
13 the Department of Homeland Secu-
14 rity.

15 “(ii) RECURRENT TRAINING.—The
16 Secretary may require—

17 “(I) recurrent training of not
18 more than 2 days, not more fre-
19 quently than once every 5 years, for a
20 pilot to maintain deputization as a
21 Federal flight deck officer;

22 “(II) the pilot to be physically
23 present at the training facility for a
24 full-day training session for not more
25 than one day of such training; and

1 “(III) not more than one day of
2 such training to be in the form of cer-
3 tified online training administered by
4 the Department of Homeland Secu-
5 rity.”.

6 (d) OTHER MEASURES TO FACILITATE TRAINING.—

7 Section 44921(e) of such title is amended—

8 (1) by striking “Pilots participating” and in-
9 serting the following:

10 “(1) IN GENERAL.—Pilots participating”; and

11 (2) by adding at the end the following:

12 “(2) FACILITATION OF TRAINING.—

13 “(A) TIME OFF FOR TRAINING.—An air
14 carrier shall permit a Federal flight deck officer
15 or a pilot seeking to be deputized as a Federal
16 flight deck officer to take a reasonable amount
17 of leave from work to participate in initial and
18 recurrent training for the program. An air car-
19 rier shall not be obligated to provide such an of-
20 ficer or pilot compensation for such leave.

21 “(B) PRACTICE AMMUNITION.—At the re-
22 quest of a Federal flight deck officer, the Sec-
23 retary shall provide to the officer sufficient
24 practice ammunition to conduct at least one
25 practice course every month.”.

1 **SEC. 3. CARRIAGE OF FIREARMS BY FEDERAL FLIGHT**
2 **DECK OFFICERS.**

3 (a) GENERAL AUTHORITY.—Section 44921(f) of title
4 49, United States Code, is amended—

5 (1) by redesignating paragraphs (2) and (3) as
6 paragraphs (4) and (5), respectively; and

7 (2) by striking paragraph (1) and inserting the
8 following:

9 “(1) IN GENERAL.—The Secretary shall author-
10 ize a Federal flight deck officer to carry a firearm
11 while engaged in providing air transportation or
12 intrastate air transportation. The authority provided
13 to a Federal flight deck officer under this paragraph
14 includes the authority to carry a firearm—

15 “(A) on the officer’s body, loaded, and
16 holstered;

17 “(B) when traveling to a flight duty as-
18 signment, throughout the duty assignment, and
19 when traveling from a flight duty assignment to
20 the officer’s home or place where the officer is
21 residing when traveling; and

22 “(C) in the passenger cabin and while
23 traveling in a cockpit jump seat.

24 “(2) CONCEALED CARRY.—A Federal flight
25 deck officer shall make reasonable efforts to keep
26 the officer’s firearm concealed when in public.

1 “(3) PURCHASE OF FIREARM BY OFFICER.—
2 Notwithstanding subsection (c)(1), a Federal flight
3 deck officer may purchase a firearm and carry that
4 firearm aboard an aircraft of which the officer is the
5 pilot in accordance with this section if the firearm
6 is of a type that may be used under the program.”.

7 (b) CARRIAGE OF FIREARMS ON INTERNATIONAL
8 FLIGHTS.—Paragraph (5) of section 44921(f) of such
9 title, as redesignated by subsection (a)(1), is amended to
10 read as follows:

11 “(5) CARRYING FIREARMS OUTSIDE UNITED
12 STATES.—

13 “(A) IN GENERAL.—In consultation with
14 the Secretary of State, the Secretary—

15 “(i) may take such action as may be
16 necessary to ensure that a Federal flight
17 deck officer may carry a firearm in a for-
18 eign country whenever necessary to partici-
19 pate in the program; and

20 “(ii) shall take such actions as are
21 within the authority of the Secretary to en-
22 sure that a Federal flight deck officer may
23 carry a firearm while engaged in providing
24 foreign air transportation.

1 “(B) CONSISTENCY WITH FEDERAL AIR
2 MARSHAL PROGRAM.—The Secretary shall work
3 to make policies relating to the carriage of fire-
4 arms on flights in foreign air transportation by
5 Federal flight deck officers consistent with the
6 policies of the Federal air marshal program for
7 carrying firearms on such flights.”.

8 (c) CARRIAGE OF FIREARM IN PASSENGER CABIN.—

9 (1) RULE OF CONSTRUCTION.—Section 44921
10 of title 49, United States Code, is amended by add-
11 ing at the end the following:

12 “(l) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion shall be construed to require a Federal flight deck
14 officer to place a firearm in a locked container, or in any
15 other manner render the firearm unavailable, when the
16 cockpit door is opened.”.

17 (2) CONFORMING REPEAL.—Section
18 44921(b)(3) of title 49, United States Code, is
19 amended—

20 (A) by striking subparagraph (G); and

21 (B) by redesignating subparagraphs (H)
22 through (N) as subparagraphs (G) through
23 (M), respectively.

1 (d) REGULATIONS.—Not later than 180 days after
2 the date of the enactment of this Act, the Secretary of
3 Homeland Security shall—

4 (1) prescribe regulations on the proper storage
5 of firearms when a Federal flight deck officer is at
6 home or where the officer is residing when traveling;
7 and

8 (2) revise the procedural requirements estab-
9 lished under section 44921(b)(1) of title 49, United
10 States Code, to implement the amendments made by
11 subsection (c).

12 **SEC. 4. PHYSICAL STANDARDS FOR FEDERAL FLIGHT DECK**
13 **OFFICERS.**

14 Section 44921(d)(2) of title 49, United States Code,
15 is amended—

16 (1) by redesignating subparagraphs (A), (B),
17 and (C) as clauses (i), (ii), and (iii), respectively,
18 and by moving such clauses, as so redesignated, 2
19 ems to the right;

20 (2) by striking “A pilot is” and inserting the
21 following:

22 “(A) IN GENERAL.—A pilot is”; and

23 (3) by adding at the end the following:

24 “(B) CONSISTENCY WITH REQUIREMENTS
25 FOR CERTAIN MEDICAL CERTIFICATES.—In es-

1 tablishing standards under subparagraph
2 (A)(ii), the Secretary may not establish medical
3 or physical standards for a pilot to become a
4 Federal flight deck officer that are inconsistent
5 with or more stringent than the requirements of
6 the Federal Aviation Administration for the
7 issuance of a first- or second-class airman med-
8 ical certificate under part 67 of title 14, Code
9 of Federal Regulations (or any corresponding
10 similar regulation or ruling).”.

11 **SEC. 5. TRANSFER OF FEDERAL FLIGHT DECK OFFICERS**
12 **FROM INACTIVE TO ACTIVE STATUS.**

13 Section 44921(d) of such title is amended by adding
14 at the end the following:

15 “(5) TRANSFER FROM INACTIVE TO ACTIVE
16 STATUS.—A pilot deputized as a Federal flight deck
17 officer who moves to inactive status may return to
18 active status after completing one program of recur-
19 rent training described in subsection (c).”.

20 **SEC. 6. FACILITATION OF SECURITY SCREENING OF FED-**
21 **ERAL FLIGHT DECK OFFICERS.**

22 Section 44921 of title 49, United States Code, as
23 amended by section 3(e)(1), is further amended by adding
24 at the end the following:

1 “(m) FACILITATION OF SECURITY SCREENING OF
2 FEDERAL FLIGHT DECK OFFICERS.—

3 “(1) ELIGIBILITY FOR EXPEDITED SCREEN-
4 ING.—The Secretary shall allow a Federal flight
5 deck officer to be screened through the crew member
6 identity verification program of the Transportation
7 Security Administration (commonly known as the
8 ‘Known Crew Member program’) when entering the
9 sterile area of an airport.

10 “(2) PROHIBITION ON PAPERWORK.—The Sec-
11 retary may not require a Federal flight deck officer
12 to fill out any forms or paperwork when entering the
13 sterile area of an airport.

14 “(3) STERILE AREA DEFINED.—In this sub-
15 section, the term ‘sterile area’ has the meaning given
16 that term in section 1540.5 of title 49, Code of Fed-
17 eral Regulations (or any corresponding similar regu-
18 lation or ruling).”.

19 **SEC. 7. TECHNICAL CORRECTIONS.**

20 Section 44921 of title 49, United States Code, as
21 amended by this Act, is further amended—

22 (1) in subsection (a), by striking “Under Sec-
23 retary of Transportation for Security” and inserting
24 “Secretary of Homeland Security”;

1 (2) in subsection (d)(4), by striking “may,” and
2 inserting “may”;

3 (3) in subsection (i)(2), by striking “the Under
4 Secretary may” and inserting “may”;

5 (4) in subsection (k)—

6 (A) by striking paragraphs (2) and (3);

7 and

8 (B) by striking “APPLICABILITY” and all
9 that follows through “This section” and insert-
10 ing “APPLICABILITY.—This section”;

11 (5) by adding at the end the following:

12 “(n) DEFINITIONS.—In this section:

13 “(1) PILOT.—The term ‘pilot’ means an indi-
14 vidual who has final authority and responsibility for
15 the operation and safety of the flight or any other
16 flight deck crew member.

17 “(2) ALL-CARGO AIR TRANSPORTATION.—The
18 term ‘air transportation’ includes all-cargo air trans-
19 portation.”; and

20 (6) by striking “Under Secretary” each place it
21 appears and inserting “Secretary”.

1 **SEC. 8. REFUNDS OF CERTAIN SECURITY SERVICE FEES**
2 **FOR AIR CARRIERS WITH FEDERAL FLIGHT**
3 **DECK OFFICERS ON ALL FLIGHTS.**

4 Section 44940 of title 49, United States Code, is
5 amended by adding at the end the following:

6 “(j) REFUND OF FEES FOR AIR CARRIERS WITH
7 FEDERAL FLIGHT DECK OFFICERS ON ALL FLIGHTS.—
8 From fees received in a fiscal year under subsection
9 (a)(1), each air carrier that certifies to the Secretary of
10 Homeland Security that all flights operated by the air car-
11 rier have on board a pilot deputized as a Federal flight
12 deck officer under section 44921 shall receive an amount
13 equal to 10 percent of the fees collected under subsection
14 (a)(1) from passengers on flights operated by that air car-
15 rier in that fiscal year.”.

16 **SEC. 9. TREATMENT OF INFORMATION ABOUT FEDERAL**
17 **FLIGHT DECK OFFICERS AS SENSITIVE SECUR-**
18 **RITY INFORMATION.**

19 Not later than 180 days after the date of the enact-
20 ment of this Act, the Secretary of Homeland Security shall
21 revise section 15.5(b)(11) of title 49, Code of Federal Reg-
22 ulations, to classify information about pilots deputized as
23 Federal flight deck officers under section 44921 of title
24 49, United States Code, as sensitive security information
25 in a manner consistent with the classification of informa-
26 tion about Federal air marshals.

1 **SEC. 10. REGULATIONS.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Secretary of Homeland Security shall
4 prescribe such regulations as may be necessary to carry
5 out this Act and the amendments made by this Act.