

119TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. MORAN (for himself, Mr. VAN HOLLEN, Mr. BENNET, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 49, United States Code, to establish funds for investments in aviation security checkpoint technology, 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
5 Fees for Equipment, Guaranteeing Upgraded and Ad-
6 vanced Risk Detection and Safety Act of 2025” or the
7 “SAFEGUARDS Act of 2025”.

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

9 It is the sense of Congress that—

1 (1) the fee collected in accordance with section
2 44940 of title 49, United States Code (commonly
3 known as the “9/11 Security Fee”), is an airline
4 passenger-paid fee established with the express pur-
5 pose of enhancing the safety and security of the
6 aviation system of the United States;

7 (2) revenue generated from the 9/11 Security
8 Fee should be used exclusively to fund activities,
9 programs, equipment, and initiatives that directly
10 improve the security of commercial aviation, includ-
11 ing passenger and baggage screening, security tech-
12 nology upgrades, and the support of personnel re-
13 sponsible for aviation security;

14 (3) the use of the 9/11 Security Fee for pur-
15 poses unrelated to aviation security undermines pub-
16 lic trust and the original intent of the fee, and all
17 proceeds from the fee should be reserved and ex-
18 pended solely for measures that strengthen the safe-
19 ty and security of the traveling public within the
20 aviation sector; and

21 (4) the diversion of 9/11 Security Fee revenue
22 to other purposes should be ended no later than
23 2027, in accordance with section 44940(i)(4) of title
24 49, United States Code, as it read on the date of the
25 enactment of this Act.

1 **SEC. 3. IMPROVING THE AVIATION SECURITY CAPITAL**
2 **FUND.**

3 Section 44923(h) of title 49, United States Code, is
4 amended to read as follows:

5 “(h) AVIATION SECURITY CAPITAL FUND.—

6 “(1) IN GENERAL.—There is established within
7 the Department of Homeland Security a fund to be
8 known as the Aviation Security Capital Fund (in
9 this subsection referred to as the ‘Fund’).

10 “(2) SOURCE OF FUNDING.—

11 “(A) In each of fiscal years 2004 through
12 2025 the first \$250,000,000 derived from fees
13 received under section 44940(a)(1) shall be
14 available to be deposited in the Fund in para-
15 graph (1). The Administrator of the Transpor-
16 tation Security Administration shall impose the
17 fee authorized by section 44940(a)(1) so as to
18 collect at least \$250,000,000 in each of such
19 fiscal years for deposit into the Fund; and

20 “(B) Beginning in fiscal year 2026, and
21 for each fiscal year thereafter, the first
22 \$500,000,000 derived from fees received under
23 section 44940(a)(1) shall be available to be de-
24 posited in the Fund under paragraph (1). The
25 Administrator of the Transportation Security
26 Administration shall impose the fee authorized

1 by section 44940(a)(1) so as to collect at least
2 \$500,000,000 in each of such fiscal years for
3 deposit into the Fund.

4 “(3) GRANT AUTHORITY.—Amounts in the
5 Fund shall be available to the Administrator of the
6 Transportation Security Administration to make
7 grants under this section.”.

8 **SEC. 4. ESTABLISHMENT OF THE AVIATION SECURITY**
9 **CHECKPOINT TECHNOLOGY FUND.**

10 Section 44923 of title 49, United States Code, is
11 amended by—

12 (1) by redesignating subsection (i) as subsection
13 (j); and

14 (2) by inserting after subsection (h) the fol-
15 lowing new subsection (i):

16 “(i) AVIATION SECURITY CHECKPOINT TECHNOLOGY
17 FUND.—

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

23 “(2) FUNDING.—Beginning in fiscal year 2026,
24 and for each fiscal year thereafter, after the first
25 \$500,000,000 is deposited into the Aviation Security

1 Capital Fund pursuant to subsection (h)(2), the next
2 \$250,000,000 from fees received under section
3 44940(a)(1) shall be available to be deposited in the
4 ASCT Fund. The Administrator of the Transpor-
5 tation Security Administration shall impose the fee
6 authorized by section 44940(a)(1) so as to collect
7 not less than \$250,000,000 in each of such fiscal
8 years for deposit into the ASCT Fund. Amounts in
9 the ASCT Fund shall be available until expended to
10 the Administrator of the Transportation Security
11 Administration to fund the procurement, deploy-
12 ment, and sustainment of aviation security check-
13 point and exit lane technology.

14 “(3) GRANT AUTHORITY.—

15 “(A) IN GENERAL.—Amounts in the ASCT
16 Fund shall be available to the Administrator of
17 the Transportation Security Administration to
18 make grants under this section.

19 “(B) RETROACTIVE APPLICATION OF
20 GRANT FUNDS.—The Administrator may retro-
21 actively approve the use of grant funds under
22 this subsection for projects to support the pro-
23 curement, deployment, and sustainment of avia-
24 tion security checkpoint and exit lane tech-

1 nology that were implemented on or after Janu-
2 ary 1, 2023.”.