

112TH CONGRESS
1ST SESSION

S. 1918

To require the Secretary of Homeland Security to prescribe regulations imposing a fee on air carriers that charge passengers for a first checked bag or a first carry-on bag, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 29, 2011

Ms. LANDRIEU introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Secretary of Homeland Security to prescribe regulations imposing a fee on air carriers that charge passengers for a first checked bag or a first carry-on bag, 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 “Fair Airline Industry
5 Revenue Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Security service costs have increased for the
2 Transportation Security Administration since many
3 air carriers began to impose a fee for the first bag
4 checked by a passenger.

5 (2) As a result of the additional fee imposed by
6 air carriers, more passengers are opting to carry
7 baggage on aircraft, resulting in a need for more
8 staff and more time for screening at airport security
9 checkpoints.

10 (3) The Transportation Security Administration
11 estimates that, as a result of the increase in carry-
12 on baggage being screened at airport security check-
13 points, the Administration is spending an additional
14 \$260,000,000 on screening, which is detracting from
15 resources available for other security programs.

16 **SEC. 3. REGULATIONS IMPOSING A FEE ON AIR CARRIERS**
17 **CHARGING FOR A FIRST CHECKED OR**
18 **CARRY-ON BAG.**

19 (a) REGULATIONS REQUIRED.—Not later than 180
20 days after the date of the enactment of this Act, the Sec-
21 retary of Homeland Security shall prescribe regulations to
22 impose a fee on an air carrier that imposes a fee for the
23 first bag checked or the first bag carried on the aircraft
24 by a passenger who purchases a ticket for air transpor-

1 tation on the air carrier in which at least one flight origi-
2 nates at an airport in the United States.

3 (b) AMOUNT OF FEES.—The fee imposed pursuant
4 to subsection (a) may not exceed—

5 (1) \$2.00 per passenger charged for the first
6 bag checked or carried on the aircraft by the pas-
7 senger; or

8 (2) \$260,000,000 in the aggregate on all air
9 carriers in a year.

10 (c) FEES CREDITED AS OFFSETTING COLLEC-
11 TIONS.—Notwithstanding section 3302 of title 31, United
12 States Code, fees collected pursuant to subsection (a) shall
13 be credited as offsetting collections to the Secretary of
14 Homeland Security for the Transportation Security Ad-
15 ministration for aviation security.

16 (d) DEFINITIONS.—In this section:

17 (1) AIR CARRIER.—The term “air carrier”
18 means an air carrier, an intrastate air carrier, or a
19 foreign air carrier (as those terms are defined in sec-
20 tion 40102 of 49, United States Code).

21 (2) AIR TRANSPORTATION.—The term “air
22 transportation” means air transportation, intrastate
23 air transportation, and foreign air transportation (as

1 those terms are defined in section 40102 of 49,
2 United States Code).

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