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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R.

To amend title 49, United States Code, to limit eligibility of certain aviation privacy programs for immigration aircraft operations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. CROCKETT introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 49, United States Code, to limit eligibility of certain aviation privacy programs for immigration aircraft operations, 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 “Transparency Require-
5 ments for Aircraft Carriers to Know Immigration Conduct
6 and Enforcement Act” or the “TRACK ICE Act”.

1 **SEC. 2. LIMITATION ON FAA PRIVACY PROGRAMS FOR IM-**2 **MIGRATION AIRCRAFT OPERATORS.**

3 Section 44114 of title 49, United States Code, is

4 amended—

5 (1) by redesignating subsection (d) as sub-
6 section (e); and7 (2) by inserting after subsection (c) the fol-
8 lowing:9 “(d) **APPLICABILITY TO CERTAIN AIRCRAFT OPER-**
10 **ACTIONS.**—A private aircraft owner or operator shall not
11 be eligible for withholding of information under sub-
12 sections (a) and (b) for any aircraft operation that is—13 “(1) operated by, under contract or subcontract
14 with, or on behalf of U.S. Immigration and Customs
15 Enforcement or Customs and Border Protection;16 “(2) used for the purpose of detention, deporta-
17 tion, or the transport of individuals in the custody
18 of the Secretary of Homeland Security in connection
19 with the enforcement of the immigration laws (as
20 such term is defined in section 101 of the Immigra-
21 tion and Nationality Act (8 U.S.C. 1101)) ; and22 “(3) receives Federal funding or any other fi-
23 nancial assistance for operation described in para-
24 graphs (1) and (2).”.

1 SEC. 3. TRANSPARENCY OF FLIGHT DATA.

2 (a) IN GENERAL.—Not later than 72 hours after
3 each aircraft operation carried out by the Department of
4 Homeland Security, including U.S. Immigration and Cus-
5 toms Enforcement or Customs and Border Protection, or
6 the Coast Guard for the purpose of detention, deportation,
7 or the transport of individuals in the custody of the Sec-
8 retary of Homeland Security in connection with the en-
9 forcement of the immigration laws (as such term is de-
10 fined in section 101 of the Immigration and Nationality
11 Act (8 U.S.C. 1101)), the Secretary of Homeland Security
12 shall publish flight data for such aircraft operation in a
13 manner that is accessible to the public.

14 (b) FLIGHT DATA DEFINED.—In this section, the
15 term “flight data” includes—

16 (1) the date and time of departure at origin air-
17 port;

18 (2) the date and time of arrival at arrival air-
19 port;

20 (3) the departure airport’s International Civil
21 Aviation Organization (ICAO) code and the ICE Air
22 mission designation;

23 (4) the arrival airport’s ICAO code and the
24 ICE Air mission designation;

25 (5) the aircraft registration number;

26 (6) the ICAO aircraft identification code;

1 (7) the number of individuals detained by U.S.
2 Immigration and Customs Enforcement or other im-
3 migration enforcement agency who boarded and
4 deplaned at each departure and arrival location;

5 (8) demographic data for each detainee trans-
6 ported on each individual departure and arrival
7 flight leg (identified by ICAO airport codes), includ-
8 ing—

9 (A) nationality;

10 (B) sex;

11 (C) age category (grouped as 0-10; 11-17;
12 18-50; 51+);

13 (D) family composition category (speci-
14 fying, at a minimum, single adult, unaccom-
15 panied child, or family unit); and

16 (E) the type and quantity of any restraints
17 used for the duration of the flights on each de-
18 tained individual, such as handcuffs, shackles
19 on arms and legs, or full-body restraint device.